SOUTHCENTRAL FEDERAL SUBSISTENCE
REGIONAL ADVISORY COUNCIL
PUBLIC MEETING

VOLUME II

MARRIOTT HOTEL
Anchorage, Alaska
March 16, 2005
8:30 o'clock a.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.

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P R O C E E D I N G S

(Anchorage, Alaska - 3/16/2005)

(On record)

CHAIRMAN LOHSE: I would like to call the spring meeting of the Southcentral Subsistence Regional Advisory Council back in session. We are on WP05-07. We'll have it presented to us right now by Chuck.

MR. ARDIZZONE: Good morning, Mr. Chair, Council members. My name is Chuck Ardizzone. I'll be presenting WP05-07.

MR. MIKE: Mr. Chair.

CHAIRMAN LOHSE: Donald.

MR. MIKE: If I can do a little bit of information exchange this morning, it will be real quick. This morning I passed out some maps on marine jurisdiction. The maps were western Alaska, Alaska Peninsula in preparation for the presentation probably this afternoon on marine waters jurisdiction.

And I'd just like to remind the public, if you haven't signed in, please sign in at the front desk. The other thing I wanted to remind the public, if you want to testify, please fill out a testifier's form so you can be recognized by the Chair.

Thank you, Mr. Chair.

CHAIRMAN LOHSE: Donald, are Council members supposed to sign in too or do you have enough record that we're here.

MR. MIKE: I've got it on record that you're here. The other thing is that Dean Wilson has a doctor appointment, so he'll be here in about an hour or so.

CHAIRMAN LOHSE: Okay. Thank you, Donald. Thank you, Chuck, for waiting.

MR. ARDIZZONE: Mr. Chair. Proposal WP05-07 was submitted by the Ninilchik Traditional Council and requests that the moose harvest season in

Unit 15 be changed from August 10 through September 20 to August 20 through September 30. So they want to shift their 10 days in the beginning to the end of the season.

The proponent believes these dates are more in line with traditional subsistence activities and will revive the spirit and tradition of the hunt. The proponent also stated "historically, hunts were postponed until later in the year, following the processing of salmon. When harvesting moose later in the year, there is a better opportunity for the meat to be properly care of for and preserved so there will be less wasting of the harvest. Due to changing climatic conditions, the late summer and early fall temperatures on the Kenai Peninsula have been increasingly hot and dry. The proponent believes this makes it difficult to locate an animal and process it efficiently enough to ensure there is no unnecessary waste. Later in the fall, there is reduced recreation from hiking, ATV use, et cetera, which would promote the safety of recreational users and hunters alike."

There's a long regulatory history on Pages 85 and 86. There's been a lot of activity. There's been some court cases and that's how we end up with a current season. The most recent proposal that addressed the moose in the unit is from 2003, which was Proposal 04-87, which was submitted requesting that the moose season for 15(A) remainder be shortened by 10 days to August 20th to September 20 from the current August 10th through September 20. This proposal was not adopted by the Board in the May 2004 meeting.

I'll just briefly go over some of the biological background. In 15(A), the census conducted for the unit was in March 2001. The estimated moose population at that time was 2,069 animals. The last aerial moose surveys, which were in 2003, revealed a bull:cow ratio of 24 bulls to 100 cows and a calf:cow ratio of 26 calves to 100 cows.

In 2000 and 2002, there were no moose harvested in 15(A) under the Federal Subsistence Program. In 2000 and 2003, one moose was harvested in the first 10 days of the season by Federal permit. You can see that in Table 3. In Unit 15(B), in 2001, a census of 650 square mile area of suitable moose habitat was done and the population of moose in that area was considered to be approximately 958 animals. Because the census was conducted in February, after most bulls shed their

antlers, composition by sex was not determined. however, it was estimated that calves comprised approximately 20 percent of the population. This estimated population size is a slight decrease from 1990 when there was estimated 1,042 moose.

Reported harvest by Federal registration permits in Unit 15(B) has averaged approximately one moose per year between 1996 and 2003. A total of 13 moose were harvested with 10 of them being taken in the first 10 days of the season.

In 15(C), a census was conducted during late winter 1992 under optimal snow conditions. A census of the lowland portion of 15(C) produced a population estimate of 2,079 moose. A composition survey was completed for Unit 15(C) in 1999 and 2000. In 1999, 578 moose were classified with ratios of 18 calves per 100 cows and 27 bulls per 100 cows.

Federal harvest in 15(C) has averaged approximately two moose per year between 1996 and 2003. A total of 18 moose were harvested with 12 of them being taken in the first 10 days of the season.

The effects of this proposal. If this proposal were adopted, it would align the starting dates for the Federal subsistence season with the State general moose season for Unit 15. This could cause user conflicts between the different user groups.

This proposal would eliminate the early season priority granted to Federally qualified subsistence users in Unit 15, thus eliminating that early season advantage that subsistence users have over those participating in the general moose season managed by the State. However, the early season Federal priority would be replaced by a 10-day extension of the season for Federally qualified hunters. In accordance with the Ninth Circuit's guidance in the Ninilchik decision, it would be necessary for the Board, before adopting this proposal, to determine on the record whether or not this 10-day extension would provide a meaningful use preference for subsistence hunters.

Another important consideration is that if this proposal is adopted, the hunt would extend into the moose rutting period and normal rutting behavior may be disrupted. Because a large amount of the hunt area is road accessible, a hunt that extends during the rut, when

it is easier to harvest bull moose, could attract a large number of hunters. This large number of hunters in the field could disrupt the rutting behavior of a large number of bulls, which could have adverse affects on the overall moose population.

A late September season, which the proposal calls for, would make bulls extremely vulnerable to calling and the subsequent harvest could reduce the number of breeding bulls, compromising the success in increasing bull:cow ratios realized under the spike/fork 50-inch or three or more brow tines regulation.

The preliminary conclusion is to oppose this proposal. Thank you. This concludes my presentation.

Are there any questions?

CHAIRMAN LOHSE: Thank you. Any questions for Chuck.

(No comments)

CHAIRMAN LOHSE: Hearing none, we'll go on to Alaska Department of Fish and Game.

MR. HAYNES: Thank you, Mr. Chairman. For the record, Terry Haynes for Department of Fish and Game. Our comments on this proposal appear on Page 91 of your meeting book. The Department does not support this proposal. Moose in Unit 15 begin rutting in late September. Normal rutting behavior may be disrupted if a hunt extends into the rut period. The meat of moose taken during an extended late season during the rut, as proposed, will be less palatable. A road-accessible hunt during the rut also may attract large numbers of hunters. Bulls utilize the greatest proportion of their body reserves of fat and protein during the rut, leaving them more vulnerable to overwinter mortality if they are subjected to additional hunting pressure at this time.

Also, Mr. Chairman, Mr. Blossom asked me a question that I'll respond to if it's okay. The Board of Game considered a proposal to extend bow hunting for moose into Unit 15(C) at its recent meeting and the Board did not adopt that proposal.

Thank you.

CHAIRMAN LOHSE: Any questions for Terry. Terry, I have one question. Do we currently have any moose hunting seasons in the State that extend into the rut anymore, other than Cordova where it goes until December?

MR. HAYNES: Well, Mr. Chairman, I'm not sure because the timing of the rut varies depending on where you are in the state and the seasons vary. It certainly is not a desire to have moose seasons that extend into the rut unless they are for any moose so the alternative is to harvest cows, but there may be some that extend into the rut. You know, hunters don't seek rutting bulls if they're wise hunters.

CHAIRMAN LOHSE: I was wondering about that, too. I know we use that statement quite frequently. I'm just wondering from a quote/unquote traditional standpoint, does the not taking of animals in the rut actually exist? When I go back and I read the old magazines and the old hunting things and even that way almost all the deer hunting seasons in the state are lined up so that they hunt during the rut. We've used that, that the meat is less palatable during the rut, and yet, when you go back and look at all the old magazines and things like that, an awful lot of the moose hunting in Alaska was done in the rut in the past simply exactly for the reasons that we use not to do it today. They were more susceptible to calling.

I talked to a lot of the older people up in our area. They're used to taking their shoulder blade out into the woods and whacking on the trees to call a moose up. One of things that they don't like about today's hunting season is that it ends before they can do that. So they must have taken a lot of moose back then during the rut with that kind of technique and they must have eaten them because that's what they did with them.

So is that actually a legitimate reason or is that something we're just hanging onto to justify what we do? What's your opinion on that, Terry.

MR. HAYNES: Well, I can't speak as a manager or a biologist on that. If you're interest is in not wasting meat, then you would prefer not to take rutting bulls because that meat is generally less palatable. So if the intent of a subsistence hunt is to take moose to eat the meat, unless people have a preference for the meat from moose during the rut, that

doesn't seem to me like a preferred time to be taking moose.

CHAIRMAN LOHSE: I agree with you that it's not a preferred time, but I'm willing to bet that I can look at somebody sitting in the back row there whose dad used to take a moose during the rut. I'll bet you none of that meat was wasted either, you know. So the fact that the moose is taken in the rut is a preference thing that we have in our culture or a preference thing that we've come to in this day and age. It's not really a case of wasting meat or not wasting meat, it's a case of we know that moose that's not taken in the rut tastes better to us today.

But if you go back and read the old magazines and look at the old records, an awful lot of moose were taken in the rut back in the days when people didn't waste meat. I'm not disagreeing with the fact that moose tastes better outside the rut. I just see that as an argument presented so many times on these proposals. When I visit with the old people and stuff like that, I don't find that that's true. I mean the fact that the moose was taken in the rut was not a reason that the meat got wasted. Terry.

MR. HAYNES: Mr. Chairman. Another point that we made in our comments is that moose are more vulnerable during that time. So even if some moose are harvested during that period, if there isn't some way to restrict opportunity, you have conservation issues that are paramount, even above the palatability of meat. So it's a combination of concern about whether some people would not use the meat, but more than that, it's the vulnerability of the animals and the potential for conservation issues if you open up a season and have a lot of bulls taken during that time.

CHAIRMAN LOHSE: I agree with you there at to me that's a legitimate reason. It's a legitimate reason that they're more vulnerable. It's a legitimate reason that you can disrupt the rut. But I've seen that argument used about the palatability of the meat and the waste of the meat and I just have to say that I think that's an argument that shouldn't be presented anymore because that's not true. I mean historically, traditionally and everything else, that's not true because people took them in the rut and people didn't waste them in the rut.

It's possible that our modern hunters would waste more if they took one in the rut because they'd say, oh, my gosh, I can go to Costco and buy something that tastes better. I'm sure if we talked to James or somebody like that, a lot of us have eaten moose that was taken during the rut and post rut and we didn't waste it because the meat was taken then. But I agree with you on the other ones.

I saw Greg had something to say over there.

MR. ENCELEWSKI: Yeah, I would like to address this. Terry, I'd like to make a point here that in 15(B) here we do have a season on the peninsula, specifically September 26 to October 15. Also, as far as the rut, traditionally, as far back as I can remember and I've been in the Kenai area 57 years, but we used to hunt until late in the season taking moose until September 30th, and I guarantee you none of it is wasted. Never has been wasted. I don't see that as a problem at all. I just want to point out that we are hunting in this area during that time.

CHAIRMAN LOHSE: Thank you, Greg. Tom.

MR. CARPENTER: Yeah, I've got a question for Terry and then I guess for Chuck. When does the State hunt? Does the State hunt currently open at the same time that the Federal season opens now?

MR. ARDIZZONE: Concurrently, the archery season opens and the general hunt opens on the 20th. So August 10th the Federal season opens and the archery season and then August 20th the general season opens. That's why we had that window of opportunity to get subsistence hunters out there before the general season.

MR. CARPENTER: I guess the other question I have, when you gave the population estimates you had for this area, I'm not sure exactly what your desirable population levels are in these areas, but I mean the population seems to be pretty stable. There seems to be really no harvest taking place. Your cow to bull ratio is a good figure and your calf production is pretty decent. When you say that there's a conservation concern, I don't understand what you mean by that.

MR. ARDIZZONE: I think in general the populations on the peninsula have been decreasing. 15(A)

I think is really the biggest concern for cow:calf ratios. In general, I'm not sure what the population objectives on the peninsula are at the moment. I think the biggest concern that was addressed by the research center, the refuge and State biologists on the peninsula really was the vulnerability of bulls being harvested in larger numbers during the rut and they were worried that it would skew the numbers if a large number of bulls are harvested.

MR. CARPENTER: Well, first of all, for me, it's kind of hard to make a decision. You know, like in 15(A), I think you said the population was around 2,069 animals in March of '01, so that's four years ago. Your cow to bull ratio is good. Your calf percentage is 26 percent. I mean that's pretty decent calf survival and recruitment. We don't know what the desirable population estimate is for that number. I mean, to me, with those numbers, I don't know how you can say there's a conservation concern. I will agree with you that the peninsula populations have been declining, but we need to know what the goal is for the peninsula. We don't want to restrict and take away opportunity in an area where we don't have any evidence that there's really a conservation concern I guess is the question.

MR. ARDIZZONE: Well, on Page 86 the population goal for 15(A) is 3,600 animals. Sex ratio of 15 bulls to 100 cows. So we're more than 1,000 animals away from there. Bull:cow ratio is higher.

MR. CARPENTER: So do you think if this season -- how many more animals do you think -- I mean the harvest has been pretty much negligible.

MR. ARDIZZONE: I guess the concern is that we don't know what the harvest would be. The potential could be quite high because it would be only Federal hunters out there. They could hunt along the road system. There's, I don't know, 700 to over 1,000 eligible people in the area that could possibly hunt and there's just not a good estimate of how many people get out there and hunt. But with just strictly Federal hunters out there, there would be no competition and the bulls would be easier to call in.

MR. CARPENTER: Okay, thanks.

CHAIRMAN LOHSE: Doug.

MR. BLOSSOM: Mr. Chairman, are you ready for me?

CHAIRMAN LOHSE: I'm ready for you.

MR. BLOSSOM: First of all, for either one of you fellows, where does the hunting take place? Are there any roads where this is taking place? Tell me the areas. That seems to be one of the things I hear the Board consider.

MR. ARDIZZONE: I believe there are a number of roads on the refuge system where hunting would be allowed in 15(A) and (B). I'm not sure exactly where they all are.

MR. BLOSSOM: Mr. Chairman. I guess I call them to task because this has to be done on Federal land, not on State land. The Federal land is not accessible to the road system. There is a little bit in 15(A). There is none in 15(B). I take that back. You could go out Funny River Road and get a little bit of it in 15(B). Starting clear back at the start, I probably killed more moose than anyone in this room. You could eat moose through the entire rut and I dare you to tell it any different from the other. It might have less fat, but if you're very careful with the hide, that moose will be just as good in the middle of rut as it is any other time. I speak from 60 years of hunting moose and I've never missed killing moose. So that is a fallacy.

Last year we talked about this and we have a bull season now that starts the 10th of August, so I don't see any reason to take away that early opportunity for the subsistence people when we do have a sport hunt starts in 15(A) and (B) on the 10th. It didn't go into 15(C). They were trying to put it there this year. So I really don't want to see that early opportunity taken away from the subsistence hunters.

Now we get into the end of the thing where we normally stop the 20th of September. Anywhere from the 5th of September on the bulls are in full rut and their bellies are empty in the area we're talking about. So, yeah, they're still in the rut in the end of September, but they do this a long time before we quit hunting them.

I would suggest if we want to extend the end of the season that we stop it on the 20th like it

presently is and start it again on the 26th through the 15th of October when we still have a season on Federal land in 15(B) and that's primarily where most of the hunting will take place anyway. If we want to give them more opportunity, I would prefer we give them another three weeks there from 26th of September until the 15th of October when we already have hunters out in part of the area.

Most of this Federal land is not out by a highway. It's all way back in. I travel for hours with all the machinery I've got and then I get on horses to go back in to most of that Federal land. It's not just out where people can drive up and down the road in most cases and hunt. I'll be quiet for a minute.

CHAIRMAN LOHSE: It would be interesting at this point in time, because that's one of the reasons that are used, to know exactly how many miles of road there is in the land that we're talking about right here. It brings out that it's a road accessible hunt, but if the road goes to the edge of the land and you go in from there -- when I think of a road accessible hunt, I think of a road passing through the middle of the hunting area that you can hunt off of both sides. I don't think of a road coming to the hunting area and then you have miles and miles going back in. So that would be an interesting piece of information to have, Chuck, because that's one of the reasons that's used against this hunt.

One of the things I saw in here is that whether this hunt would provide a meaningful preference. To me, if the people who it's asking if it would provide a meaningful preference for requests that one be dropped and this be added, they obviously feel that it would be a meaningful preference, otherwise they would never put the proposal in. So I don't think we'd have to justify the meaningful preference in a court of law for Ninilchik when it's the Ninilchik Traditional Council that's saying this is the preference that we would prefer.

I'll ask Terry. What hunt is Doug talking about when he's talking about there's a current hunt going from September 26 to October 15th? Chuck.

MR. ARDIZZONE: I can answer that question, Mr. Chair. There's several drawing permits. There's five drawing permits that are for the shaded areas here that run from September 26 to October 15. There's approximately 50 permits that are issued. I

think about half of those are hunted and about half of those actually harvested. But it is a drawing permit, it's not just a general hunt, so it is limited.

And the meaningful preference language I would just like to say that's from the lawyers.

CHAIRMAN LOHSE: Yeah. It's kind of interesting to me that if we say that -- you know, one of the reasons not to have this is because the meat is less palatable and then we get 50 drawing permits for the same time period, I don't think if a moose is not palatable from the 20th of September until the 25th of September, it all of a sudden gets palatable on the 26th and goes until October. I'm like Doug. I know what's happened. They keep losing fat is what they do.

Then Tom brought up the other thing. Have you got anything to add so we can get into our own discussion? Terry or Chuck, do you have anything more you feel we should know at this point in time?

MR. ARDIZZONE: I'd just like to say I'm not really focused on the palatable issue. If people want to eat moose, that's fine. I think the main concern that I received from the refuge and the biologists is harvest problems possibly.

CHAIRMAN LOHSE: I would really like it if we could find out how much access there is in this area. The access is what's really going to determine how much pressure there is. We see there hasn't been much use of this season in that first 10 days and it's been blamed on everything from weather and competing salmon fishing and everything else, but I'm willing to bet that the biggest problem is access. It would be interesting to know what the access actually is. Chuck.

MR. ARDIZZONE: Mr. Chair. I think a lot of people actually use this season. If you look at Table 3, we've issued between '96 to 2003 there's 304 permits. The number of permits we've had reporting is 265 and a number of those people that have hunted is actually 206. So people are using the early season. It seems to range from 40 to 12, so there are there are people out there in the early season actually hunting. The harvest hasn't been very high, but there are people out there trying to get their moose.

CHAIRMAN LOHSE: Tom.

MR. CARPENTER: With the late hunt the State has in 15(B), the 26th to October 15th, how much has the harvest increased or what was the percentage again of the drawing permits that were successful?

MR. ARDIZZONE: I don't know the exact numbers, but of the 50 permits, I think about half go out and hunt and about half of those are actually successful, so that would put it at like 12 animals.

MR. CARPENTER: Thanks.

CHAIRMAN LOHSE: Any other questions. Greg.

MR. ENCELEWSKI: I'd just like to make one comment and maybe it would help clarify. In 15(C) there's very little access to Federal land. In fact, there's no road access. Where you do get the access is more up in the 15(A) area. Just thought it might help.

CHAIRMAN LOHSE: Any other questions for Chuck or Terry. Doug.

MR. BLOSSOM: Mr. Chairman. Would it be possible if you could kind of devise a little map for the Board members to show them where the Federal land is in 15(A), (B) and (C)? I think that would really help them see what's happened.

MR. ARDIZZONE: Mr. Chair. There was supposed to be a map with this and it somehow got deleted, but there is a map right behind you on the wall. Donald, did you get out small maps in the book?

CHAIRMAN LOHSE: Page 64 in your regulations.

MR. MIKE: Mr. Chair, you also have place maps on each of your chairs.

CHAIRMAN LOHSE: We can discuss this when we get to it because I've got some questions to ask the people that live down there rather than you guys. Thanks for the information. Anybody have any more questions for them before we let them go.

(No comments)

CHAIRMAN LOHSE: Thanks, Terry. Thanks,

Chuck. Other Federal, State and Tribal Agency comments.

(No comments)

CHAIRMAN LOHSE: Do we have any Interagency Staff Committee comments.

MR. BOS: Thank you, Mr. Chair. My name is Greg Bos with the Fish and Wildlife Service. I'd like to offer a few comments to emphasize some of the points that Chuck mentioned in his analysis and part on the discussion you've made here. I think your observations about quality of meat in the rut are good comments and it really shouldn't be the focus of consideration for this proposal.

A little background maybe would help. Prior to the Federal program becoming established, at one time the State had longer seasons going into the end of September without the spike/fork 50-inch, three brow tine requirement. Under that strategy, with the heavy hunting pressure that occurs on the Kenai, the bull:cow ratio was driven way down in many areas, particularly in 15(A). It was five bulls per 100 cows. That was affecting breeding success and survival of the calves because breeding was occurring over a longer period of time and then some calves were being born pretty late and were small going into the winter, so they weren't able to survive the winter as well.

Because of that the State developed the spike/fork 50-inch strategy, which is now employed in a number of areas around the state and that was to ensure that some mature bulls would survive the hunting season. Over the years, after that was implemented, the bull:cow ratio did increase as a result.

The Kenai National Wildlife Refuge does have an objective of having 25 bulls per 100 cows. I think the conservation concern that's raised in this proposal is to maintain a healthy bull:cow ratio to ensure breeding during the first estrus of the cows if possible. The State has a somewhat lower bull:cow ratio objective of 15 because I think they rely to some extent on the healthier bull:cow ratio in the refuge to supply bulls to the state lands outside of the refuge in Unit 15.

When the Federal program began, they adopted this strategy, recognizing the need to ensure

maintaining a bull:cow ratio consistent with the objectives set by the refuge. Then over a period of years a number of lawsuits that ultimately resulted in the current seasons, which the court found provided the preference to subsistence users that Title VIII calls for.

As you can see in the analysis, the bull:cow ratio in Unit 15(A), which is the where the surveys are conducted most consistently, is right at the low end or close to the objective bull:cow ratio for the Federal lands in the unit. So there's a concern that if you increase harvest on bulls by extending the season to the time when bulls become more vulnerable as a result of the rut, it may affect the bull:cow ratio and drive it down below the 25 per 100 that has been set for the Federal lands.

As Chuck pointed out, the majority of the harvest by Federal hunters by permits has been in that early season in Units 15(B) and Unit 15(C) and I think in 15(B) 10 out of 13 of the moose harvested were taken during those first 10 days. I think subsistence hunters in those units have come to rely on that early season for a majority of the harvest in 15(C). I think it was 12 out of 18 of the moose that have been taken have been in that early season. So you might consider that when you deliberate on this proposal.

The proponent was suggesting shifting the season later and opening it at the same time the State opens their general season. That could affect a number of subsistence hunters who have taken advantage of that earlier opening to harvest their moose in that area. So, again, I guess the primary concern is being able to maintain the bull:cow ratio that has been set as an objective for the Kenai National Wildlife Refuge.

Thanks.

CHAIRMAN LOHSE: Thank you. I was looking at Table 3. Since 1996 to 2003, the Federal hunters have taken two moose out of Unit 15(A), so they must not be relying on it too much though. That doesn't feed too many people, does it?

MR. BOS: That's a good observation. 15(A) has not been a primary hunting area for the subsistence users on the Kenai Peninsula. The majority of subsistence hunters are from Ninilchik and their

traditional hunting area is primarily in 15(C) and portions of 15(B).

You spoke of access and I think you correctly observed that access is fairly limited, particularly in 15(B) and 15(C), to refuge lands. There is the Funny River Road, the Oil Well Road out of Ninilchik and there's access on Skilak and Tustamena Lakes, which those folks with boats can get to quite a bit of country. Again, though, they have to hunt from the lakeshore, so there are large areas that are relatively inaccessible.

The 15(B) permit area that the State has is pretty much inaccessible except by horseback and that's why the participation in that hunt is as low as it is. Only about half of the permittees actually goes hunting when they find out how much it costs to get in there with the packers. If you provided an extended season in the 15(B) East permit area, you may not be providing much opportunity because of the access problems.

15(A) has a considerable amount of road system with the Swanson River Road and the Mystery Creek Road and it's possible you'd see more of a shift of hunting pressure into that area if you had a late season in 15(A) because of the accessibility. Under the current season, there isn't much advantage to going into 15(A) because of competition with other hunters during the State's general season.

CHAIRMAN LOHSE: If I'm understanding you right, then the concern is more for 15(A) than it is for 15(B) and 15(C) because of the access in 15(A). Historically, that is the least used for subsistence hunters. I mean it was two moose in those years in 15(A) and 13 in 15(B) and 18 in 15(C). So the area that's of the biggest concern is the area that's of the least use at this point in time anyhow.

MR. BOS: Yes, I think that's a good way to describe it. I think we'd see some increase in harvest in 15(C), but concern with the accessibility in 15(A) is -- and that's also the area where the bull:cow ratio is right on the lower end of the objective, so an increase of harvest would have the most effect in 15(A).

CHAIRMAN LOHSE: Thank you. Any questions. Doug.

MR. BLOSSOM: Yeah, Mr. Chairman. I guess I think one point we should make now, on that Federal land 15(A), (B) and (C), are motorized vehicles allowed on any of it?

MR. BOS: No. Motorized vehicles are not allowed except after the moose season is over with snowmachines are allowed after sufficient snow cover, which doesn't happen usually until December or January. Aircraft access, however, is allowed on some lakes within the refuge.

CHAIRMAN LOHSE: So did I understand Doug's question correctly that all of this Federal land is closed to ATV basically?

MR. BOS: Yes.

CHAIRMAN LOHSE: So the only motorized access would be on roads that currently exist but not on trails, am I correct?

MR. BOS: That's correct.

CHAIRMAN LOHSE: Doug.

MR. BLOSSOM: Mr. Chairman. Just for a little bit more clarity, you're not allowed to take a motorized vehicle five feet off the highway right-of-way, right?

MR. BOS: On refuge lands you cannot take a motorized vehicle off the established road system. There is access allowed to private in-holdings, however, with trails.

CHAIRMAN LOHSE: Thank you, Doug. Any other questions.

(No comments)

CHAIRMAN LOHSE: Thank you. Fish and Game Advisory Committee comments. Do we have any.

(No comments)

CHAIRMAN LOHSE: Summary of written public comments.

MR. MIKE: Thank you, Mr. Chair. You'll

find the summary of written public comments on Page 91.

Teague Vanek of Ninilchik supports the proposal. Moose hunting before August 20 is definitely not in keeping with our Alaskan lifestyle. Not only are most of us busy fishing or working at other summertime endeavors, but the weather is not right. Extending the season later instead of starting early makes sense. In mid August, moose antlers are still in velvet and are far from their full size, making it harder to find legal size moose. State regulations provides for late season hunts in many areas covered by this proposal. The Subsistence Board should adopt Proposal WP05-07 to allow for a late hunting season instead of the current early season.

Norbert Miller of Ninilchik supports the proposal. I would like to let you know that I support Proposition WP05-07 regarding the change in subsistence hunting dates, taking 10 days off the beginning of the season and adding them to the end. From perspectives of personal available time and "huntability" this is an improvement over the existing season.

I have another written public comment that did not make the book, so I'll read it into the record. Steve Vanek of Ninilchik supports WP05-07, stating that it's supported by the Ninilchik Tribal Council. I have subsistence hunted in August for moose on Federal lands in Unit 15 since the Feds took over management on Federal lands. The August 10th to August 20th period does not work well at all. It is too hot and sometimes too dry, like this past year. It is not a good time of the year to hunt on Federal lands where no transportation other than horses is allowed. To pack meat out on foot takes several days. That makes it difficult to keep meat from spoiling. I strongly urge you to change the subsistence dates as to what Ninilchik Tribal Council proposes.

That concludes the written public comments. Mr. Chair.

CHAIRMAN LOHSE: Thank you, Donald. Do we have any public testimony.

MR. MIKE: We don't have any.

CHAIRMAN LOHSE: At this point in time we'll go into Regional Council deliberation, discussion,

recommendations, justification. We need a motion to put this proposal on the table.

MR. CARPENTER: Mr. Chairman. I move we adopt WP05-07.

CHAIRMAN LOHSE: Do I hear a second.

MR. McMAHAN: Second.

CHAIRMAN LOHSE: It's been moved and seconded to adopt WP05-07. Discussion. This is where we're counting on the fact that what we have is a Council that covers all areas and we're really expecting some information from the people that live in that area. Most of us don't know the Kenai Peninsula very well. A lot of issues have been brought up. If Greg or Doug would like to start off giving us some discussion so we have an idea of how people that actually live there feel about it and what they see.

MR. ENCELEWSKI: Okay, Mr. Chairman. First of all, as I stated earlier, I'm on the Tribal Council there, I'm president, and this was unanimously supported by the Tribal Council. Our feeling is strictly that it is a better time of hunting due to the increasing warmness. Traditionally, we did hunt later.

Several points that we wanted to make is that we would definitely be open to an amendment to change this to include a later season and not change the early one if that would be acceptable, but we don't want to disenfranchise anyone from a chance for an opportunity to hunt. We feel strongly that the amount of animals taken during this Federal subsistence hunt is not a large amount and you do have a drawing of 50 permits going on in the later hunting season and under ANILCA 804 I think this would truly give us a more meaningful hunt.

So we're open to suggestions to make it a more meaningful and a better hunt for everyone in the area. I think that if you really sit down and analyze this, the Ninilchik Traditional Council, we have hired our own people for resource management and we're doing studies on the moose and we're starting to record our own data on a lot of the land back there because we have a concern for the dropping animals and we have a concern for the conservation of them also. We don't want to open this up where this gets a lot of extra pressure on it, but we feel strongly that there should not be much

pressure at all added by a later season, which would be preferred.

CHAIRMAN LOHSE: Tom.

MR. CARPENTER: Yeah, Greg, I guess I have a question for you. When you put in this proposal, did you ever just consider leaving the opening date the same and adding 10 days onto the end? The other question is have you ever considered just leaving the dates the same but possibly having a hunt that's similar to 15(B) and what the State has and actually making that a drawing permit for Federally-qualified users so both the State and the Feds wouldn't worry about overharvest?

MR. ENCELEWSKI: Yeah, Tom, at the time, no, we didn't consider that. We're certainly open to that. One of the reasons we didn't consider it is we didn't figure that there was a snowball's chance in hell of getting an additional time, so we were looking for a better opportunity for a hunt. So that was the proposal. I don't think there's much pressure at all in that early part and I think by adding either a drawing if there's truly a concern about the ratio of bulls, then I would question why the State continues to issue permits for that drawing.

Thank you.

CHAIRMAN LOHSE: Thank you, Greg. Doug.

MR. BLOSSOM: Mr. Chairman. Just to add to that, that's why I was suggesting we keep the season like it is and if we wish to give them more opportunity, give them that second period while there is a hunt taking place in at least part of the year you were talking about so that enforcement and all that are in the field and doing their thing and it just makes it smoother. In reality, they'd have a five or six day closure the end of September, then they'd get to do their subsistence hunting until the 15th of October. That's why I made that suggestion, but I really don't want to see that early part go away. If you want a chance to go early, they already do bow hunting then, so if you have one kind of hunting, why can't you have two kinds. That was my thing.

CHAIRMAN LOHSE: James.

MR. SHOWALTER: Yes. On the subsistence

hunt, which was brought up there is drawings for, I can't see that myself because subsistence hunts are for the people that are there that does subsistence. The reason why I'm saying that is because I've been regulated out of my subsistence, so I know what they're doing there. So they've got to have their subsistence hunts and not a drawing.

As far as it goes for the total number of moose within A, B and C, the harvest level, like I say, it's going down due to the fact that the moose total population isn't there. So not only the people harvesting, how many has the brown bear and the wolves? Their population has increased and their take has increased. So that's another point of view.

Thank you.

CHAIRMAN LOHSE: Thank you, James. Fred.

MR. ELVSAAS: Thank you, Mr. Chairman. I guess we're all 15 hunters here. First of all, I want to say in Seldovia our tribe has taken the position that we don't talk about 15(A), (B) or (C). There was a movement by the State to try to get us to agree to that and our fear is if you agree we're in the 15(C) area, the next thing would be 15(C)1, 15(C)2 and on down. The natural governmental wish to restrict you more and more just for the purpose of making more regulations. So we're opposed to talking about the A, B, C things.

There was some discussion about hunting during the rut. The biggest moose I ever shot was during the rut and my partner and I came onto a situation where two bulls were pushing each other around, there was a bunch of cows there and obviously the rut was on. But we shot the bulls. My partner got one, I got one. We talked about was the meat going to be that good or not. It was just as good as any meat we ever had. The only real problem we had during the rut was trying to chase the damn cows away. Even with the dead bulls they wouldn't leave us alone.

So I don't put much stock in the rut. I see this off and on in regulations and comments and so forth. I've been hunting moose since 1951. I missed the last two years because I'm just too old now. I think the season could be open during the rut season and who is to tell these moose when the rut starts and stops. You know, you make a date on the calendar and that just

doesn't square with the moose.

And we used to have a second season and, of course, after the second season it was safe to go out and get a moose through the winter. I have done a lot of winter hunting in past years and I found the meat was leaner, which, when you look at the size of me, I need lean meat. I don't need fat meat.

In any case, I would support extending the season for the hunt. Now there's talk about the ideal number of moose for the area. If you look at the Kenai Peninsula, it's being populated more and more and more and maybe these numbers were great 10 years ago or 20 years ago, but when you look to the future, you're going to have more roadkill, more moose confrontation with people building out in the rural areas. I think that's more waste than anything.

So, to deny somebody the right to hunt subsistence because you want to bloat the numbers or make X regulations or just impose things on people, it just doesn't sound right to me. So I would support an amendment to extend the season to whatever the proponent would think is appropriate. And I have to say that I also benefit from it. I will use proxy hunting myself in the future, but I intend to keep hunting.

Thank you.

CHAIRMAN LOHSE: Thank you, Fred. Doug.

MR. BLOSSOM: Yeah, Mr. Chairman. I guess at this time I'd like to propose an amendment to WP05-07 to do the following: start August. 20th through September 20th. Commence again on September 26th through October 15th. The other part of it, the one one-antlered bull, spike/fork, all that stays the same.

MR. CARPENTER: Second.

CHAIRMAN LOHSE: Doug, that's what I was going to ask you. In your original one you said August 20th. So the second seconded August 20th.

MR. BLOSSOM: Oh, August 10th.

CHAIRMAN LOHSE: Does the second understand that?

MR. CARPENTER: I assumed that he wanted to keep it the same.

CHAIRMAN LOHSE: But he said August 20th. So we've got an amendment on the floor, August 10th to September 20th, September 26th to October 15th, right, and everything else stays the same. So we can have discussion on the amendment.

I've got a couple questions if nobody else has questions. I'm going to ask them of Doug or Greg or Fred, somebody that's down on the Kenai that knows things. We've kind of hashed it out a little bit with them. I have two conservation concerns. One is the road access. From what I understand, there's no ATV access in any of this country that we're talking about. It's strictly roads. How much of it has road going through it? You guys hunt down there, so you know.

MR. BLOSSOM: Mr. Chairman. In 15(A) you have the Mystery Creek Road. I don't know if the escape route from north Kenai gets to the refuge border or not. That would be the only other place. You have Funny River Road. Skilak Lake Road, but then a lot of that is closed to hunting on one side anyway for all hunting. This area is open to road hunting during the regular seasons, so most moose are shot back away from the road by then anyway. Once the bulls are in the rut and got their cow herds, they don't move around much. They stay kind of back. So it's, in my estimation, very unaccessible. You're going to have to work to get a moose during most any of this time on the Federal land on the Kenai.

CHAIRMAN LOHSE: Now the Skilak Road is closed to the discharge of firearms, isn't it?

MR. BLOSSOM: I better let the refuge people answer, but one side of that road is closed to, yeah, firearms and hunting. You can't hunt a moose on that one side. There's that piece in there that unless it has so many cows it can't be hunted and then it's cows only. I'm not sure of all the regulations there.

CHAIRMAN LOHSE: I was under the impression that the Skilak Road area was closed to firearm hunting, but I may be wrong. In fact, I'm almost positive because, I won't say how many years ago it was, one of my sons was pretty little and he shot a grouse with a pellet gun and just happened to have the game warden come about that time and got informed that he

could use a bow and arrow but he couldn't use a pellet gun because that was a firearm.

So Mystery Creek and the Pipeline Road then basically, huh? So we're talking like not very many miles of road? You guys drive it. Evidently nobody drives it. It must be that bad of a road.

MR. BLOSSOM: Mr. Chairman. Mystery Creek Road, for instance, if you get caught back in there and it starts raining, you might spend a couple weeks there. These are the type -- well, Funny River Road is a good road, but, there again, the moose that are accessible have generally been already harvested before the time we're talking about. If you look here, it's not a very big harvest we're talking about. So if these people want additional opportunity, this affords them that without creating any problem.

CHAIRMAN LOHSE: And then between the two of you or three of you or four of you that are down on the Kenai, what is your feeling on the increase in take? I mean we're looking at this and we're saying it's providing a reasonable opportunity -- that's a wrong word, that's a State word -- subsistence priority. What do you look at as the increase in take if this kind of thing would go through.

MR. ENCELEWSKI: Mr. Chairman. I guess no one would know for sure. It would have to be monitored. A couple points that I would make is that if you did go with the amendment, and you have the normal season, the early subsistence preference, most hunters are going to try and get their moose during that period. So that doesn't leave you I mean the whole hunting everyone this late season. So I'm not so sure the pressure would be as great as some people perceive. I definitely think it will be more easy to hunt and it will go up.

CHAIRMAN LOHSE: Tom.

MR. CARPENTER: I guess one question maybe for Chuck. Does the Fish and Wildlife Service have emergency order closure authority like the State does in regards to a hunt? If these dates were added to the season and there's a perceived problem, I would assume that you guys could close the season down early.

MR. ARDIZZONE: Mr. Chair. We don't have

that authority. We would have to submit a special action. We do it by special action. It's not as timely as the State system. We'd have to do the whole analysis.

MR. CARPENTER: And the other question I had, with all the moose that are harvested in this area, is the understanding that the population in this area is under what the desired level is, but the State and the U.S. Fish and Wildlife must figure there's a harvestable surplus in there because they do have a hunt right now, has that harvestable surplus been exceeded?

MR. ARDIZZONE: I'm unsure. I can't speak to that. I wish I could.

MR. CARPENTER: I guess my question is that if the harvestable surplus hasn't been exceeded, then, to me, there's still opportunity for additional harvest to take place until that number is met. We're trying to provide for subsistence opportunity for the people that live in this area that have C&T. I'm just not hearing the conservation concern. The road issue was a question for me at the beginning. Now that I understand that motorized access is very restrictive and that some of these roads are not the greatest roads in the world, I just don't know if I see the conservation concern maybe that Staff does.

Thanks.

CHAIRMAN LOHSE: Thank you, Tom. Doug.

MR. BLOSSOM: Mr. Chairman. I hate to keep talking, but a number of years ago when we started the spike/fork 50-inch rule, Ted Spraker at that time, the way he sold it to us, we could shoot all of the moose outside of that group and never lose our hunting on the Kenai, so that has been in effect for a lot of years now. I guess I've got to say it's worked. I didn't think it would at the time, but under the spike/fork 50-inch rule, the moose are still there. We've got a diminished amount, but that's because of predation mostly. I think that pretty well kept our moose harvest so we could keep on going. They haven't had a count on the moose in five or six years, so they don't really know what the moose are doing anyway. It's so lax in our assessment of moose down there. Anyway, that rule there has made our moose hunting at least stable.

CHAIRMAN LOHSE: Thank you, Doug. That's

a point well to bring out. That alone is a limiting factor. If it has to be spike/fork 50, they're not going to take all of the moose. I have a question for Tom. One of the things that was brought up by Greg or James maybe, drawing doesn't enter into subsistence and yet I know Cordova's moose hunt has always been looked at as a subsistence hunt. It's a local hunt for the local people and except for a couple years it's always been a drawing hunt. Even our Federal hunt down there is now a drawing hunt. I just was going to ask Tom for his comments on how that has worked from a standpoint of somebody who lives down there.

MR. CARPENTER: Well, Cordova's hunt is quite a bit different than this area. The population of moose in 15(A) is greater than the total population in the entire Unit 6. I mean we just don't have the numbers. But our moose were transplanted, so there is some restrictive qualities there. The biggest thing with the drawing hunt it eased the pressure for the management and staff because they didn't have to worry ever about overharvest. They could figure out what the harvestable surplus was and they could issue that amount of permits and they could issue it for any bull and it's worked real well because there's nothing you have to worry about. The harvest is almost 100 percent every year. It has been when the State was managing it and it has been since the Feds have been managing it, so it's worked out real well.

The only reason I brought that up is that I don't see a conservation concern in this area, at least from my own perspective. I thought if opportunity could be given to the people with C&T in this area, if the only way you could get that opportunity without risking, you know, to both the Department and Fish and Wildlife Service that an overharvest would take place was that you could possibly consider a drawing hunt just so you didn't have to worry about that. That's not something to consider.

I haven't heard strong feelings one way or the other from people that lived down on the peninsula, but it has worked well for us in Cordova, but I'm not sure it's kind of the same principle.

CHAIRMAN LOHSE: Thank you, Tom. I can remember when we went through all of this on the August 10th opener and all the dire predictions. I see a couple options if this doesn't work and we still wanted to

provide it, the example of the Cordova drawing hunt would be one of the options. The other option would be like we do on caribou up in Unit 13 where you have to report within a certain time. If it turns out to have more take than expected where you have a limit, then you have a closure. In order to have an emergency closure, you have to have a goal that you're going to reach and set that up ahead of time. So those are two possibilities for the future.

But I'm like Tom. At this point in time I don't really see a demonstrated conservation problem. Chuck

MR. ARDIZZONE: I just wanted to mention that we're talking about the State's drawing hunts quite a bit. That hunt is limited to 15(B) only. I just wanted to make sure that was clear.

CHAIRMAN LOHSE: I think that was understood. So if this amendment would pass, part of this hunt would take place in units that currently don't have hunts going on. We have an amendment on the table.

MR. CARPENTER: I call the question to the amendment.

CHAIRMAN LOHSE: Tom called the question. All in favor of the amendment, which is basically we change the dates from August 10th to September 20th aye, have a five-day closure, open September 26th to October 15 and all the other wording stays the same. That's the amendment before us. All in favor of the amendment signify by saying aye.

IN UNISON: Aye.

CHAIRMAN LOHSE: All opposed signify by saying nay.

(No opposing votes)

CHAIRMAN LOHSE: Amendment carries. So now we have an amended motion before us open for discussion. Do we have any discussion.

(No comments)

CHAIRMAN LOHSE: We don't have any discussion. The question is in order.

MR. ENCELEWSKI: Question.

CHAIRMAN LOHSE: The question has been called. All in favor of WP05-07 as amended signify by saying aye.

IN UNISON: Aye.

CHAIRMAN LOHSE: All opposed signify by saying nay.

(No opposing votes)

CHAIRMAN LOHSE: Motion carries. With that we're taking a break.

(Off record)

(On record)

CHAIRMAN LOHSE: Call to order. We're on Proposal WP05-08. I think Chuck is going to present this one.

MR. ARDIZZONE: Mr. Chair, Council members. WP05-08 was submitted by Jack Champod of Nelchina and requests a change in the Unit 13(A) and (B) caribou harvest limit to allow the harvest of two caribou of any sex.

The proponent states the costs of meat and gas are too high for people on a limited income to spend gas money on multiple unsuccessful trips. The people who need the meat most cannot afford to spend $50-plus per trip and see only cow caribou. Currently, the herd is above the ADF&G population goal of 35,000 and the proponent believes harvest of any caribou should be allowed.

This has been before the Council numerous times. There's a very long regulatory history and biological background. In the interest of brevity, I thought I'd skip to Page 100 where the real meat of what we need to discuss is on that page.

The Nelchina caribou herd was last before the Board in 2003 as proposal WP03-14. At that time, the regulations were changed to the current regulation, which gives the BLM Glennallen Field Office Manager the authority to open the season to cow caribou once the

ADF&G fall population estimate reaches 35,000.

The Board decision at that time was based on a biological concern expressed by ADF&G that a cow harvest when the herd was below 35,000 jeopardized the recovery of the herd. The ADF&G fall population estimate for 2004 was 36,677 animals, which allowed the BLM to exercise the authority granted by the Federal Subsistence Board and open the season to animals of either sex beginning November 10, 2004.

Current predictive models used by ADF&G suggest that the herd will continue to climb even with the cow caribou harvest that is currently taking place. The projected growth of the herd will likely cause ADF&G to institute a limited cow caribou season for Tier II hunters in the fall of 2005.

The current Federal regulation only allows the in-season manager the authority to open the second season to either sex; the Federal fall season would remain bull only. If the State does allow a cow caribou season in Fall of 2005 and if this proposal does not pass, the likely situation would be that the State Tier II hunters could harvest cow caribou in the Tier II early season, whereas Federal hunters would be limited to bull only.

If this proposal is adopted, it would allow the harvest of any caribou, thus providing more opportunity for subsistence users. However, this proposal does not allow for adaptive management of the herd, if the herd drops below the ADF&G management objective of 35,000 animals, a special action or another wildlife proposal would be needed to change the regulation to address any conservation concerns.

The preliminary conclusion is to support with modification, to allow BLM, in consultation with ADF&G, to announce the sex of the animals that may be harvested for both the fall and the winter season. This would maintain a flexible management strategy, which would allow for conservation measures to be implemented if the herd drops below the State's management objectives.

The modified proposal should read Unit 13(A) and (B)2 caribou by Federal registration permit only. The seasons would be August 10 to September 30 and October 21 to March 31. The sex of animals that may be

taken will be announced by the Glennallen Field Office Manager of the Bureau of Land Management in consultation with the Alaska Department of Fish and Game area biologist and Chairs of the Eastern interior Regional Advisory Council and the Southcentral Regional Advisory Council.

Thank you. That concludes my presentation. Are there any questions?

CHAIRMAN LOHSE: Any questions for Chuck? Chuck, I just have one question. They haven't had the count yet this spring, have they?

MR. ARDIZZONE: Not that I'm aware of.

CHAIRMAN LOHSE: But in all likelihood it looks like the herd will be above 35,0000 next year?

MR. ARDIZZONE: That's correct.

CHAIRMAN LOHSE: Any other questions for Chuck.

(No comments)

CHAIRMAN LOHSE: Alaska Department of Fish and Game.

MR. HAYNES: Mr. Chairman. The Department's comments are on Page 102 of your meeting book. The Department supports the proposal as modified in the preliminary conclusion, which would authorize the BLM in Glennallen, in consultation with others, to announce the sex of Nelchina caribou that may be taken during both the fall and winter seasons in Units 13(A) and 13(B).

The Department doesn't support the proposal to authorize any caribou harvest limits without this safety valve since it provides the flexibility needed to adjust harvest limits in season if necessary for conservation purposes. The Nelchina herd was estimated at 36,677 animals last fall and remains at the low end of the Department's population objectives of 35,000 to 40,000 animals.

Current Federal subsistence regulations authorize a 2-caribou harvest limit in the winter season as long as the population estimate remains above the

lower end of this population range. If the population falls below the minimum objective, the harvest of cows would be counterproductive and would inhibit population growth.

As is done each year, Department staff will examine calf productivity this spring to develop a population estimate and determine if the harvest of cows should be authorized during the next regulatory year.

At this time, we anticipate that cow harvest will be authorized in State regulations and Federal regulations next regulatory year.

Thank you.

CHAIRMAN LOHSE: Terry or Chuck, whichever one of you could answer this question, is there anything in place for emergency closures? I mean could the biologists, once they make the announcement of the sex, would they be able to close it or change it in the middle of a season if the harvest started to get too high? I think I see the BLM manager back there shaking his head. Would you come up.

MR. WATERS: Good morning, Mr. Chairman, Council members. I'm Elijah Waters. I work for the BLM in Glennallen. Also, I have the in-season manager here, Ramone McCoy. The answer to the question is yes. We were going to give these comments during the other agency comments, but we'll go ahead and give them now.

As you know, we opened the Federal season to cows November 10th. This is the first year that Ramone has exercised that authority because it's the first year the population was over that minimum objective. Since November 10th we've had 51 cows killed and we update this on a daily basis. I look at it every day. In fact, this 51 cows killed, that was updated as of Friday, which is the last time I was at the office. So we absolutely have that flexibility to close it to cows if that harvest goes too high.

CHAIRMAN LOHSE: Do we have any kind of objective set as to how many cows would be too high?

MR. WATERS: We don't. We work close with Bob Taube and Becky Kellyhouse. In fact, since we monitor that harvest, they call over and give updates on that. If it gets too high, they'll have concerns. What

we're working on is a joint database where they'll have access to that harvest information immediately, so they don't even have to pick up the phone and give us a call.

I don't think we're ever going to get over 150 cows.

CHAIRMAN LOHSE: But if we would, the mechanism is in place then that an emergency closure could be made by sex. It wouldn't have to close the whole season.

MR. WATERS: Yes. Exactly.

CHAIRMAN LOHSE: Any other questions for BLM. James.

MR. SHOWALTER: Yes, I was just wondering, with the subsistence hunt, how many of those have been cows in that hunt?

MR. WATERS: I can give you the averages. I'm not sure I understand the question. First of all, there hasn't been a cow harvest in about three years. The overall average kind of went up in 1999 when the Delta Junction hunters were added. Since then we've averaged about 350 total caribou killed. In the years where there has been a cow harvest, then about 150 of those have been cows. This year it's going to be lower because there's only 220 total taken and the season ends in two more weeks.

While I'm here, I'll just go ahead and give our other agency comments.

CHAIRMAN LOHSE: Yeah, you're the next ones up anyhow. Unless somebody has some questions for Terry.

(No comments)

CHAIRMAN LOHSE: If nobody has any questions for Terry, we'll excuse you and let them give their report. This is the other Federal, State and Tribal agency comments.

MR. WATERS: I'd just like to say we look at this as the final piece in the Nelchina caribou hunt management. This is going to allow Ramone the flexibility, working with the local ADF&G and the other Council chairs, the maximum flexibility to implement this

hunt as the joint managers see. We work closely with the State and we think this is a win-win situation for both agencies.

With that, I'll let Ramone say whatever she'd like to say.

CHAIRMAN LOHSE: Okay.

MS. McCOY: I would just like to re-emphasize that this is an important adaptive management tool to enable us to manage this herd in a scientific-based manner. Thank you.

CHAIRMAN LOHSE: So basically the BLM looks at the thing from the same standpoint as the ADF&G with this modification. They don't see any danger in this proposal, but that this proposal actually fits into the part of the plan. Even if this proposal wasn't submitted by ADF&G or BLM, the proposal actually fits in with the planned strategy.

MR. WATERS: It does in the sense that the plan is kind of a verbal plan. There's no written plan strategy that we can fall back on. The consensus plan through the Federal Board and through ADF&G, it certainly fits within that.

CHAIRMAN LOHSE: Thank you. Any other questions for BLM. Gloria.

MS. STICKWAN: There was a lot of caribou all over the place, like in Kenny Lake this past year, and Tazlina I saw about 10 of them these past few days. It's just unusual to see them spread that far down. I was wondering if you have any comments about that.

MR. WATERS: Any comments I'd have on that would be purely speculative. I do want to point out that that's not Federal land and that's probably one reason the harvest is lower than average this year, because the caribou reacted quite differently than they have in the past. I also know that Harley has been doing a lot of those radio flights and the last date I saw it may be about 25 or 30 percent were down in that Kenny Lake area all winter. I think the caribou must have smelled the smoke from their normal winter range and just didn't go.

CHAIRMAN LOHSE: Harley, do you have

something?

MR. McMAHAN: No, I don't really have anything to add to that. You covered it pretty well. Caribou are so darn unpredictable. There's some years when they're down on the north side of the Copper River, closer than you would think they were if you get in an airplane. Boy, every year it seems like it's different where they go. It's pretty interesting following them around.

CHAIRMAN LOHSE: Gloria.

MS. STICKWAN: That's not because of their food source, you don't think?

MR. WATERS: Again, that would be pure speculation on my part. I don't think any biologist has a real clear understanding of what caribou do, but it is a well-documented fact that they do avoid recently burned areas, so that's certainly a feasible explanation.

CHAIRMAN LOHSE: That was my speculation, too, but it's interesting to me how they can sense it. It's been nice seeing caribou in the Kenny Lake area, but that has had an impact on the harvest. Whether that's good or bad is also subjective. So at this current time it doesn't look like we'll take 250 animals probably for the season.

MR. WATERS: I don't think we'll reach 250.

CHAIRMAN LOHSE: Okay. With that, any more questions for BLM.

(No comments)

CHAIRMAN LOHSE: Interagency Staff Committee comments. Do we have any on this one.

(No comments)

CHAIRMAN LOHSE: No. Fish and Game Advisory Committee comments. Do we have any on this one.

(No comments)

CHAIRMAN LOHSE: Hearing none. Summary of written public comments.

MR. MIKE: Thank you, Mr. Chair. You'll find the comments on Page 102. Don Quarberg of Delta Junction opposes this proposal. This population cannot support the additional harvest.

The AHTNA Subsistence Committee supports the proposal to allow the taking of two caribou by Federal registration permit. As the proposal states, the State's objective of 35,000 caribou has been met. The caribou population is now at 36,000 and it can sustain the taking of any two caribou. Taking two caribou will increase the opportunity to harvest the caribou in Units 13(A) and (B) and thus to have our subsistence needs met. This is important because it is rather difficult to harvest a moose in Unit 13.

The Wrangell-St. Elias National Park Subsistence Resource Commission unanimously supports the proposal as modified in the staff analysis. As modified, this proposal would allow the harvest of any caribou when the herd can support this, while also providing for BLM oversight of the hunt in case herd numbers cannot support a cow harvest.

Thank you, Mr. Chair.

CHAIRMAN LOHSE: Thank you, Donald. Do we have any call for public testimony.

MR. MIKE: We don't have any.

CHAIRMAN LOHSE: So Regional Council deliberation, recommendation, justification. Discussion. Somebody needs to make a motion to put this proposal WP05-08 on the table.

MR. CARPENTER: Mr. Chairman. I move we adopt WP05-08 with modification that would allow BLM in consultation with ADF&G to announce the sex of animals that may be harvested for both fall and winter season.

MS. STICKWAN: Second.

MR. KOMPKOFF: I second it.

CHAIRMAN LOHSE: It's been seconded by both Gloria and Pete.
Okay. Discussion, comments. James.

MR. SHOWALTER: Yes. On this proposal,

it was submitted by Jack Champod. Within the proposal, the handicapped can harvest either sex, the way I read it, but you have to have a handicapped license plate. What about the handicapped that don't drive. Do they have to have a license plates?

CHAIRMAN LOHSE: James, you're on the wrong proposal.

MR. SHOWALTER: Oh, sorry about that.

CHAIRMAN LOHSE: You're on 09. You're trying to get done sooner. You've already wrote the other one off.

(Laughter)

CHAIRMAN LOHSE: Tom.

MR. CARPENTER: Yeah, Mr. Chairman. It sounds to me like the Department and the BLM have an understanding. It seems like it's an agreement that was worked out and sounds to me like there's some sound biological reasoning behind it. I'll call for the question.

CHAIRMAN LOHSE: The question has been called. I kind of agree with you, Tom, that we've had pretty good information extended on it, but I think Fred wanted to say something.

MR. ELVSAAS: Mr. Chairman. The area we're talking about actually is the yellow area on the map? It's a very small area.

CHAIRMAN LOHSE: Yes.

MR. ELVSAAS: The rest of it is State land.

CHAIRMAN LOHSE: The rest of it is State land. Harley.

MR. McMAHAN: Yeah, since this is up in my neck of the woods, I just wanted to comment and say that I'm fairly comfortable with this with the modification. I'm glad BLM was working together with Fish and Game to determine a limit on the number of cows that might be taken. So I'm going to vote for this.

CHAIRMAN LOHSE: Thank you. The question has been called. All in favor of WP05-08 as modified signify by saying aye.

IN UNISON: Aye.

CHAIRMAN LOHSE: All opposed signify by saying nay.

(No opposing votes)

CHAIRMAN LOHSE: Motion carries. We're now on WP05-09, James.

MS. ARMSTRONG: Thank you, Mr. Chair. Helen Armstrong, Office of Subsistence Management. This proposal is on Page 102 of your books. It is quite similar and related to the one you've just gone through with a major difference. It also was submitted by the same person, Jack Champod from Nelchina. He requests special provisions for Units 13(A) and 13(B) caribou hunt to allow the harvest of two caribou of any sex during the August 10 through September 30 and October 21 through March 31 seasons by hunters with a permanent, physical disability.

So this is identical to the other one asking for the same number of caribou, any sex, same seasons, the difference is with a permanent, physical disability.

He provided the same reason for both proposals, stating that the cost of meat and gas is too high for people on a limited income to spend gas money on multiple unsuccessful trips, stating that the people who need the meat most cannot afford to spend $50-plus per trip and see only cow caribou, which they cannot harvest.

He also indicated that even if WP05-08 passes, which it did, and the harvest limit is any caribou for all hunters, he thought that the proposal WP05-09 should pass to provide in the special provision section this opportunity for permanently, physical disabled hunters.

In a conversation with Pat Petrivelli, who was the original author on this analysis before she left Fish and Wildlife Service, she said that even though passing Proposal 08 makes this one moot, he still wanted it to be considered as a special provision section

because he was concerned that if the population dropped below 35,000 that he wanted to still give opportunities to disabled hunters.

Along with the permits for special provisions for the disabled hunter, the proponent suggests that the eligibility for issuing these permits be the same as those used for handicapped license plates and he further suggests that there be no designated hunting allowed under these special provisions, stating that the physically disabled person must be the hunter.

The information that you just heard on the biology, the Federal public lands, C&T determinations, regulatory history, those were all covered in Proposal 08 and I won't go through those.

There is some regulatory history of special provisions in Unit 13. They have special provisions for issuing permits to two cultural/educational camps. These two permits are for the regular caribou season and the sex of the caribou allowed for harvest are determined by the Glennallen Field Office manager, who issues the permits to the hunters for the camps.

In Unit 13, designated hunting provisions for caribou have been in place since 1997, in recognition of the customary and traditional practices of hunting for those who are unable to hunt for themselves.

The effect of the proposal would be that it would create special provisions to allow physically disabled hunters to harvest caribou of either sex during both seasons in 13(A) and 13(B). It calls for issuance of the permits to physically disabled hunters only, with no designated hunting allowed. The proof of disability would be determined by eligibility for handicapped license plates. The eligibility for license plates is defined by the U.S. Department of Transportation Federal Highway Administration and it appears on Page 108.

The proponent estimated that fewer than 50 persons would take advantage of this special permit to hunt any caribou. If the proportion of disabled persons in Glennallen and Delta Junction is the same as throughout the state, it actually would probably be approximately 93 handicapped or disabled veterans license plates issued in the area from estimates of DMV statistics.

Designated hunting provisions have been in place in Unit 13 for seven years and allow for consistent limits for all Federally qualified subsistence hunters.

The proponent cited the high cost of hunting, but proposed that designated hunting not be allowed, which could be a very economical means of obtaining meat, where one hunter would be able to harvest more than one harvest limit at a time. Harvesting through designated hunting in the early season is provided for all Federally qualified subsistence users.

The preliminary conclusion is to oppose the proposal. The justification is that this proposal would create additional special provisions for the Unit 13(A) and Unit 13(B) caribou season. Designated hunting provisions for caribou in Unit 13 were approved in 1997 and should not be dropped. These provisions were adopted to meet the needs of those subsistence users who cannot harvest animals for themselves.

Thank you, Mr. Chair. That concludes my analysis.

CHAIRMAN LOHSE: Thank you. One question. If this proposal was adopted as written, would that supersede the designated hunter provision that's already in place? I mean if it says the physically disabled person must be the hunter, would that basically do away with the designated hunter provision?

MS. ARMSTRONG: So you're saying would it do away with it for everybody and not just the physically handicapped, disabled people? That's what your question is?

CHAIRMAN LOHSE: Yes.

MS. ARMSTRONG: I don't think it would, if I'm understanding this correctly.

CHAIRMAN LOHSE: But it would do it for the physically disabled.

MS. ARMSTRONG: Yes, it would.

CHAIRMAN LOHSE: So basically what it would do is eliminate the designated hunter for the physically disabled with that last sentence.

MS. ARMSTRONG: Right.

CHAIRMAN LOHSE: And you could still have designated hunter for people who just don't want to hunt, but the physically disabled would be left out.

MS. ARMSTRONG: Right.

CHAIRMAN LOHSE: Where currently the physically disabled has access to the same things everybody else does.

MS. ARMSTRONG: Pat is going to clarify.

CHAIRMAN LOHSE: Good.

MS. PETRIVELLI: With that provision there, I think it would only be if, say in the future, this proposal passed and then the population went below 35,000 and there wasn't the provisions for either sex, then the disabled hunters could get their permits for any sex and those permits someone couldn't use a designated hunter when they're special provision permits. But I don't think it affects any other designated hunting as long as they don't ask for special provisions. I'm pretty sure that's what the intent is. It's just for these special provision hunts.

CHAIRMAN LOHSE: So you'd almost have to have this as a special registration permit so that it was under physically disabled to separate it from other permits.

MS. PETRIVELLI: Yes, I think that's the intent. It would be in the special provisions section and it would be written up and issued by Glennallen. It would be like a registration permit, so it would be completely separate.

CHAIRMAN LOHSE: Tom.

MR. CARPENTER: How many people since 1997, when the designated hunter provision was put in, might take advantage of this situation annually? Do you have any idea?

CHAIRMAN LOHSE: Elijah, can you give us an idea on that? I wondered that myself.

MR. WATERS: Thank you. I can't give you

the exact number, but I want to say right around 50 designated hunter permits a year. It's kind of misleading to assume that 50 people take advantage of it because of the number of animals harvested by those 50 people are pretty low. I can only recall about four or five animals this year taken by a designated hunter.

I do want to point out about Mr. Champod's proposal. This proposal has been in the works for a couple years and he's been talking with me about it. He lives in an area that's relatively low density and he tries to get people to designate hunt for him. He does have some significant health issues and is unable to participate for himself. It's kind of tough sometimes to get people to designate hunt for you.

MR. CARPENTER: I guess just a follow up then. Since you've seen this program, of the 50 or so designated hunter permits, how many would you say are the elders or people who are handicapped?

MR. WATERS: Well, you'll have to understand how the designated hunter permit works. I'll just use examples of people locally. Let's say Harley broke his leg. He could have anyone with a designated hunter permit hunt for him but only one at a time. So as long as I have a designated hunter permit, I could hunt for him and there would be no way of tracking that unless I actually took an animal for him.

When people come in to get designated hunter permits, it's generally the young males and they can hunt for as many people as they want and the people who they hunt for do not have to come in and tell us that I'm hunting for Harley or anything like that. We really don't have a way of tracking that.

MR. CARPENTER: Then let me kind of rephrase it. Besides this individual that put this proposal in, do you hear great concern from people who are handicapped that their subsistence needs are not being met?

MR. WATERS: No.

CHAIRMAN LOHSE: Elijah, can I ask for clarification there. In other words, when a person gets a designated hunter permit, it's the person requesting the designated hunter permit that requests it, not the individual for whom they're going to hunt, like under the

State proxy system.

MR. WATERS: Exactly.

CHAIRMAN LOHSE: So a person could get a designated hunter permit and then go look for people to hunt for.

MR. WATERS: Exactly.

CHAIRMAN LOHSE: To hunt for people, what are the qualifications of people that they're hunting for? Is it just that they have a permit or do they have to have Harley's broken leg?

MR. WATERS: Just that they have a permit. In fact, I'll call your attention to Page 13 of the regulations and it's clearly stated there and I won't read it unless you want me to. If you have somebody designated to hunt for you, there's no restrictions on it whatsoever. You don't have to be handicapped, you don't have to be temporarily handicapped, you don't have to be old or blind or anything.

I think the regulation was made like this intentionally. I think it was recognizing some of the customary and traditional practices of opportunity. If you could take two, one for your buddy, take it while the getting is good. It's kind of diverging from the State by design.

CHAIRMAN LOHSE: Does the designated hunter have to have a permit in his possession from the person for which he's hunting?

MR. WATERS: That's correct. That way if Harley broke his leg, he couldn't have you and I both out there hunting for him at the same time because we might both take one and he'd be in violation. Whoever hunts has to have that person's permit in your possession.

CHAIRMAN LOHSE: But if Harley had two permits, you and I could both hunt for Harley.

MR. WATERS: Yes.

CHAIRMAN LOHSE: Don't go breaking your leg.

(Laughter)

MR. CARPENTER: Could I clarify?

CHAIRMAN LOHSE: Yes.

MR. CARPENTER: I guess I haven't read this book as much as I should. This comes as quite a surprise to me. So could one person with a designated hunter permit -- it says here you can have two bag limits. So you could go out and shoot two moose?

MR. WATERS: Yes. In fact, we had somebody who did that this year. He had a designated hunter permit, he had the other hunter's permit in his possession. He killed two moose immediately.

CHAIRMAN LOHSE: You say this hasn't been used much, comparatively speaking.

MR. WATERS: Well, I don't know what to compare it to.

CHAIRMAN LOHSE: If you're talking 50 a year as the amount of designated hunter permits and not that many takes.

MR. WATERS: Right.

CHAIRMAN LOHSE: That was an eye-opener to me, too. Okay. Any other questions. We are on the Alaska Department of Fish and Game next.

MR. HAYNES: Mr. Chairman. The Department's comments are on Page 110 of your meeting book. The Department does not support this proposal. It seeks to liberalize the Unit 13 caribou regulations and would allow persons who have a permanent physical disability to harvest cows during both the fall and winter seasons. However, the proponent justifies this proposed change on economic grounds rather than explaining why permanently disabled persons should have a more liberal harvest limit than other hunters.

As long as the population estimate for the Nelchina Caribou Herd remains above 35,000 animals, the Federal regulations provide an opportunity for Federally qualified subsistence users to harvest cows during the winter season. I might add, if Proposal WP05-08 was adopted, that would extend into the fall season.

So we believe that much of the

proponent's concerns would be addressed by adoption of WP05-08 and that adoption of this proposal is not needed at this time.

Thank you.

CHAIRMAN LOHSE: Thank you. Any questions for Terry.

(No comments)

CHAIRMAN LOHSE: Terry, I'll just ask you a question. This kind of looks to me like a proposal that meets an individual need that's not very widespread. At this point in time it's probably not necessary, but also has very negligible impact. Could you see where this proposal, if passed, could ever have much of an impact from a conservation standpoint on the Nelchina Caribou Herd? And maybe I'm putting you on the spot. Maybe I shouldn't do that.

MR. HAYNES: But you enjoy doing that, don't you?

(Laughter)

CHAIRMAN LOHSE: No, I don't enjoy that at all.

MR. HAYNES: Mr. Chairman. I certainly don't think that this will have much of a impact on the Nelchina Caribou Herd. I guess one of the concerns, obviously, is having a very easily understood regulation because once something like this is adopted in one place it establishes a precedent. With the designated hunter provisions in place, that does accommodate this type of consideration. Certainly I don't know the proponent's circumstances. Elijah pointed out that he does consider himself in a situation where he maybe has trouble getting someone to hunt for him. I think there's always a concern about establishing regulations that fit the needs of a very, very small number of people and then having that as a precedent for other parts of the state where the situation may not be quite as clear.

CHAIRMAN LOHSE: I wasn't thinking so much of a precedent as just the fact that we end up filling our regulation books up with regulations that really don't have much impact one way or the other. That's why I was asking if you thought this would have a

conservation impact or wouldn't really have much of an impact period.

Any other questions for Terry.

(No comments)

CHAIRMAN LOHSE: Do we have any other Federal, State or Tribal agency comments.

(No comments)

CHAIRMAN LOHSE: Does Interagency Staff Committee have any comments on this one?

(No comments)

CHAIRMAN LOHSE: None. Do we have any comments from Fish and Game Advisory Committee comments.

(No comments)

CHAIRMAN LOHSE: I don't see any. Summary of written public comments.

MR. MIKE: Thank you, Mr. Chair. Public comments are on Page 110. The AHTNA Subsistence Committee supports the proposal to allow harvest of either sex caribou in Units 13(A) and (B) by those having a permanent disability. This will make it easier for permanently disabled individuals to meet their subsistence needs.

That concludes the written public comments, Mr. Chair.

CHAIRMAN LOHSE: Thank you. Do we have any public testimony.

MR. MIKE: None.

MS. ARMSTRONG: Mr. Chair. I just wanted to add for your information that this proposal was brought before the Eastern Interior Council and they tabled it because they felt that Proposal 08 addressed these concerns.

Thank you.

CHAIRMAN LOHSE: Thank you. Hearing no

other public testimony, it's time for us as a Council to discuss, deliberate, recommend or justify our decisions on this one. So a motion to put WP05-09 on the table is in order.

MR. CARPENTER: Mr. Chair. I move we adopt WP05-09.

CHAIRMAN LOHSE: Do I hear a second.

MR. BLOSSOM: Second.

CHAIRMAN LOHSE: It's been moved and seconded. Discussion. Comments. Tom.

MR. CARPENTER: Yes, Mr. Chair. It sounds to me that with the adoption of the prior Proposal 08 and with the current mechanism in place through the designated hunter program and the comments that were made by Elijah from the BLM it doesn't seem that there's any problem with a person's ability to provide harvest or to find somebody to harvest for them, so I don't necessarily know that this needs to be added to the regulation book at this time.

CHAIRMAN LOHSE: Anybody else. James.

MR. SHOWALTER: Yes, I think I'm on the right proposal this time. Within the proposal you've got your dark print and it says the physically disabled person must be the hunter/shooter. Is that correct?

MS. ARMSTRONG: Yes.

CHAIRMAN LOHSE: Well, if there's no further discussion, you've heard the information, the question is in order.

MR. CARPENTER: Question.

CHAIRMAN LOHSE: The question has been called. All in favor of adopting WP05-09 signify by saying aye.

(No aye votes)

CHAIRMAN LOHSE: All opposed signify by saying nay.

IN UNISON: Nay.

CHAIRMAN LOHSE: Motion fails. Okay. We're going to take a 10-minute break before we go on to WP05-21.

(Off record)

(On record)

CHAIRMAN LOHSE: Okay. We're going to be considering WP05-21 and this deals with people who live in our area, but it deals with game that's outside of our area. It's part of Eastern Interior. We're going to have to decide whether we're going to take a stand on it. In the past, we have deferred usually to the area that the decision affects.

MS. GREFFENIUS: Good morning, Mr. Chair and members of the Council. My name is Laura Greffenius and I'm on the staff of the Office of Subsistence Management with the U.S. Fish and Wildlife Service. I shall provide a summary of WP05-21, which begins on Page 111 of your Council books.

Proposal WP05-21 was submitted by the Cheesh-na Tribal Council, Chistochina, and requests adding the residents of Chistochina to the customary and traditional use determinations for moose in the portions of Unit 12 where they are not currently included.

The existing Unit 12 moose C&T use determination is listed on Page 112 of your Council book. I also refer you to Map 1 on Page 113. It will help in some of the explanations.

The residents of Chistochina, located in Unit 13(C), are included in the customary and traditional use determination for moose in the portion of Unit 12 labeled as A in the regulatory descriptions. The proponents are requesting a positive determination for moose in the B and C portions of Unit 12 described in the proposed regulation and shown on the Map 1.

Note that Federal public lands in Unit 12 are comprised of Wrangell-St. Elias National Park and Preserve, which is nearly half, 48 percent, and the Tetlin National Wildlife Refuge, which is 11 percent.

The C&T use determinations for moose in Unit 12 are essentially the same as originally adopted in 1992. This determination was based on existing State of

Alaska determinations. In the 1989 State regulations, the three areas contained in Federal regulations were labeled South, East and North respectively. The C&T use determinations in Unit 12 stayed the same until 1998, when the Federal Subsistence Board adopted Proposal 101, which added the residents of Healy Lake to all of Unit 12.

Some specific community characteristics of Chistochina are that it is located along Mile 32 on the Tok Cutoff of the Glenn Highway. During the 2000 census, there were 93 residents, 63 percent of whom were Alaska Native, living in 37 households. The population of all the communities with C&T use determination in the B and C portions of Unit 12 are shown in Table 1 on Page 116. The location of Chistochina is linked to a traditional Ahtna fish camp site and the community has relocated within the vicinity of this camp several times in the last century.

The 1998 proposal analysis for Healy Lake provided documentation of historical interaction between Upper Tanana and Copper River Ahtna residents in pursuing subsistence activities and potlatch celebrations. Ties between the Upper Tanana and Upper Ahtna are also noted in the 1984 Copper Basin study which contained a description of the traditional trails in the Nabesna Road area of Unit 12.

The proponent noted that documentation of the use of this area by Chistochina is also available in the applications submitted under ANCSA, parts of Section 14, including historical and cultural selections, Native group selections and individual selections. These are included in the discussion of Factor 4 for customary and traditional uses starting on Page 117.

The site background and the investigation report for the site of the confluence of Jack Creek and the Nabesna River historical and cultural selection made by Ahtna, Inc. provides a description of continuous use from the prehistoric period through the 1970s by Upper Tanana residents and Ahtna residents of Chistochina and Mentasta Lake.

There are specific factors for determining customary and traditional use and the list of these factors begins on Page 116 in your Council book. I'll highlight two of these factors. For Factor 1, the social links for Chistochina were documented in a 1973

report that listed the kinship ties that Chistochina had with Tulsona Creek, Gakona, Suslota, Nabesna, Mentasta, Chisana and the Sanford River.

Two of these occur in Unit 12, Nabesna and Chisana. The report noted that the Chistochina residents maintained these ties and may hunt, fish and gather in areas that were traditionally used by their ancestors.

Household survey data from 1987 are presented in Table 2 on Page 117. Chistochina, just over half, 54 percent of the households used moose and harvested an estimated 53 pounds per person on an annual basis. These amounts fall within the range of use by the other communities that have a positive customary and traditional use determination. Through ADF&G permits or harvest tickets, there is documentation of moose harvest by Chistochina residents.

Factor 4 begins on Page 117. The available permit information for Chistochina residents from 1991 to 2002 shows the harvest of moose in the portion labeled A of Unit 12, where the community has an existing customary and traditional use determination. However, mapping of community resource harvest areas for Chistochina residents undertaken in conjunction with the 1982 household surveys showed a wider use area.

For Unit 12, mapping of moose harvest areas showed residents of Chistochina used the Nabesna River drainage beyond the A portion, north to Pickerel Lake and east of the Nabesna River along Stone Creek, Cooper Creek and Camp Creek.

Referring to Map 2 on Page 113, additional information on the use of the B and C portions of Unit 12 by Chistochina was provided in the investigation reports for historical and cultural site application submitted by Ahtna. Historical occupancy and use of sites on a seasonal basis for subsistence activities, including moose harvesting, throughout the 1970s was described for the location near the confluence of the Cooper Creek with the Nabesna River and another location near the confluence of the Cross and Notch Creeks northwest of Chisana for the B portion, and the Pickerel Lakes locations for the C portion. Again, these are shown on Map 2 on Page 114.

Chistochina has a customary and

traditional use determination for moose in other units. Information presented in each of the other factors detailed in the proposal analysis describes their use of moose.

The effects of this proposal. The adoption of Proposal WP05-21 would recognize the residents of Chistochina as customary and traditional users of moose in the remaining portions of Unit 12, that is B, east of the Nabesna River and Nabesna Glacier, south of the Winter Trail from Pickerel Lake to the Canadian Border, and C, the remainder of Unit 12. Written documentation shows that the residents of Chistochina have used moose in these areas since the late 19th century. This recognition should not have an impact on other users or the resource.

The preliminary conclusion is the support the proposal. The justification is that the documentation of the customary and traditional use of moose in the other portions of Unit 12(B) and (C) on the map by residents of Chistochina is shown through community harvest resource mapping and site specific investigations within these areas. Their levels of use are very similar to the communities that have a positive customary and traditional use determination in these portions of Unit 12.

This concludes my presentation and I want to give credit to Pat Petrivelli for the compilation and writing of this analysis.

Thank you.

CHAIRMAN LOHSE: Thank you, Laura. Do we have any questions for Laura. Gilbert.

MR. DEMENTI: Laura, do you know why the proponent of this proposal didn't want the whole Unit 12? It seems like they're qualified for the whole Unit 12 here and they just asked for certain portions. Do you know?

MS. GREFFENIUS: Well, just to clarify. They already have it for the A portion of Unit 12. The proposal is to extend their coverage of the C&T use determination for the entire Unit 12, including the B and C portion shown on your map.

MR. DEMENTI: Okay, thank you.

CHAIRMAN LOHSE: Yeah, I believe this proposal covers all of Unit 12 that they don't currently have, right?

MS. GREFFENIUS: Exactly.

CHAIRMAN LOHSE: Any other questions for Laura. Laura, has Eastern Interior acted on this one?

MS. GREFFENIUS: Yes, I did give the presentation at the Eastern Interior meeting and they support the proposal based on the review of the eight factors for the C&T use determination and the written public comments and the personal knowledge of the Council members.

CHAIRMAN LOHSE: Thank you. Alaska Department of Fish and Game.

MR. HAYNES: Department comments are on Page 21 of the meeting book. We're currently neutral on this proposal. The evidence presented in the Staff analysis clearly indicates that Chistochina residents have hunted moose in some areas of Unit 12 for which they don't currently have a positive C&T finding. However, the evidence is not presented that this pattern of use occurs throughout all of Unit 12. The Southcentral Regional Councils may wish to discuss whether changes to the existing C&T finding should be limited to areas of Unit 12 where moose hunting by residents of Chistochina has been documented.

I also would bring to your attention kind of the reverse situation a few year ago when Unit 12 residents sought to have C&T determinations in Unit 11. Unit 11 residents had concerns about how far south into Unit 11 those findings were made and the Sanford River became kind of a dividing line. By the same token, I think the same is probably true in Unit 12.

The evidence presented in the analysis does not show that Chistochina has hunted throughout all of Unit 12. Another point obviously is that we could anticipate Mentasta seeking to be added because Mentasta is closer to Unit 12 than Chistochina, so an expansion of opportunities throughout Unit 12 I think will get the attention of Unit 12 residents at some point and they may be concerned that there be some lines drawn around what areas of Unit 12 should be found to be customary and traditional use areas for Chistochina residents, Mentasta

and anyone else who may eventually submit a proposal for that purpose.

CHAIRMAN LOHSE: Any questions for Terry? Terry, I kind of had the same concerns and that's why I asked her what the Eastern Interior did. In the past this Council has usually deferred to the area that things were taking place in. If they had concerns, I would expect them to come up with drawing the lines on the map rather than us because they would understand their area a lot better than we would. Terry.

MR. HAYNES: Mr. Chairman. That would normally be true, but there were no members of that Council from villages in Unit 12 at that meeting. Sue Entsminger, who lives down on Nabesna Road was at the meeting, but there wasn't anyone who spoke either as a member of the public or as a Council member who was from Tanacross, Tetlin, Northway, Tok.

CHAIRMAN LOHSE: Laura.

MS. GREFFENIUS: Yes, Mr. Chair. Just to add that it is a policy of Office of Subsistence Management when there is an existing cultural and traditional use determination, where there is a request for a change, the analysis is written specifically for that community and we don't expand it. If there would be a request in the future for Mentasta Lake, then we would certainly do that as another proposal.

Thank you.

CHAIRMAN LOHSE: Laura, you said that you attended that meeting in Eastern Interior. Were they pretty close to just a quorum? Terry said there weren't very many Council people from the villages at that meeting. Were they missing a lot of their Council?

MR. HAYNES: Mr. Chairman. Maybe I can speak to that. The Council doesn't have -- I believe Sue Entsminger is the only Council member from that region who currently sits on the Eastern Interior Council. Up until recently there was another member, but she no longer is on the Council and there are no new appointments made with people from that region.

CHAIRMAN LOHSE: Tom.

MR. CARPENTER: I was reading the

comments from the Wrangell SRC and you make a good point that there's only one member on the Eastern Interior Council. Does the make-up of the Wrangell SRC include representatives from this particular area?

MR. HAYNES: Mr. Chairman. There is a member from Dot Lake in Unit 20(D) that sits on the Council. I don't know if there's anyone else.

CHAIRMAN LOHSE: But that's Unit 20, not Unit 12.

MR. HAYNES: Right.

CHAIRMAN LOHSE: Barbara.

MS. CELLARIUS: Mr. Chairman. Barbara Cellarius, subsistence coordinator for Wrangell-St. Elias National Park and Preserve. Chuck Miller from Dot Lake is on the SRC. However, he was unable to attend the meeting we held in Chistochina last month. The other member we have from the Eastern Interior Region is Cole Ellis, who is from the end of the Nabesna Road. He was at that meeting.

CHAIRMAN LOHSE: Thank you, Terry. Okay. Are there any other Federal, State or Tribal agency comments.

(No comments)

CHAIRMAN LOHSE: Hearing none. Do we have any Interagency Staff Committee comments.

(No comments)

CHAIRMAN LOHSE: No. Fish and Game Advisory Committee comments.

(No comments)

CHAIRMAN LOHSE: No. Summary of written public comments.

MR. MIKE: Thank you, Mr. Chair. The summary of written public comments are on Page 121. The Ahtna Subsistence Committee wrote they support the rural subsistence users who reside in Chistochina to having a C&T use determination for moose throughout Unit 12. They have customarily and traditionally used Unit 12 to hunt

for caribou, moose, sheep and other wildlife. Unit 12 is their traditional area to hunt for caribou, moose, sheep, et cetera. They have used these areas for thousands of years to take wildlife for their livelihood.

Barbara Cellarius from the National Park Service will present the SRC's comment.

MS. CELLARIUS: Mr. Chair, Barbara Cellarius from Wrangell-St. Elias National Park and Preserve. As I said, I provide staff support to the Wrangell-St. Elias Subsistence Resource Commission.

The recommendation on Proposal No. 21 from the Wrangell-St. Elias SRC is to support the proposal as written. The analysis presented clearly documents that residents of Chistochina have customarily and traditionally harvested moose in all three areas of Unit 12 for which there are C&T determinations.

If you have any questions about the area, I could perhaps help with that.

CHAIRMAN LOHSE: So basically, Barbara, if I look at this correctly, about 50 percent of this land is under the National Park jurisdiction?

MS. CELLARIUS: That's correct, in Unit 12. People from Chistochina currently have C&T for the end of the Nabesna Road. The two other areas are on the other side of the Nabesna River to the Canadian border and then there's an area that's north of the Nutzotin Mountains, which is basically in Tetlin National Wildlife Refuge and there's a little bit in the national preserve.

CHAIRMAN LOHSE: Okay. Any questions for Barbara.

(No comments)

CHAIRMAN LOHSE: Thank you, Barbara. Any public testimony.

MR. MIKE: We have none.

CHAIRMAN LOHSE: So it's time for Regional Council discussion, deliberation, recommendation, justification. A motion to put WP05-21 on the table or to defer or whatever is in order.

MR. KOMPKOFF: Mr. Chairman. I make a motion to pass WP05-21.

MR. CARPENTER: Second.

CHAIRMAN LOHSE: It's been moved and seconded to support WP05-21. Discussion. Tom.

MR. CARPENTER: Yes, Mr. Chair. I guess the big question is does this Council really need to take any action in lieu of what the Eastern Interior has already done. It seems pretty evident that they've supported this proposal. I don't know. If we need to, I guess we can.

CHAIRMAN LOHSE: Personally, Tom, I don't know if we need to either. In the past, what we have usually done is we've deferred to the decision of the Council in whose property this is taking place. In this case, since we're dealing with people who actually live in Southcentral, you know, it's a request from people who are in our area that are requesting it, we could support Eastern Interior's decision, we could support this proposal or we could just defer to the other Council's decision. Right now we have a motion on the table to support this proposal. Gloria.

MS. STICKWAN: I'd like to see our Council go on record stating we support their decision.

CHAIRMAN LOHSE: That's the motion we have on the table. If there's no further discussion, all three of those are legitimate options and they all say the same thing. If there's no further discussion, the question is in order.

MR. CARPENTER: Question.

CHAIRMAN LOHSE: The question has been called. All in favor of supporting WP05-21 as it's been supported by Eastern Interior Council signify by saying aye.

IN UNISON: Aye.

CHAIRMAN LOHSE: All opposed signify by saying nay.

(No opposing votes)

CHAIRMAN LOHSE: Motion carries. I've had two requests. I've had a request that we put off the marine waters thing until after lunch and I've had a request by the Fish and Game for a short report on the C&T things that are going on on the Kenai Peninsula, just a catch-up thing. With the consent of the rest of the Council, I'd like to hear that out of turn so the individual can leave and then we'll recess for lunch. Hearing no dissent.

MR. KOMPKOFF: Mr. Chairman. If it's Jim Fall, we won't listen to his testimony.

(Laughter)

MR. FALL: Thank you, Mr. Chair, for taking this out of order. I know everybody is eager for lunch. My name is Jim Fall. I work for the Division of Subsistence, Department of Fish and Game here in Anchorage as the regional program manager. I notice I've already lost Pete Kompkoff, so that's a bad sign. I better try and do a little bit better.

(Laughter)

MR. FALL: What I was asked to do this morning is basically to update you and see if you have any questions on a project that we've discussed with the Council before. As you know, a few years ago the Division entered into a contract with the Office of Subsistence Management to do a study that's called Cook Inlet Customary and Traditional Subsistence Fisheries Assessment. A year ago Liz Williams from my staff gave you a rather detailed overview of the study findings in your meeting up in Talkeetna last fall.

Pat Petrivelli gave an update on the project then and Pat handed out at that meeting the final report for the study, which is Division of Subsistence Technical Paper 285. I think her expectation was that all the Council members would read the report, would annotate the report and would come with a detailed set of questions for me to answer here. If you haven't done that, you won't disappoint me in the least.

I say that with a certain amount of humor, but the serious message is that if you haven't had a chance to look at the report, if you don't have your list of questions with you, you left them in the hotel room or something, we'll be around if and when this

report ever becomes relevant for any of your deliberations, so this isn't the last chance to get questions answered about the study findings.

To remind you of what this was all about, what we were asked to do was to gather information on past, present and potential future use of fish on Federal public waters on the Kenai Peninsula. That was our first goal. The second goal was to research some of the history of traditional uses of salmon in present Federal lands on the peninsula, and especially to look at the history of a Federal regulatory closure on subsistence fishing in fresh waters of the Kenai Peninsula that went into effect in 1952. Our third goal was to identify issues regarding the development of new subsistence fisheries in Federal lands and waters.

Our study methods included a literature review accomplished mostly by Ron Stanek of our staff, we did key respondent interviews, we held four scoping meetings before the research took place to identify issues and to get input on the kinds of questions we should ask. Those occurred in Anchorage, Cooper Landing, Kenai and Ninilchik. Then the main thrust next was 355 systematic household surveys that were done in Cooper Landing, Hope, Nikolaevsk, Ninilchik and Seldovia done face to face in collaboration with the Ninilchik and Seldovia Tribes in those communities. These communities were picked because the residents of these communities are rural residents that are eligible to participate in any Federal subsistence fisheries now or that are developed.

Following those surveys in the development of draft study findings we held stakeholder meetings in Cooper Landing, Kenai, Ninilchik and then at the Council a year ago. Then we completed the final report, which was distributed last summer. There is also a four-page overview of key study findings, which I believe the Council has been provided with previously, but I brought a stack of them with me. I don't want to bring these back, so I will just leave them here.

I'm not going to go over the study findings since I've done that before, Pat's done that before, Liz has done that before. So I'll end there just to see if there are any questions. And, again, with the promise that if questions come up on what this is all about, we'll always be available to help out.

Thank you.

CHAIRMAN LOHSE: Thank you. I didn't really realize that you were asking for us to come up with questions on that. I looked at that more as a piece of information to be used and to be used in the future if we needed information. By questions, do you mean things we would come across that we would disagree with or think we needed further clarification on? For me, it was just a piece of information that I don't really have any ties to. For those Council members that are on the Kenai, it wouldn't hurt to go over it and see if you see things that you disagree with or things that you think need expanded on or clarified. For the rest of us, we have no way to judge whether or not it's accurate.

I appreciate your presentation and you've brought it back to our attention and I'm going to throw it right into the lap of my Council members from the Kenai to actually take the time to take a good look at it and see if you think it meets the purpose for which it was done because you're the ones that know and we're going to have to rely on you for information regarding your area.

MR. FALL: Mr. Chair. I would just point out that in the four-page overview in the back at the bottom there is contact information for me and other staff. So, if, indeed, anybody does take a look at this in more detail and has any questions of any kind, we're easy to find and we'd be happy to clarify anything that needs to be clarified.

CHAIRMAN LOHSE: I'm sure, since they got the Chairman's order, they will look at it in more detail and they'll probably be knocking on your door with questions. If they don't, you can report to me at the next meeting that they haven't.

Thank you, Jim, and thank you for bringing it back to our attention, all joking aside.

With that, we've got a quarter to 12:00. It's been requested that we put off the marine waters thing until after lunch. I'm going to suggest that we come back from lunch at a quarter after 1:00. That way everybody has time to actually go and do something for lunch today.

(Off record)

(On record)

CHAIRMAN LOHSE: I'll call the spring meeting of the Southcentral Subsistence Regional Advisory Council back into session after our lunch break. We're going to go on to the proposed rule on marine jurisdiction. This is a proposed rule by the Federal Subsistence Board. Pete.

MR. PROBASCO: Thank you, Mr. Chairman. Before I get into my presentation, which I'll save time for questions, I'll have a brief introduction here. Before you you should have three maps that were handed out. These maps depict the areas that are affected by this proposed rule. You'll note that there's two maps, one labeled Alaska Peninsula National Wildlife Refuge Area and the Western Alaska National Wildlife Area. Those areas that are highlighted are those waters that are affected by the proposed rule. The other map shows you the pre-statehood waters that are not affected by this rule. Most of those waters reside in the Kodiak area, Alaska Peninsula and around Nunivak Island.

Mr. Chair, the Board specifically wanted, even though there may not be a direct affect to each Council, the Federal Subsistence Board, in its proposed rule-making, wanted every Council to be aware of what the Board was doing and, if appropriate, Council could make recommendations.

I'll now go into my presentation, Mr. Chair.

A proposed rule to revise and clarify jurisdiction in coastal waters was published in the Federal Register on December 8, 2004. This rule would amend Federal Subsistence Management Regulations to clarify that jurisdiction under this Federal Subsistence Program is confined to inland waters and pre-statehood withdrawals. This amendment would primarily impact coastal areas within the Yukon/Kuskokwim Delta, Bristol Bay and Kodiak/Aleutians Regions. This does not affect any marine waters in this Regional Council's area of jurisdiction.

In the Katie John decision, the Ninth Circuit Court of Appeals concluded that the Federal Subsistence Program must be crafted to reach waters in which the United States has an interest by virtue of the reserved water rights doctrine. Subsequently,

regulations were published in 1999 which extended subsistence management jurisdiction to all navigable and non-navigable water within the exterior boundaries of Federal reservations in Alaska. As a result, the Federal Subsistence Management regulations now cover hundreds of thousands of acres of saltwater or marine embayments within Refuge boundaries that were not withdrawn prior to Statehood.

That's an important factor. When this regulation was adopted in 1999, it took marine waters into jurisdiction that were after pre-statehood withdrawal. The Federal Subsistence Board never intended that its regulations be construed to include marine waters other than the pre-statehood withdrawals. It's entire focus was on inland waters.

The proposed amendment would remove these saltwater embayments by clearly defining the demarcation between marine and inland waters of the Federal Subsistence Program. This proposed amendment, which is provided in your booklet on Page 122, would remove these saltwater embayments by clearly defining these areas. The proposed amendment would also specifically identify those pre-statehood withdrawals of submerged lands underlying marine waters in which the Federal Subsistence Board still exercises jurisdiction.

The Federal Subsistence Board is now asking for your comments and the comment period has been specifically extended through April 1st to allow for Council and public comments. A final rule will be published by the Secretaries after considering these public and Regional Council comments.

Mr. Chair, that's my brief presentation. The proposed rule again is before you on Page 122. Again, I just want to underline that the areas that are being affected by this proposed rule do not lie within the waters of this Regional Advisory Council.

Mr. Chair.

CHAIRMAN LOHSE: Thank you, Pete. I'm a little bit confused when I look at these maps and I guess why don't we just grap one that says Alaska Peninsula because that's one I do know something about. I'm trying to figure out whether this is talking about removing them from or including them in. Let's take Ivanoff Bay, for example, which is about halfway down.

MR. PROBASCO: Yes, Mr. Chair. I am too very familiar with this area. I used to be the management biologist down in this area. Ivanoff Bay is currently, by definition, within the regulations, included under Federal jurisdiction. By now clarifying under this proposed rule, Ivanoff Bay would be removed and would not be under Federal jurisdiction.

CHAIRMAN LOHSE: So we would follow the blue lines. Currently there's a line across the mouth of Ivanoff Bay, so currently that's where the Federal jurisdiction went, right?

MR. PROBASCO: That's correct.

CHAIRMAN LOHSE: But now the blue line goes up into Ivanoff Bay, so everything inside that blue line towards the ocean is now out of Federal jurisdiction.

MR. PROBASCO: That's correct.

CHAIRMAN LOHSE: Okay. So in order to be in Federal jurisdiction, it has to be on the landward side of those blue lines.

MR. PROBASCO: That's correct, Mr. Chair. Also I would like to qualify that, and/or if it was a pre-statehood withdrawal.

CHAIRMAN LOHSE: The ones that are in red.

MR. PROBASCO: That's correct.

CHAIRMAN LOHSE: But there's nothing in this area here that's in red. Can we take a look at Semidi Islands out there. It's got cross-hatching all around that. That's because that is in the red over on this other map.

MR. PROBASCO: That was withdrawal, pre-statehood.

CHAIRMAN LOHSE: Okay. Let's take on the Bristol Bay side of that, Port Moller, Herendeen Bay. Even if there is no Federal land right along the shore right there, we have a blue line. Not down in Port Moller but let's just go northeast of it. We've got the blue line that outlines the peninsula. Just inside of it

there's no cross-hatching, so that blue line doesn't designate Federal waters, that just designates the beach.

MR. PROBASCO: That's correct, Mr. Chair. Those areas that are not designated in the cross-hatch are not Federal lands.

CHAIRMAN LOHSE: Okay.

MR. PROBASCO: So, if you remember, when this law was passed, it included the exterior boundaries, which included some of those embayments, so that part, it would be north within Herendeen and Port Moller, those are not Federal lands. Only at the head of those bays.

Mr. Chair.

CHAIRMAN LOHSE: So all we have for Federal waters then are in the cross-hatch above the blue lines, on the landward side of the blue lines.

MR. PROBASCO: That's correct.

MR. CARPENTER: Mr. Chairman.

CHAIRMAN LOHSE: Tom.

MR. CARPENTER: Yeah, does the federal jurisdiction on Federal land, is the boundary the mean high water line if it would extend into -- you know, if there were State waters, if you have a Forest Service boundary, does the Federal jurisdiction stop at the mean high water line?

MR. PROBASCO: That's correct, unless it's a pre-statehood withdrawal or some other Federal designation prior to statehood.

CHAIRMAN LOHSE: Pete.

MR. KOMPKOFF: Mr. Chairman. Yeah, I have a point of clarification I'd like to get you to clarify. Some of these bays may have traditional and customary use for subsistence. Is that going to exclude those subsistence users from not being able to fish there?

CHAIRMAN LOHSE: Pete, I think all it excludes is Federal jurisdiction over those bays. Subsistence users would have to use them under State

regulations, not Federal regulations. Am I correct on that, Pete?

MR. PROBASCO: Yes, Mr. Chair.

CHAIRMAN LOHSE: Now you say on these three maps this doesn't apply to anything in Cook Inlet or has the same decision been made in Cook Inlet and Prince William Sound and the rest of it, too?

MR. PROBASCO: Mr. Chair. This proposed rule is a proposed rule affecting statewide. However, the actual effect are as depicted in those maps. It has no effect on Prince William Sound, Cook Inlet waters.

Mr. Chair.

CHAIRMAN LOHSE: Any other questions. Doug.

MR. BLOSSOM: Mr. Chairman. So you're saying in Cook Inlet the present line is Federal and State stays where it is.

MR. PROBASCO: Mr. Chair and Mr. Blossom, that is correct. There would be no change as far as jurisdiction on either Federal or Stateside marine waters under State jurisdiction in Cook Inlet.

Mr. Chair.

CHAIRMAN LOHSE: Pete, that's because this has already been applied in those areas there. Am I correct on that? I mean basically the marine waters are under State jurisdiction and Federal waters only start at the high tide line and go inland from there.

MR. PROBASCO: That's correct, Mr. Chair. Those were correctly identified in the original regulations.

Mr. Chair.

CHAIRMAN LOHSE: So basically what we're saying is at this point in time, other than those withdrawn reserves, the Federal government has no reserved water rights any place in the marine waters of Alaska.

MR. PROBASCO: With the exception of the

pre-statehood.

CHAIRMAN LOHSE: Pre-statehood withdrawals.

MR. PROBASCO: Correct. And then there's some military withdrawals that remain, but very few and very small.

Mr. Chair.

CHAIRMAN LOHSE: Thank you. Fred.

MR. ELVSAAS: Thank you. So this raises a real question. Why do we have these withdrawals and reserves? I thought it was to protect the resources and make all these under Federal jurisdiction. As I see it, in looking at the peninsula, especially with all the bays and harbors, I was under the impression that this was established because of the marine wildlife, seals, mammals and birds and so forth. If a bird is protected on the land and it flies out over the water, he's no longer protected. This really doesn't make a lot of sense to me. Especially the people of the area. I just can't understand why at this date all of a sudden they're saying, oh, we made a mistake here. It just doesn't square. All the people in these areas up and down the coast, they're all subsistence type people. Now the subsistence rights under the Federal rule are turned over to the State, which means they'll have none. The State won't give them subsistence. If they do, they'll just do it on a temporary basis. So I just can't understand this.

CHAIRMAN LOHSE: Pete, let me ask you a question. Isn't this as a result of a court case? I mean the court has ordered the Federal government to align their boundaries with the Reserved Water Rights Act.

MR. PROBASCO: Mr. Chair. I would say it's in part due to prior litigation; however, it's also part due to the fact that there was, between both the State and the Federal side not a clear understanding on what was Federal and State waters in some of these areas and it's through review of the intent when these laws were passed what was included and what was not included and it was through that process or research if you will that they found out inadvertently they were including more marine waters than the intent of the law, so this is

to clarify that.

Mr. Chair.

CHAIRMAN LOHSE: I think that's what I was getting at. This isn't a decision to do this for convenience. This was basically a decision to align with what the law already had said.

MR. PROBASCO: That's correct, the intent. Mr. Chair.

CHAIRMAN LOHSE: So it's not a case of them giving these up. It's a case that they didn't have them really to begin with.

MR. PROBASCO: That's correct.

CHAIRMAN LOHSE: Okay. Any other questions for Pete? Pete, do you have anything else you can see? We have a request for testimony on this if you don't have anything else that you can see that you could add to our enlightenment.

MR. PROBASCO: No, Mr. Chair. And I'll be available for questions if needed later on.

CHAIRMAN LOHSE: So, basically, when we get these subsistence proposals that deal with marine waters, our only answer can be is that they're out of our jurisdiction, that we have no authority to act on subsistence proposals in the marine waters of the State unless they would happen to be in these pre-statehood reserves.

MR. PROBASCO: You can comment on them, but the Federal Program doesn't have jurisdiction.

Mr. Chair.

CHAIRMAN LOHSE: Greg.

MR. ENCELEWSKI: I have one question. I was wondering, is there any talk of working together with the State and the Feds for a possible grandfathering of these areas for subsistence users under the Federal existing programs?

MR. PROBASCO: Mr. Chair. To answer your question directly, is there talk as far as grandfathering

subsistence, as you're aware, the State has their subsistence laws which differ somewhat from the Federal law. As far as grandfathering, those subsistence rights are still protected under State law somewhat but similar to what they are in the Federal law, but it's under the State jurisdiction that changes would occur.

CHAIRMAN LOHSE: Does that answer your question, Greg?

MR. ENCELEWSKI: Yeah, it answers my question, but I think it diminishes them.

CHAIRMAN LOHSE: I think what it says is no. Okay. No other questions for Pete. We have one person, Trefon, would like to testify on this one.

MR. ANGASAN: Thank you, Peter. I've been following Peter around for years. He wears me out. My name is Trefon Angasan. I've issued a position paper, Mr. Chairman, to the Federal Subsistence Board in response to the Federal rule-making that's being proposed. Can I ask how much time do I have so I can tailor my presentation to the amount of time that's available to me.

CHAIRMAN LOHSE: You have as much time as it takes to present what you want to present.

MR. ANGASAN: You wonder why this issue is brought before us, the proposed rule-making. You have to go back to January when the State of Alaska's Attorney General filed suit against the Federal government because of the water rights issue. So the Federal government responded to the lawsuit by issuing the proposed rule-making that would acquiesce the right to the water column and term for management.

One of the concerns that it raises with me and others within the Native community is that by giving up the right to manage resources within State waters, you would lose the right or the opportunity to manage for subsistence for rural communities in the conservation units. When you manage for rural communities, you need to have the ability to reach out beyond the conservation unit to protect that resource for subsistence purposes.

One of the concerns that is being raised by their proposed rule-making is that by giving the water

column up, the water rights issue up, you would no longer have the capability of reaching out to protect the resource. That's a lot different than saying we want to manage for subsistence on the water column and outside of the jurisdiction of the conservation unit. You don't have that authority. That authority is given to the State of Alaska.

Their subsistence priority is -- there is a State law that provides for subsistence priority on State lands for the use of the fish and game, much like the subsistence priority under Title VIII of ANILCA under Federal conservation units. But there's a big difference. Under State law subsistence is available to all Alaskans equally no matter where they're common based and it's not based on need. It's based on the opportunity to be a resident of Alaska. If Manhattan was in the state of Alaska, Manhattan would have as much right to harvest your sockeyes swimming up the Copper River as the local communities have.

But that's a big difference. It's an extreme position, but, nevertheless, the impact is the opportunity to lose control of your management tool bag is starting to appear when you start giving away the right to reach out. That's essentially the net effect of this regulation. It would be to give up your opportunity to reach out. Reach out to protect the resources so that they can come back to the conservation unit and have the conservation sustainability and the habitat used by the local communities.

I recognize that the Federal government, the Subsistence Advisory Committee and the Federal Subsistence Board does not have the authority to regulate fish and game outside of the conservation unit. That's an issue in and of itself, a stand-alone issue, that I'm not confused with. What I am saying is that you have the right to manage for a subsistence priority on the conservation units where the State does not.

It's really unfortunate because we prefer, I think, as we look at the long time opportunities of observing the way things are managed in the State, it's a lot easier to have a single management regime. With a dual management regime, I think Fred alluded to it a little bit, Mr. Elvsaas has when he talked about the bird flying over, and there's other examples. For example, the checkerboard land ownership. Under the Statehood Act the lands were selected in a

checkerboard fashion. When ANILCA was passed in 1980, the Statehood Act predated it, so you couldn't really select lands that were already selected by the State when you made conservation units in 1980. So you had to select what was left over. As a result of it, you have a checkerboard ownership of land.

Caribou, for example, and you're doing the Nelchina Herd, and I'm sure you're faced with this all the time, caribou that are harvested in another area may not stand the test of stringent conservation steps that other management groups may take. In other words, all of it. You'll have nothing left to manage up in Unit 13. That's just an exaggerated example, but nevertheless it is an example.

So I caution the Advisory Board to support the Federal Subsistence, the proposed rule-making because of the far-reaching effects that it can have on your ability to manage in a sound, reasonable way to assure sustainability and use for the subsistence user.

ANILCA was passed not so much because it singled out a specific group. When ANILCA was passed in 1980, there was a lot of different reasons why ANILCA was passed. For one thing, there was a need to take away the Federal domain status and classify all the lands that were available.

Also, if you go back to the Congressional findings back in 1972 in the House field hearings on the passage of ANCSA, the Congressional findings stated that the State of Alaska and the Secretary of Interior will provide a subsistence priority for Alaska Natives. Granted, Alaska Natives is different than being rural, but essentially they're one in the same. I don't think you'll find rural Alaska Natives opposed to non-Alaska Native rural people having the same resource access opportunity. But that's not the issue.

So the issue is back in 1978 when Pete Probasco and the boys made an agreement with Federal government that they would manage the subsistence for the subsistence rural priority in their management strategy and the Federal government agreed. Then, all of a sudden, we have McDowell coming along saying, no, you can't have a subsistence priority for rural communities under State constitution, so all of a sudden you're created here. I don't need to tell you that. I'm just trying to remind myself why I'm here. When I start to

wonder that, I'm here too long.

So, without any further ado, I think the point is by giving up the water column opportunities, there's a lot of unanswered questions and those questions are going to be responded to. Not in the arena in the courts and not in the arena in Alaska, but I think the final solution will have to be in Congress that created the conflict to begin with.

That's all I have to say and I appreciate the opportunity. I know that you guys have your work cut out for you. You've done a marvelous job and we're all rooting for you.

Thank you.

CHAIRMAN LOHSE: Thank you. Any questions. Fred.

MR. ELVSAAS: Yeah, Trefon. It's good to hear your comments. Do you think this is going to affect the Marine Mammal Act down the road? I view this as encroachment by the State personally.

MR. ANGASAN: Well, it certainly would beg the question of how can you harvest seals on State waters under the guise of the Marine Mammal Protection Act. I think that's the kind of -- you know, I alluded to that to some degree when I talked about how this issue can't really be resolved locally or in the courts. We need to go back to Congress and address these issues and resolve them with public participation by all user groups, not just single interest groups like myself and others that may come and speak against it. But certainly when you issue a proposed rule in the Federal record, everybody has an opportunity to comment and I think that would be the opportunity.

That same concern that you have about the inability to harvest marine mammals on State waters under the Marine Mammal Act is the same concern that I have about being able to harvest salmon up in the conservation unit, but before that they had to pass the gauntlet downriver. Under State law, all Alaskans are equal to have an opportunity to harvest, then you have the other user groups because it may not be fully utilized within the scope of the State review, so the Boards of Fish begin to divide up the resource to all user groups below. Then you go upriver. What have you now? Unless you have

a treaty with the State of Alaska like the Canadians do with Canadian chinook, there's no assurances that the fish are going to come home. So that's the concern that we have.

Thank you, Fred, for asking me a question.

CHAIRMAN LOHSE: Any other questions. Doug.

MR. BLOSSOM: Mr. Chairman, Trefon. Good to see you again. So what I hear in simple man's terms, for instance here in Wide Bay, before this modification came along the Federal people could take care of the whole area of Wide Bay, but now this new modification, now it's State waters and the Feds have no control over it.

MR. ANGASAN: Well, I guess if you were to micromanage it into that light, you're right. If Wide Bay is within the Federal Park, the uplands, and I think you asked the right question about what is jurisdiction of the boundary line, is it the mean high water, and the State owning the saltwater and there's a number of other questions about saltwater and freshwater access. The very point that you're making is the reason why we need to use caution in moving forward with proposed rule-making. If a lot of us still have questions about what the full impact of this particular regulation is going to be, then we need to give it a full airing and that's all we're asking.

MR. BLOSSOM: Yeah, that's why I'm trying to get it out. So, in essence, what happens there is it's probably way better for, say, a commercial fisherman from Kodiak to have this in State hands rather than Federal hands.

MR. ANGASAN: Of course.

MR. BLOSSOM: So that's really where the battle lines are drawn.

MR. ANGASAN: Well, let me give you another example. You're allowed to commercial harvest down in Glacier Bay, yet the local people are restricted from harvesting for subsistence purposes. That's a classic example of the kind of management structure that can go on in reverse. It's in reverse, however, where

the Federal government restricts subsistence in Glacier Bay, yet, if it's in the water column, the State can manage for a subsistence fishery or commercial fishery on that property.

MR. BLOSSOM: Okay. You brought out -- I think what I heard then is that in the instance probably of commercial fishermen, they're not going to be so excited about -- they like it the way it's going.

MR. ANGASAN: And we should. I, by the way, am a commercial fisherman in Bristol Bay. So, I mean, you can give me all the water you want and I'll take it. That's just the way it is. But, on the other hand, for a subsistence user, you don't have that mobility and when you're tied to the land and you're like a Venetian Fly Trap, catching only what food comes to you, then you have to worry about what other people are doing.

CHAIRMAN LOHSE: Any other questions. Gloria.

MS. STICKWAN: I was late in getting back. You mentioned the conservation units. Wrangell-St. Elias is one of them, so that would be affected?

CHAIRMAN LOHSE: It's not affected because it's not abutting any marine waters. See, all inland waters inside of conservation units are reserved by the Federal government. The Wrangell-St. Elias National Park and Preserve doesn't abut any marine waters. In other words, there are no marine saltwaters that it has.

MS. STICKWAN: But how about the Copper River Delta?

CHAIRMAN LOHSE: The Copper River Delta is under the National Forest.

MS. STICKWAN: But would it be effected down there though?

CHAIRMAN LOHSE: Currently there is no Federal jurisdiction down there in the marine waters. It ends right at the high tide line. Like he said, nothing changes from the way it's been down there with this new regulation because it already was in place, just like in Cook Inlet. The Federal waters followed the high tide

line.

MS. STICKWAN: I was wondering why he mentioned conservation units. He was just talking about other conservation units then?

CHAIRMAN LOHSE: Yeah, these are all conservation units. There's conservation units out here on the peninsula. Anything that's a Federal park, preserve, wildlife refuge, all of those are conservation units. Some of them did border the marine waters.

MS. STICKWAN: I guess he just mentioned that as a worst case scenario. Is that why you mentioned it?

MR. ANGASAN: You can micromanage this thing and it may not apply to every particular stream in Alaska. I cautioned about that because the concept is -- it may seem harmless to this particular advisory committee, but the concept, you have to look at it as a whole. The impact it will have, for example, up in Nondalton, up in the Kvichak River where people harvest for subsistence up in Lake Clark National Park, yet you've got user groups up and down the chain starting from False Pass all the way to Egegik and the mouth of the Newhalen River with user groups taking all they need and leave nothing for the people in Nondalton to harvest up in Lake Clark. So that's the kind of concern that I have. By giving up your right -- and I believe there's some other questions.

What I understand the proposed rule-making to do is give up the opportunity to control the water column from outside of the conservation unit, not just down in the saltwater, but in the water column from the edge of the conservation unit clean out to the Bering Sea. So I think that raises a good question.

And this is my point exactly, that there's a lot of uncertainty about the impact of this regulation. I have written to the Federal Subsistence Board. There was a deadline in March about taking public testimony and I wrote them asking them to extend it and they did, so that's probably why it's sitting on your agenda today. Otherwise it would have been a done deal already.

Thank you.

CHAIRMAN LOHSE: Any other questions. Gloria.

MS. STICKWAN: You said it was extended?

MR. ANGASAN: The Federal Subsistence Board hasn't taken action and I believe this is on their agenda for the next Board meeting and that's probably why you got that report today.

I just want to congratulate Fred because Fred has the only subsistence use classification for an enhanced fishery down in Seldovia Bay. In all of the state of Alaska, there's a designation of subsistence use for king salmon that are enhanced down in your river and you did it back when I was on the Board of Fish. So you're a good man, Fred.

CHAIRMAN LOHSE: Fred.

MR. ELVSAAS: Trefon, I just want to say, you know, that was a tough battle with the enhanced fishery, but we were fishing the wild kings long before they enhanced it and said these are our kings. Those were our kings first.

MR. ANGASAN: Yeah and point well taken and point well received.

CHAIRMAN LOHSE: Thank you. Pete, I'm going to ask you a question. This is not an action. This is an informational thing for us, not an action thing, isn't it?

MR. PROBASCO: Mr. Chair. Actually, it can be a action item if the Council wants to develop recommendations. This is a proposed rule. It's not a final rule. I just wanted to clarify two points that Council members brought up. This proposed rule has no effect on the Secretaries if they see it necessary to extend extraterritorial jurisdiction into marine waters. This has no effect on that.

Second, this also has no effect on marine mammals. Marine mammals are managed under a totally separate umbrella. They are under Federal jurisdiction and this has no effect on marine mammals.

Mr. Chair.

CHAIRMAN LOHSE: Thank you, Pete. Those were the next two questions I was going to ask you. So, basically, in the past, if the Secretary was going to extend jurisdiction, extraterritorial jurisdiction, they would have been extending it into State waters anyhow.

MR. PROBASCO: That's the whole purpose of that regulation, Mr. Chair. If they have the justification in order to meet the mandates of the Federal laws as it pertains to the Federal Subsistence Management Program, the Secretaries can extend their jurisdiction.

CHAIRMAN LOHSE: So should there be a shortage of subsistence fish, because that's what we're talking about, in a conservation unit and that shortage was because of exploitation outside of jurisdicted waters, the Secretary could at this point do the same thing they could do before, which is extend extraterritorial jurisdiction to manage that outside of Federal waters.

MR. PROBASCO: That's correct, Mr. Chair. If they can demonstrate a direct link to that situation, they have the authority to extend jurisdiction into those waters.

CHAIRMAN LOHSE: So nothing is changed by this except the current boundaries of what is State or Federal water.

MR. PROBASCO: That's correct.

CHAIRMAN LOHSE: And you say that the marine mammals are under a separate umbrella, so they're harvested in State waters right now under a Federal marine mammal regulation.

MR. PROBASCO: I'm not a marine mammals expert, but they're harvested in all waters, State, Federal, et cetera.

CHAIRMAN LOHSE: Gloria.

MS. STICKWAN: I guess I still have a question. He said there was uncertainties about this proposed ruling and what could happen. I still have a question about the Wrangell-St. Elias conservation unit. The Secretary, will that authority be taken away with this proposed ruling?

CHAIRMAN LOHSE: No. Pete, you can answer that one. She's asking will the Secretaries' authority to assert extraterritorial jurisdiction in case of a problem in the Wrangell-St. Elias conservation unit go away if this proposal is passed.

MR. PROBASCO: Mr. Chair, Ms. Stickwan. It will not affect the Secretaries' jurisdiction to extend extraterritorial jurisdiction if necessary.

CHAIRMAN LOHSE: And this proposal does not change any marine waters in the mouth of the Copper River or Cook Inlet or Prince William Sound.

MR. PROBASCO: That is correct, Mr. Chair.

CHAIRMAN LOHSE: One more question, Pete. Does it affect any of the waters in Southcentral region at all?

MR. PROBASCO: Mr. Chair. It does not affect any waters, marine or inland, of this Council's area of expertise if you will.

Mr. Chair.

CHAIRMAN LOHSE: Thank you. Fred.

MR. ELVSAAS: How about the Chisik Island Reserve? That's Federal.

MR. PROBASCO: Chisik Island jurisdiction does not change. The boundaries remain as they're currently defined. There is no effect on that area.

Mr. Chair.

MR. ELVSAAS: But there is Federal water there.

MR. PROBASCO: As you know, it's a small area, but there is some marine waters within that area.

CHAIRMAN LOHSE: Any other questions, comments, wishes by any member of the Council to do anything on this one. Fred.

MR. ELVSAAS: Mr. Chairman. You know, this is real disheartening to see this action or ruling

or whatever you want to call it. I call it encroachment again. I'm certainly against it, but, on the other hand, it's one of those things. We can whistle all we want. It's a done deal right now. And Trefon says if it's going to change, it's going to have to be done in the Congress. So unless we see the affected areas asking for support, I think we're better off to wait.

Thank you.

CHAIRMAN LOHSE: Any other comments. Thank you, Pete. I don't think anybody wants to take any action on this at this point in time, but that was quite an eye-opener.

MR. PROBASCO: Thank you, Mr. Chair.

CHAIRMAN LOHSE: Thank you. Okay. With that, everybody is capable of doing some reports before we have to have a break, aren't we, since we just got back from lunch. Let me see where we are in our booklet. We are at No. 14. BLM - East Alaska Resource Management Plan. I think that's Elijah's.

MR. WATERS: Actually, that's going to be Ramone. I'm just going to pass out some stuff here.

MS. McCOY: Good afternoon. My name is Ramone McCoy. I'm the Glennallen Field Office Manager for the Bureau of Land Management. I want to thank the Council for the opportunity to present BLM's East Alaska Resource Management Plan.

Before I get started, I'd like to acknowledge a couple of BLM people who are here. George Oviat is the Acting Federal Subsistence Board Member for BLM and he is here. Also Julia Dugan, who is our Associate State Director for BLM Alaska, is also here.

The purpose of this particular briefing is to present a brief overview of the planning area and where we are in the planning process. Also to present and discuss major decisions within the alternatives that could potentially affect subsistence.

This is our management plan schedule. We started scoping meetings in the spring of 2003. Those scoping meetings presented issues that were important to the residents of the area and also other affected groups. We went through and formulated alternatives based on the

comments we received during our scoping process. We are currently in the development stage of the draft Environmental Impact Statement. We are nearing completion of that stage. It is expected to come out the middle of April this year.

When that draft RMP comes out, there will be a 90-day comment period and there will be Section 810 hearings in affected communities. The final Resource Management Plan is scheduled to be completed by the end of September this year. There will be a 30-day waiting period after that and then we will issue a BLM record of decision.

This is the area that is covered by the East Alaska Resource Management Plan. You can see Glennallen is right here in the middle. Prince William Sound. It includes 33 million acres, 7 million are managed by the BLM. Of those 7 million, 5.5 million are State or Native-selected lands, 1.5 million are BLM public lands. These include the Delta and Gulkana Wild and Scenic Rivers, portions of the pipeline/utility corridor, parts of the Denali Highway and the Bering Glacier area here.

The issues that arose out of our scoping meetings were travel management, recreation management, protection of resource values, land tenure adjustments, vegetation management, mineral exploration and development and, of course, subsistence management and the effects of actions.

There are four current alternatives. Alternative A is a no action alternative. Essentially we will maintain management of the lands as is currently occurring.

Alternative B is a resource development alternative. It lays the groundwork to facilitate resource development and it protects resource values in specific areas, not broad-based areas. And this alternative may significantly affect subsistence users.

Alternative C is a resource conservation alternative. It takes measures to protect and enhance resource values. Resource development is more constrained than you would see in Alternative B or D. And selected lands are treated the same as that of Federal ownership.

Alternative D is our preferred alternative. It offers moderate protection, use and enhancement of resources and it lays our interim strategies for the management of selected lands.

Travel management was by far the largest issue that was brought out by our stakeholders. In Alternative A, the Tangle Lakes Archeological District and the Wild and Scenic River corridors are areas that are limited for off-highway vehicle management, which is currently occurring.

Under Alternative B, the TLAD and WSR corridors are limited areas for off-high vehicle use. That's about five percent of the area.

Under Alternative C, there would be restrictions on new road construction and OHV use would be limited throughout the area.

Under Alternative D, all the areas are designated as limited based on resource protection and recreation. It's compatible with the State's generally allowed uses for off-highway vehicles.

One of the important things about off-highway vehicle management is that there is a distinct distinction made between winter and summer use and between recreational and subsistence use.

Protection of resource values. In Alternative A, the Wild and Scenic River corridors and the Tangle Lakes Archeological District are the only designations.

Under Alternative B there's no additional designations.

Under Alternative C there are three areas of critical environmental concern and one research natural area identified for specific resource values.

Under Alternative D, the Bering Glacier area is the only area considered for its special designation as a research natural area.

Land tenure adjustments was also an issue brought up in scoping. Under Alternative A the lands/realty program will respond to problems on a case-by-case basis and there is no change for Slana.

Under Alternative B, the open remaining lands in Slana go to the public by competitive bid and also it's proposed to revoke Public Land Order 5150. I'll discuss that in more detail.

Under Alternative C, there is no disposal for remaining lands at Slana and we retain PLO 5150.

Under Alternative D, we will make lands available for disposal at Slana targeted to cleaning up unauthorized occupancy and we would retain PLO 5150.

Public Land Order 5150 was established in 1971. It withdrew the pipeline corridor from State and Native selections in accordance with ANCSA. The primary purpose was to serve as a utility and travel corridor in aid of programs for the United States and State governments. In response to formal requests from the State, this was modified in '83 and '89 to allow some of the lands within the corridor to be conveyed to the State.

In Alternative B, we are proposing to revoke the rest of the withdrawals. If this occurs, if PLO 5150 is revoked, the current State selections on the pipeline/utility corridor would become valid and those lands could be conveyed to the State of Alaska.

Currently, Federal subsistence hunting areas administered by the BLM in Unit 13 are only the unencumbered lands and, thus, are the only ones open to hunting under Federal regulations. There are 533,000 acres of unencumbered BLM lands administered in Unit 13. These include the Gulkana and Delta Wild and Scenic Rivers and the pipeline/utility corridor.

Elijah passed out a map that shows the pipeline/utility corridor and where the Federal subsistence hunting opportunities overlap. You can see that right in here.

If PLO 5150 is revoked, 337,000 acres in Game Management Unit 13 would no longer be under the jurisdiction of the Federal Subsistence Board. It will result in a 63 percent reduction of the current Federal hunting area. In that area, about 80 percent of the moose and caribou in the Federal harvest are taken in that area. This would give a significant restriction on subsistence users who have a customary and traditional use determination in Game Management Unit 13.

Vegetation and fire management. Alternative A, the management uses prescribed fire and limited forestry.

Alternative B would emphasize forestry practices to accomplish vegetation objectives.

Under Alternative C, forestry practices would be limited to personal firewood and house logs.

In Alternative D, vegetation management stresses desired conditions and objectives with specific emphasis areas identified for forestry, fuels reduction, and habitat improvement.

Recreation management under Alternative A, impacts from increasing visitor use are dealt with on a case-by-case basis. That's currently what we are doing.

Under Alternative B, it emphasizes development of facilities to handle increased visitor use.

Under Alternative C, we would stress objectives for primitive and semi-primitive experiences.

In Alternative D, the emphasis is going to be on unencumbered BLM lands. There are four special recreation management areas proposed with objectives based on recreation opportunity spectrum classes.

Under mineral exploration and development, Alternative A, there's no current coal or oil and gas leases and there's limited mining activity in this area.

Under Alternative B, most d(1) withdrawals would be revoked and there's a maximum potential for development.

Under Alternative C, there would be no coal or oil and gas leasing on 41 percent of the area and it would be closed to locatable minerals on 53 percent.

And in Alternative D, there's no coal or oil and gas leasing on 19 percent and no locatable mineral entry on 25 percent.

So this is a summary of the maintenance

of withdrawals. The preferred alternative, that's Alternative D, would result in the revocation of 83 percent of the existing d(1) withdrawals to allow for mineral leasing or locatable mineral entry. The remaining withdrawals are tied to the Bering Glacier, the Wild and Scenic River corridors and the pipeline/utility corridor.

Subsistence management. Under Alternative A, things stay just like they are now.

Under Alternative B, there would be a loss of 63 percent of Federal hunting area in Unit 13. This would have a significant effect to subsistence users.

Under Alternative C, it's pretty much what's going on right now. Off-highway vehicle use would be limited for non-subsistence use.

And under Alternative D, again, we maintain our status quo and off-highway vehicle use is limited for non-subsistence use.

Public comments will be taken at any time; however, after the draft comes out there is a formal 90-day public comment period. During this time we will be having the 810 hearings on subsistence. The url on which to submit comments if you're internet savvy is www.glennallen.blm.ak.gov and you can also make comments directly to the Glennallen Field Office, P.O. Box 147, Glennallen, Alaska 99588.

So, are there any questions.

CHAIRMAN LOHSE: Ramone, when it says that they are going to revoke mineral withdrawals, that is not revoking existing claims, that's revoking the withdrawal so that opens it to mineral location, right?

MS. McCOY: That's correct.

CHAIRMAN LOHSE: So when you revoke the withdrawal, then it's open to entry for mining or oil and gas.

MS. McCOY: That's correct.

CHAIRMAN LOHSE: Tom.

MR. CARPENTER: Yeah, I've got a couple questions. The first one is, when you talk about watersheds that have a Wild and Scenic water designation, is the restriction of off-road vehicles dealt with in the same degree as mechanized water transportation?

MS. McCOY: I don't know if I understand what you're asking.

MR. CARPENTER: I guess, you know, Wild and Scenic Rivers have certain restrictions involving motorized vehicles. Do the adjacent watershed lands on both sides of that designated river have motorized restrictions similar to the ones the actual rivers do?

MS. McCOY: In this area currently we do not; however, we're in the process of doing visitor use management plans on the Gulkana, which do propose limiting off-highway vehicles to existing trails. We will be doing a similar one for the Delta Wild and Scenic River.

MR. CARPENTER: And the other question that I had is in regard to the Bering Glacier. Why was that chosen for a research natural area and who chose it?

MS. McCOY: The Bering Glacier currently hosts national and international scientists who come together during the summer and do research that has international significance both on glacier movements and geology. There's also research been done on harbor seals that use the Vidas Lake for ice haul-outs and a number of rare plants that have been identified from that area.

MR. CARPENTER: Does the designation of research natural area -- I know there's some similar designations in the U.S. Forest in the Chugach. Do they disallow certain activities from taking place on these designated lands?

MS. McCOY: No, there's no restrictions to other uses. However, when other proposals come in, the identification of this area as a research natural area will need to be taken into consideration on making decisions on other activities that might occur.

MR. CARPENTER: Thanks.

CHAIRMAN LOHSE: Gloria.

MS. STICKWAN: Do you have dates when these hearings will be?

MS. McCOY: We haven't actually set those dates up yet because the draft has not come out and we want to be able to have those hearings within the 90-day comment period.

CHAIRMAN LOHSE: Pete.

MR. KOMPKOFF: Yeah, I have two questions. Number one, does the regional corporation still hold land in addition to the pipeline corridor?

MS. McCOY: I don't.....

MR. WATERS: The regional corporations actually have lands that are conveyed adjacent to the pipeline corridor and some lands in close proximity anyway that are selected, but the pipeline utility corridor was withdrawn from selection by the Native corporations and none of that was selected by the Native corporations. The only reason the State got to select that was afterwards when they top-filed everything. That's how that became selected. Does that answer your question?

MR. KOMPKOFF: Yes, it does. The other question I have, if the lands are conveyed over to the State and that will make us lose all of our Federal subsistence hunting rights in that area?

MR. WATERS: You won't lose your Federal subsistence hunting rights in that area, but the area that's available for hunting will be significantly reduced. That's the issue. The remaining 37 percent of the land will remain the same.

CHAIRMAN LOHSE: Any other questions or comments. I have one question. The four alternatives that you have, they're tied together with different things. Is that fairly set? I mean like Alternative B, if I remember right, revokes PLO 5150 but it also opens it to mineral entry. It does a whole series of things. Is this still in the position where things can be picked and chosen or if you say Alternative B, it's either all or none of these above?

MS. McCOY: Thank you for bringing up that point. The alternatives just group together similar

activities, but you can pick and choose which parts of which ones you would prefer when you make your comments. Definitely, you are not restricted to just choosing one alternative over another. We just did that to make it easier to discuss.

CHAIRMAN LOHSE: So basically a person could take the off-road vehicle Alternative D, the PLO 5150 Alternative B, the mineral land entry Alternative C and you could combine them. They're not set up as all or none.

MS. McCOY: That's correct.

CHAIRMAN LOHSE: Any other questions, comments. Dean.

MR. WILSON: I want to make it real clear here now. The land has already been conveyed over to the State.

MS. McCOY: For what?

MR. WILSON: For the pipeline corridor, is that correct, or that's part of this plan?

MS. McCOY: That's part of this plan.

MR. WILSON: For our area, I just heard some statistics the other day. I know close to 1,000 caribou out of the Nelchina herd got killed last year and I think only 44 locally were killed, 44 out of the Tier II system. The rest of them come from the Federal system from this land here, am I correct?

MR. WATERS: That's not true. There's roughly 1,000 Nelchina caribou killed every year in combination of State and Federal hunts. The Federal harvest averages about 350 animals and that's been very constant. Even when the State issues a lot more permits, it's been as high as five or six thousand. The Federal hunt still was right around 350 animals.

MR. WILSON: Okay and that's included in the 1,000 or 950?

MR. WATERS: Right.

MR. WILSON: So this would significantly reduce that amount of land that would be available. Oh,

one other question, too. I understand there's some mine that's looking at moving in up near Tangle Lakes area. You guys are familiar with that, I'm sure. Could you give us a little update on that?

MS. McCOY: That currently is on conveyed State land where they're talking about doing the mining.

CHAIRMAN LOHSE: I have one question. If the pipeline corridor is not conveyed to the State at this point in time, what will BLM have for justification to hang on to the pipeline corridor when it's State selected land?

MS. McCOY: I'm not sure I understand what you're asking.

CHAIRMAN LOHSE: Okay. Currently, if I understand right, all this yellow here is BLM land?

MR. WATERS: No. The yellow on that map is the planning area. That's the combination of State land, selected land and private land.

CHAIRMAN LOHSE: So, if we take this and we take a look at the pipeline corridor right here and that is currently under State selection.

MS. McCOY: That's correct.

CHAIRMAN LOHSE: I guess what I'm saying, does the BLM have a choice as far as giving it over to the State in the course of rule-making, since that is State selected land, does the BLM have the authority to decide which of its lands it's going to allow the State to receive as part of their selection or do you have to come up with some -- if you were going to hang onto this, do you have to have some overriding reason to hang onto that that you can show that it meets some BLM criteria that's important enough to remain in BLM hands?

MS. McCOY: The pipeline corridor is different because it is under this public land order 5150. Because of that public land order, it is currently in Federal jurisdiction. However, if PLO 5150 was revoked, then the State selections would become valid and they could select it. At that point, we would have no say in whether they took it or not, just like other State selected lands. But the pipeline corridor is different because it is under this PLO 5150. So by revoking 5150,

that allows then the top-filing of the State to go into effect.

CHAIRMAN LOHSE: But who has the authority to revoke PLO 5150?

MS. McCOY: BLM does.

CHAIRMAN LOHSE: Okay, the BLM has that authority to revoke it. They put it in place, they can revoke it. This is not a matter of Congress or anything like that.

MS. McCOY: No.

CHAIRMAN LOHSE: So this is an in-house order in other words.

MS. McCOY: Yes. BLM has the authority to revoke that public land order.

CHAIRMAN LOHSE: Okay.

MR. WATERS: I just wanted to point out one other thing. Taylor passed me a note. I guess we were unclear on some things. If PLO 5150 is revoked, then that land would still be open to hunting under State regulations, it just wouldn't be open to hunting under Federal regulations. I just wanted to make that clear.

CHAIRMAN LOHSE: It wouldn't be under Federal jurisdiction.

MR. WATERS: Right. Also, I want to add one other thing to what Ramone said about PLO 5150. The language in that originally was that there was a significant Federal interest in that pipeline/utility corridor and at that time it was to expedite the permitting process for getting the pipeline filled. So part of the justification for relinquishing that is if there is no longer a Federal interest in that corridor, then that's going to be used in the decision-making process.

MR. CARPENTER: Yeah, I guess the one interesting point would be, the implications this would have on the Federal subsistence users in this area, is that a high enough priority for the BLM to consider not ever revoking this?

MR. WATERS: I would have to defer to Ramone on that. That's certainly a consideration and that's why we're here, to get the input. That's why we have our Board member and some other key people at the BLM and State office here, to hear the concerns from this Council. And, also, as we go out and have these meetings in the affected communities.

MR. CARPENTER: It appears to me that when you talk about the caribou, 35 percent of the caribou are being harvested by Federal users. That's a pretty significant impact. If that was to go away, I would say that revoking these areas would be significant.

MR. WATERS: That's our determination.

MS. McCOY: And I want to clarify too that revoking PLO 5150 would be ultimately decided by the Secretary's office.

CHAIRMAN LOHSE: Gloria.

MS. STICKWAN: I thought I just heard you say BLM was going to make the decision.

MS. McCOY: The decision would come out of our office, but it would be from the Secretary of Interior's office.

MS. STICKWAN: So it would be the regional BLM director?

MS. McCOY: No. Secretary Norton in Washington.

MS. STICKWAN: No, the Regional BLM would make a recommendation.

MS. McCOY: Yes.

MS. STICKWAN: I would have a concern about this area because that's where most of our people hunt, is along that Federal land. I'd like to see a letter written from this Council saying we object to that or we have a concern about it being taken away that could be written to BLM.

CHAIRMAN LOHSE: I think that's a good idea, Gloria. A couple questions I was going to ask and I think Tom hit them a little bit was the subsistence

access could enter into a compelling Federal interest, couldn't it? But that would still only come out of your office as a recommendation. The Secretary of the Interior still makes the final decision and issues the order.

MS. McCOY: That's correct.

CHAIRMAN LOHSE: So just like you're going around to give hearings out in the community, you've come to us today to get our input on how we look at this as affecting subsistence in the area of the land transfer, in the area of the mineral development opening up, in the area of the off-road vehicle, in the area of recreational use and reserved land status and things like that. So we, as a Council, I think that's within our jurisdiction to address a letter to the BLM addressing our thoughts on those issues. At this point in time, some of us haven't had a chance to really look at it that deep. I'm thinking of the mineral entry and the land withdrawals. In fact, we'd have to go through that whole thing again because it went so fast just to see what all the things were that were on the table, all the options.

I know this Council has expressed time and time again our concern with off-road vehicle travel and its impact on subsistence in the area and we could refer to that since we've already made reference to that in the past. Probably the biggest thing is exactly what Gloria was talking about, the biggest impact would be on the ability to harvest -- if I understand right, it's the loss of about 63 percent of the Federal subsistence area in Unit 13 and 80 percent of the Federal harvest.

MS. McCOY: That's correct.

CHAIRMAN LOHSE: Now some of that harvest will move to the other areas. People will just have to work harder. But basically 63 percent of the area and it is the -- I don't even like to use the word, but it is the road accessible area that people can get to with a minimum amount of cost and equipment.

So, if we would like a direct letter written to that effect, I can work with Donald and see to it that it's written. Gloria.

MS. STICKWAN: I have a question. Last year they had a statewide meeting about the pipeline giving permission to have -- I think you know what I'm

talking about. There's a 30-year thing that ended and they gave public comments on that. Would that be a Federal interest in the future?

MS. McCOY: No, that was just a renewal of the permit leasing the pipeline corridor to the pipeline.

MS. STICKWAN: That wouldn't be a Federal interest?

MS. McCOY: No.

CHAIRMAN LOHSE: Dean.

MR. WILSON: I'd be for coming up with a draft letter on that also. One thing that isn't mentioned here is that from the area where I'm from moose is really hit. It's directed towards the lower area in Valdez and we should look at that also, along with the subsistence uses that the Federal lands offer, including shooting of beaver and some other things that we wouldn't be able to use.

If 5150 is revoked, this would ultimately be switched over to State and then present Tier II or there's actually a new system that they're working on right now that's on the table, is that correct?

MS. McCOY: That's correct.

MR. WILSON: Yeah, I think a letter would be in order.

CHAIRMAN LOHSE: Gloria.

MS. STICKWAN: Is it possible to look at the whole thing or to have a committee to make a comment on all these things and respond in a letter form?

CHAIRMAN LOHSE: I definitely think that we could probably come up with something like that. Or what we could do is come up with a draft letter and send it to all the Council members and then have them add things they think should be added and when we get a final draft, we could send it to all the Councils.

MS. STICKWAN: Well, I was just thinking about our comments might be different. I don't really understand the plan. I wouldn't know what to say.

CHAIRMAN LOHSE: We could also write the letter general enough that stresses our idea that in all of these things the subsistence priority should take high precedence and they should consider the impact on subsistence on all of these choices.

But if the Council would like to come up with a committee to draft a letter, that would be fine, too. Taylor, I think you've got something to add.

MR. BRELSFORD: Thank you, Mr. Chairman. A point on scheduling and sequence here. I'm Taylor Brelsford. I serve as the Staff Committee member on subsistence issues for the BLM. What you have before you today is a preview of a plan that you don't have in your hands. It's not released until the end of this month. So certainly the detailed analysis you want in your hands before you start developing comments.

The reason the folks in Glennallen have said some community meetings and the meeting with the Ahtna Subsistence Committee is because we do understand that this will be a matter of very great concern in the communities and we want to get it on people's radar screens and start the thinking. It should not be a surprise.

This was not part of the scoping meetings held in the spring at the very beginning of the planning process. It came in after those first round of public meetings in the form of a request from the State. Normally, this sort of thing would have been out there from the very beginning and those very original public meetings would start the conversation in the region. It didn't quite work that way, so we're trying to make some extra efforts to make sure folks realize this is coming. When the plan comes out at the end of the month, you know not to put it aside and wait. You know there's some key issues for the communities in the Copper Basin and people need to really focus in.

Secondly, Section 810 of ANILCA provides very specific provisions ensuring that the subsistence interests and the subsistence impacts are given careful analysis and when there are potential restrictions on subsistence, Section 810 requires notice to the regional council affected, that's to you all, and to the communities and a set of Section 810 subsistence impact hearings. So those things are still coming.

When the plan comes out, you will read in the back an appendix that says Section 810 analysis of impacts on subsistence and you will see that Alternative B, where this land status change, the withdrawal of PLO 5150 could significantly restrict, you'll see that full analysis, and then you'll see the notice that public hearings on subsistence impacts will be scheduled as part of the decision-making steps in the plan.

So I would say for the present it's important for you all to take this under advisement. Perhaps be ready to strike a committee or think about how the Council can respond to the plan once you have it in your hands and to be focused on these subsistence impact hearings that will be held towards the end of the comment period. I think July is sort of the schedule.

MS. McCOY: For the end of the comment period, that's correct.

MR. BRELSFORD: So I think a lot of what we're trying to do right now is to avoid springing a surprise when the written version comes out in a couple weeks. But this is not your last chance to sort out a course of action on behalf of the Council.

Thank you.

CHAIRMAN LOHSE: Yes, Taylor, but as far as our Subsistence Resource Council is concerned, this will be the last time we meet prior to the end of the hearings on this plan if this plan comes out in 30 days and then there's a 90-day period to complete the hearings and the 810's on it, this Council will not meet again in that time period. So, from that standpoint, if we're going to make a comment on it, we need to think about doing it at this time.

Gloria's idea of forming a committee and, as a committee, comment on it during the time period. I kind of think we run into problems having standing committees from what I remember about FACA. If we could have somebody in charge of it from our Council to watch it and write a letter that they send around to the rest of the Council members for comment and approval, I don't think we're legally allowed to do that. I wish the FACA person was here because I'd like to ask him that. Pete, do you have something to add on this for us?

MR. PROBASCO: Take five minutes and I'll

call them.

CHAIRMAN LOHSE: I think at this point in time we can definitely express our concerns for the impact of both the loss of the land and possible opening of mineral development on subsistence opportunities. We could probably even include something in there that says something to the effect that we have stated time and time again that off-road vehicles have an adverse effect on subsistence opportunity and we hope that you use the strictest means possible to protect the subsistence community from the effects of off-road vehicles. But that's about as far as I think we can go at this point in time. And then we can find out what we can do on the rest of them. If that's the wish of this Council, something like that could be worked out.

MR. BRELSFORD: Mr. Chairman. I think you've struck the right balance. I think it is important for the Council to express its wishes at every step in this and having some general themes today is certainly in bounds. I think I was trying to emphasize that we needed to provide a reasonable opportunity to the Council to see the material and to participate in the Section 810 hearings.

I think you could work with the OSM to look at the possibilities of a subcommittee process or a teleconference. We don't want to have this be a process that's unreasonable where you're being asked to make comments before you have the material. That doesn't seem a fair and reasonable implementation of Section 810. So how we work out the details of that I think is for a further conversation and some general comments from the Council today I think are fully appropriate. I was sort of focusing on Section 810, provide some opportunities. We want to make those real and legitimate for the Council.

CHAIRMAN LOHSE: In that light, would it be possible that the comment period would extend far enough that at our next meeting we would have the chance to comment under 810 or by the time we have our meeting next fall will the decision already have been made and the final rule passed?

MS. McCOY: The final document is scheduled to come out at the end of September with a 30-day period. So that doesn't give the Council a reasonable chance to meet as a group to make comments

unless, like Taylor suggested, a subgroup is formed or a teleconference is set up. We would be happy to facilitate that kind of a situation. We have deadlines we have to adhere to as well in part of the planning process.

CHAIRMAN LOHSE: Tom.

MR. CARPENTER: I guess the question that I have is does the direction that the Secretary's office and Congress is directed in regards to this Section 810, would it restrict BLM from making a determination before this Council has a position on it?

MR. BRELSFORD: Thank you, Mr. Chairman. The question is certainly an appropriate one. I would say the provisions are not specific and detailed on this point. What is specifically required is that evaluation of whether the proposed actions would significantly restrict and, if they do, notice to the communities and the Council and public hearings in the affected communities. All of that we will do in strict adherence to the statute. The statute doesn't say that the Councils have to meet in public session and provide formal recommendations or comments on the land use plan.

I think Ramone is in a position to speak for the Glennallen Field Office and say we have an interest in facilitating a process where the Council can have a meaningful role before the deadline, before the comment period concludes. I think we're going to have to stay at the level of offering intent, an undertaking to find a way at this point rather than having all the nuts and bolts finalized in this particular setting.

MR. CARPENTER: I guess the only other statement that I'd have is I think this is important enough to the people on this Council because so much Federal land could really be in play here. There's a lot of impact that can come from this in regards to the three big ones we've talked about. I think it's important that this Council be heard even with the restricted schedule we have and maybe have a special meeting. This is a big step for this area in Southcentral and I think it might be something to consider.

CHAIRMAN LOHSE: Thank you, Tom. What I'm afraid of is that knowing what we all do in the summertime and all the directions we take off and go in, if we're going to put something in as a Council, we have

to have a quorum. Each one of us can comment as an individual citizen. I hate to say it, but I'd hate to try to get this Council together in the summertime on a teleconference where we could get enough of us together to have a quorum because we're all going to be here, there and everywhere.

CHAIRMAN LOHSE: Fred.

MR. ELVSAAS: Thank you. I agree with you, Mr. Chairman, that it's impossible to have a summer meeting. This public land order 5150, is it proposed to revoke it all along the pipeline or is it just in this area that we're looking at?

MS. McCOY: It's all along the pipeline, but it affects this area specifically right now because we're going through this land use planning.

MR. ELVSAAS: Right. Thank you. Regardless of whether the State wants the selections or mineral development or anything else, our concern is the loss of subsistence area. I think it's appropriate at this point that we take a position on that. I think we need to stand up and say we need to protect that area for subsistence. Just looking at the map you can see thousands of acres that's not available for subsistence. So if PLO 5150 is revoked, that whole area is lost to subsistence. I would propose that we, by action, do something today at this meeting and make our position known.

Thank you.

CHAIRMAN LOHSE: Would you make a proposal?

MR. ELVSAAS: Yes, I would.

CHAIRMAN LOHSE: Taylor.

MR. BRELSFORD: Mr. Chairman. I believe that Council members have expressed several concerns on the content, the substance of this question. I think it would also be appropriate for your letter to include your concerns about the decision-making process and the timing. It does arise that communities have asked for extensions of comment periods and I think it would be in keeping with your comments for the Council to meet in a formal session. Identify that need and propose

consideration of an extension in the public comment period in order to accommodate that need. I think those kinds of concerns on the part of the Council could equally well be a part of the letter that you're about to discuss.

CHAIRMAN LOHSE: Thank you, Taylor. I think that's a good idea. Fred.

MR. ELVSAAS: I've got to say there are several concerns here. An extension is another one. I think the best actions are more effective when they're simple. In my mind, when I look at this, I look at a loss of subsistence area. I don't give a damn about the mineral exploration, I don't care about the four-wheelers. Those are different issues and we've fought them through the years. Sure, they're all detriments. But aren't we here right now concerned about loss of subsistence area.

I'm willing to support an action opposing all these things and asking for an extension of time. In my mind, the big thing is I'm opposed to loss of the area. If somebody wants to draft an all-inclusive letter, I would support it, but I don't know the proper wording for a letter and a motion of that sort.

Thank you.

CHAIRMAN LOHSE: Gloria.

MS. STICKWAN: I would still like to see this Council participate in the public hearings. Maybe we could designate somebody to go to those hearings and participate in them.

CHAIRMAN LOHSE: We definitely can have Council members that are available go to the hearing. The problem is they can't speak for the Council. They can carry Council's concerns there. Elijah.

MR. WATERS: I just wanted to add a couple things. First of all, 810 requires us to have the hearings in the affected communities. Right now what we're planning is having one in Glennallen, one in Delta Junction and also in Chistochina. If you feel like that doesn't cover it, let us know.

Also, I took the liberty of adding every single Council member to the mailing list. So sometime

in the next couple weeks you should be getting something from the BLM saying that the plan is available and how you would like to receive it.

I'd also like to point out the fact that you're coming here as each person as a representative of your own smaller communities and we encourage you to take this back to the communities and the user groups that are affected. Like I said before, we'll be glad to come out and meet with any community or any village council that would like to have us.

CHAIRMAN LOHSE: Pete, did you get a hold of anyone from FACA?

MR. PROBASCO: Thank you, Mr. Chair. The Regional Advisory Council can appoint a committee to review, develop proposals, review plans, et cetera. However, that committee has to come back and report to the Council. Then the Council can either concur with that committee, develop their own recommendation based on whatever the committee found, but you do have to have a quorum to take action on an issue.

Mr. Chair.

CHAIRMAN LOHSE: In order to take action on an issue under FACA, it has to be in a public meeting too with a quorum, doesn't it?

MR. PROBASCO: That's correct, Mr. Chair. The public has to have an opportunity to participate. That doesn't mean they have to be physically present. You could provide teleconference and that kind of stuff.

Mr. Chair.

CHAIRMAN LOHSE: Any suggestions. Tom.

MR. CARPENTER: Yeah, Mr. Chair, I've got a couple of ideas. First I think there may be a couple members of this Council that could attend one or more of these meetings in one or more of these communities. I agree it's going to be impossible to get a quorum together to discuss this matter. If there are any members of this Council who are willing to attend these meetings to see what the process is and what the final plan is, I think that's a good idea.

And I do agree that we need to make a

statement at this time. I propose through the Chair that the Staff send a letter to BLM that would point out the concerns this Council has brought before in regards to the overall impact that subsistence is going to have in regards to the conveyance of land to the mineral development and basically all the other ideas and concerns that we've brought before this panel.

The other thing that we need to stress in the letter that it's unfortunate that the deadline for this proposal or this transfer of land would take place before this Regional Council gets to meet again and if any way possible that be postponed until this Council can react this fall, I feel that would be appropriate. That would be the direction I think the letter ought to point.

MS. STICKWAN: I would like to add in there whatever Mr. Brelsford was saying about Section 810 because it's an important issue and we are not getting a chance from the government to really participate in this.

MR. CARPENTER: I think my intent was to do that. The Regional Council input is very important. Even though we do get to comment right now, we are not going to get to comment the way the format and deadlines are brought before us to actually react to the final decision that BLM brings before the public. Thanks.

CHAIRMAN LOHSE: Basically what you're saying is that the 810 be extended to give us the opportunity to react in a timely manner after we've received the information.

MR. CARPENTER: I think that ought to be incorporated into the letter and point towards the concerns in regards to the depletion of subsistence opportunities.

CHAIRMAN LOHSE: Tom, you brought up all the different things we covered. I know Fred said we should keep it simple and object basically to the land transfer. Should we give the land transfer more weight than the other in our letter or equal value?

MR. CARPENTER: Well, in my opinion, the land transfer has the biggest impact because it instantly reduced opportunity. ORV use, mineral development and things like that could ultimately have an impact on subsistence, but not as immediate as the land transfer would.

CHAIRMAN LOHSE: What is the wish of the Council? Do you wish to direct Donald and the Chair to work on a letter to that effect and send it to all the Council for your approval?

MR. CARPENTER: That was a motion, Mr. Chair.

CHAIRMAN LOHSE: That was a motion?

MR. CARPENTER: Yeah.

CHAIRMAN LOHSE: Oh, okay. I didn't catch the motion. Sorry, Tom.

MR. CARPENTER: Yeah, that was a motion, Mr. Chair.

MR. ENCELEWSKI: I second the motion.

CHAIRMAN LOHSE: Gloria, you have a comment?

MS. STICKWAN: Yeah, I was just going to say I can attend a hearing.

CHAIRMAN LOHSE: Attend a hearing?

MS. STICKWAN: Yes.

CHAIRMAN LOHSE: I'm hoping you will. So the first thing we'll take care of is the letter at this point in time. Then what we need to do is see if we can get some volunteers to attend any hearings and send information back to other Council members from what you heard at the hearings so we can have an idea where things are. And we're going to ask for an extension under 810. If it looks like we're not granted that extension, I think what I'm going to do at the last minute we'll see if there's not some way that we can come up with -- what kind of notice do we have to have under FACA, two weeks? Pete, do you have any idea?

MR. PROBASCO: At least two weeks.

CHAIRMAN LOHSE: At least two weeks. But we should know halfway through the hearings whether or not there's going to be a possibility of an extension, shouldn't we?

MR. BRELSFORD: Mr. Chairman. I think we can commit that the BLM will respond timely to the urgent concerns about scheduling that you've raised. This will not sit somewhere so that deadlines pass by and there's no meaningful answer. I think that's what it means when my bosses at two or three levels above come to the meeting to hear your concerns. We will get back to you in a timely way.

CHAIRMAN LOHSE: So at that point in time, if it looks like we will not have an opportunity to respond at our fall meeting, we will find a way to come up with a way that we can respond prior to the deadline. At this time we have a motion on the table. Fred.

MR. ELVSAAS: Yeah, I was just speaking to the motion. I think it's worthwhile to also check with Region 9 and 10 because they are also affected by this action.

MR. BRELSFORD: Mr. Chairman. If I may, as a point of clarification, the letter from the governor asked for consideration of transferring lands throughout the pipeline corridor from Prudhoe to Valdez. Since that requires public review and NEPA, this is the only area where there's a land use plan underway right now, so the plan and the question before you right now is just in Unit 13. At a later time, the lands in the Dalton Highway corridor will be part of a revised land use plan and the same question will be raised with the Western Interior Regional Council, but that really is for a later time.

CHAIRMAN LOHSE: Thank you. We have a motion on the table. Any more discussion.

MR. CARPENTER: Question.

CHAIRMAN LOHSE: The question has been called. Do we understand the motion? The motion is that the Chair and Donald will write a letter and get it back to you guys for comment and then we'll send it on to the BLM. All in favor signify by saying aye.

IN UNISON: Aye.

CHAIRMAN LOHSE: All opposed signify by saying nay.

(No opposing votes)

CHAIRMAN LOHSE: Motion carries. Now, while we're still on the subject, other than Gloria, is there anybody else who thinks they'll be around this summer so they can attend some of these hearings? Pete.

MR. KOMPKOFF: Mr. Chairman. We have like a watchdog that's through Regional Citizen's Advisory Council and Joe Banta is his name and he'll be on top of all the proceedings that go on with this activity here because he monitors the pipeline corridor for any activity by any source. I'll keep in touch through him and convey all the information I get to you.

CHAIRMAN LOHSE: Will you say hi to him for me?

MR. KOMPKOFF: I sure will.

CHAIRMAN LOHSE: I didn't know he was still there. Dean.

MR. WILSON: My understanding, Donald, is that we need seven for a quorum, is that correct?

MR. MIKE: We have 13 members. We need at least a majority.

MR. WILSON: I'm not sure we couldn't get a quorum this summer. There's a number of us right there within the range of Glennallen. If we don't ultimately get an extension on this.

The second question I've got, who ultimately is going to make the decision on whether they can delay this, the Secretary or a level or two above you guys or do you know?

MS. McCOY: It would be the decision of the BLM state director here in Alaska, Henri Bisson.

CHAIRMAN LOHSE: Gloria.

MS. STICKWAN: Could we ask the liaison that serves on the Federal Subsistence Board to attend that hearing and keep us informed.

CHAIRMAN LOHSE: Yeah, we can definitely ask him. Taylor.

MR. BRELSFORD: Mr. Chairman. If we can

be sure we're following, the liaison you're referring to, Gloria, is it the gentleman who works at the RCAC that Mr. Kompkoff mentioned?

MS. STICKWAN: It's the liaison that works on the Federal Subsistence Board. I don't know who it is.

MR. BRELSFORD: Let me keep trying. Carl Jack is the Native liaison for the Chairman of the Federal Board.

MS. STICKWAN: Yes.

MR. BRELSFORD: Good. Of course, we would be happy to invite and make sure he's aware of the schedule well in advance.

MR. KOMPKOFF: Mr. Chairman. Could I ask BLM if they would keep in contact with Mr. Joe Banta on the proceedings as they progress. His number is 1-800-478-7222 or 277-7222.

CHAIRMAN LOHSE: Pete, could we ask you if you hear anything to relay it to the rest of us?

MR. KOMPKOFF: I certainly will.

CHAIRMAN LOHSE: And I don't think we're stepping outside the bounds of FACA to do that because that's just information, not decisions or anything like that. Okay. With that, we would definitely like to be informed of all the steps along the way and the time tables as they come and receive the information. We will work on getting this letter out to all the Council for their approval. We'll see if we can stay on top of this. It's kind of at an inopportune time.

With that, do we have any more questions, anything more to do on this subject right here? Can we move on?

(No comments)

CHAIRMAN LOHSE: Thank you for your presentation and your heads-up and your warning or whatever you want to call it. I've been asked that we have a break. The next thing we're going to be on is Fisheries Resource Monitoring Program. Doug McBride.

(Off record)

(On record)

CHAIRMAN LOHSE: We'll call this spring session of Southcentral Subsistence Regional Advisory Council back in order. We are on No. 15 and I've had a request to put this off until tomorrow morning if the rest of the Council will agree because the presenter is currently sick and two of the co-presenters that were going to be coming didn't think it would be on until tomorrow, so they're not going to be here until the morning.

With that in mind, I'd like to put 15 off for tomorrow morning. We'll go on to No. 16, which is rural determination. Opportunity for public and Council input. Larry is going to present that to us.

After this one I've had a request by Terry, who has been so patient with everything we've done to him, he has a five-minute report for the Alaska Department of Fish and Game and if he could present his report today, then he could go home. Since we beat him up all the time, I thought maybe we could let him off the hook and he could present his five minutes after Larry. Larry.

MR. BUKLIS: Thank you, Mr. Chairman. My name is Larry Buklis. I'm with the Office of Subsistence Management. It's good to be back before you today.

I'll be giving a briefing on the rural determination review process and this is a comment opportunity for the Council. The Federal Subsistence Board is initiating its 10-year review which is required by the Federal Subsistence Regulations of the rural/non-rural status of Alaska communities and it's currently inviting both the public and the Councils to comment on this process. A news release is in the Council book on Pages 136 and 137.

Councils may provide comments on the review process now and the current comment period is open until April 1st. That is just for the process. I'd like to make clear to the Council that this is a two-year process that we are just now initiating. At this time, it's an opportunity to comment, but there's going to be additional opportunities during the course of the review process for additional comment. Those comment

opportunities are keyed to the steps in our process and your Council meeting windows.

The first stage of the review process I'm talking about, the two-year review process, will lead to a list of communities proposed for further analysis. So the first stage is to do a review of the current situation and propose communities for further analysis. A later stage will involve conducting the more detailed analyses on those communities.

You will have an opportunity on your fall Council meeting to comment on the proposed list of communities for that further analysis. So right now we're initiating the review process. It's an opportunity to comment on this general process we're launching. Based on that comment, the Board would then sort of finalize that list and we would undertake further analyses and reviews on those communities so listed. So you can see that we're in an early step in this process.

Some background. The Board initially determined which Alaska communities were rural when the Federal Subsistence Management Program began in 1990. Regulations require that the rural/non-rural status of the communities be reviewed every 10 years, beginning with the availability of the 2000 census data. The focus of this review will be on what has changed since 1990.

The news release that's in your book describes this general approach that will be used in reviewing the status of these communities. It lays out a schedule for the key steps and how to obtain more information from our website. I'll try to summarize the main elements of the more detailed information.

Key questions addressed in the initial review will begin with consideration of communities that had previously been grouped or aggregated based upon previously being found to be economically, socially or communally integrated. We would ask do we know of reasons now to re-evaluate this grouping of communities. If so, such community groupings would be placed on this list proposed for further analysis.

If there are communities that are not currently grouped but for which we know of reasons to consider groupings, those communities would be placed on this list proposed for further analysis.

The criteria previously used to determine if communities should be grouped were three-fold. First, do 15 percent or more of the working people commute from one community to the other. Secondly, do these communities share a common school district. Third, are daily or semi-daily shopping trips made between the communities.

The criteria we now intend to use include, first, do 30 percent or more of the working people commute from one community or place to another. Secondly, do they share a common high school attendance area, not school district. Third, are the communities or places in proximity and road accessible to one another. Previously we talked about shopping trips, but there isn't readily available good information on that.

These criteria may be further developed as we gain experience employing them in the detailed analyses. Also, these criteria would not be considered separately, but would be considered collectively and the recommendation to group communities would be based on this collective assessment of these three factors.

Moving beyond grouping of some communities, the review of other changes in communities will focus on changes in population size. For a community currently considered rural, we would examine whether the population has increased or increased further above 7,000. We would examine whether this community increased further above 7,000 between 1990 and 2000. If so, such a community would be placed on this list proposed for further analysis.

For a community currently considered non-rural, we would examine whether the population dropped below 2,500. That's another presumptive level in their current regulations. If so, such a community would be proposed for further analysis.

So, you can see in this first round we're not making any determinations. We're not coming to any conclusions. We're simply reviewing current status of communities and current groupings of communities to identify from our point of view what communities warrant further analysis and then that list is provided for comment.

For communities with a population between 2,500 and 7,000 based on either the 1990 census or the

more current year 2000 census, we would ask whether we know of changes in community characteristics that may warrant a change in their status. If so, these would also be added to the list proposed for further analysis.

The characteristics we would be examining would include but aren't limited to diversity and development of the local economy, use of fish and wildlife, community infrastructure, transportation and educational institutions. These analyses may also include examination of population densities.

The Office of Subsistence Management has prepared a question and answer sheet on the rural review process and copies were mailed to all Council members and I have more on the back table. These might be helpful in answering some questions you may have on your own or encounter with others on this issue.

Mr. Chairman, that concludes my brief overview of the launching of the rural review process.

Thank you.

CHAIRMAN LOHSE: Thank you. Any questions for Larry. Larry, I've got a couple questions. I originally thought when we were looking at communities to review for Southcentral that most of the communities would be down on the Kenai Peninsula. I just looked at your criteria right there and all of a sudden I've got everybody from Gakona to Kenny Lake to Lake Louise stuck in one of those kind of communities where 30 percent or more commute, they share a high school and they're road accessible. Yet I look at them as rural communities and yet they shop in the same areas, they go back and forth with each other. But the population hasn't changed to any great degree. All of a sudden Glennallen, Tazlina, Copperville, Silver Springs, all of them look like communities that fit your non-rural communities. Larry.

MR. BUKLIS: Yes, Mr. Chairman. The criteria I laid out, either the former ones about the 15 percent and the shared school district or the more recent concept of the 30 percent level and the shared high school attendance area, those are not criteria for rural/non-rural character. Those are criteria for whether we group or aggregate communities, then consider them in the aggregate or they are unique and individual and we consider them in their unique and individual state. It's not whether they're rural or not, it's

whether to consider them collectively or independently.

CHAIRMAN LOHSE: But if you consider them in the aggregate, then their population goes up considerable, right?

MR. BUKLIS: That's true. In the aggregate, you would sum their population, but population size alone is not determinative.

CHAIRMAN LOHSE: Okay. So even if these would be aggregate communities, they could still maintain their rural classification. Pete.

MR. KOMPKOFF: Yeah, how is this going to affect the school districts if you pool all the communities together? Just use one school district or one school or what?

MR. BUKLIS: Mr. Chairman. It doesn't affect the school district at all. My point was that we would be using high school attendance areas as a characteristic of whether to group communities in the course of our analysis. It wouldn't be a grouping of communities for any aspect of education at all. It's just one character of the communities that we would look at in trying to get a handle on whether they should be considered as a group in terms of subsistence management rural/non-rural status.

MR. KOMPKOFF: So how would you group Eyak, Chenega, Tatitlek and Prince William Sound?

MR. BUKLIS: Mr. Chairman. We're not really prepared to answer specifics on specific communities at this time. This is the time where the Council and the public could give us their concerns about how we would approach such situations.

Currently there are several grouped areas and we would look at them to see if there's any reason why that should be looked at further. If there's anything significant that's changed. And for communities that are currently not grouped, that are considered independently, we would look to see if there's a reason now to consider them collectively.

But I don't mean to cause undue alarm at significant shifts because of this review. I think the context to keep in mind is that the principal here is

that we're charged to conduct a review once every 10 years because situations may not be static. So once a place is determined rural or non-rural, it isn't necessarily going to be fixed for all time, but the program needs to check in every 10 years when new census data is available to review the situation.

At this first stage, we're simply going to review the population data from census 2000, look at the current groupings and then the report back to you for your fall round would be the list of communities we propose for further analysis. So I think this isn't the time to be overly concerned about a particular case when we haven't even conducted the initial review yet.

CHAIRMAN LOHSE: So at this point in time, Larry, you're not looking to us for comments on anything but the process.

MR. BUKLIS: Mr. Chairman, that's correct. That's the main purpose, but all comments are accepted.

CHAIRMAN LOHSE: Doug.

MR. BLOSSOM: Mr. Chairman. Then I guess I would say picking a high school as one of the denominators, to me, is not the best way to go. Isn't there a better way? For instance, on the Kenai Peninsula, they bus people from everywhere for economy even though those communities are separate and don't rely on where that high school is. Because it is a borough, they just drag everybody in to certain places. It doesn't seem to me like the high school is quite the best way to go about it. I'm just going to lodge that as a complaint.

MR. BUKLIS: Mr. Chairman. That's a very legitimate point of view and a recommendation to us. Those are the kind of comments we're seeking, whether you think these criteria or approaches are more or less valid or useful.

The specific point you're making, that is in the area of whether communities should be considered as a group or not and it would be one factor we would look at.

CHAIRMAN LOHSE: James.

MR. SHOWALTER: Yes. My question is for rural/non-rural your past aggregation, like where I live in Sterling. My understanding is that to get particular numbers they wanted, the aggregate was Sterling, Kasilof, Soldotna, Kenai, North Kenai, all as one to come up with the magic numbers and to consider that non-rural, which I think is wrong and a lot of other people do too. And as far as you indicated for shopping, I mean there's no big grocery stores in these other areas, so they do have to travel into Soldotna or Kenai to get to the major stores where they're shopping.

CHAIRMAN LOHSE: Thank you, James. I think those are the kind of things you're looking for, right, Larry?

MR. BUKLIS: Yes, Mr. Chairman. These are helpful comments. Mr. Showalter is correct. What we're calling the Kenai area includes several communities considered in the aggregate, that's correct.

CHAIRMAN LOHSE: That area right now is currently considered non-rural. Is it even up for discussion? Can we look at those that are classed as non-rural at this point in time?

MR. BUKLIS: Mr. Chairman. We are looking at all communities across the state in this review using the census data from 2000. As I said, the product of this first stage would be a proposed list of communities for further analysis. We would intend to come to your fall Council meeting and all other 10 Councils that meet in the fall and report our proposed list of communities for further analysis. So all communities are part of this review, yes.

CHAIRMAN LOHSE: Thank you. That was the reason I brought up what I brought up to start off with, the shared high school. And I'm like them, I don't think that's a good criteria because that lumps awful big areas.

Doug.

MR. BLOSSOM: Mr. Chairman. One more suggestion I might make, I think it would be much more important to look at households in the community and see what their lifestyles are. Are they using their resources or are they going to the shopping center and buying it. Dr. Paul, for instance, has a lot of that

information for a lot of the places. I think that would be a more important way to look at whether they're subsistence oriented or non-rural.

CHAIRMAN LOHSE: Larry.

MR. BUKLIS: Thank you, Mr. Chairman. We talked a moment ago about population levels relative to some presumptive levels. A little background on that ties into your comment. The level of 2,500 or less is presumed rural unless there are significant characteristics of a non-rural nature. A community of 7,000 or more is presumed non-rural unless there are significant characteristics of a rural nature. My point is that there's a place for those factors to be considered that you're talking about. Then communities in that mid-zone size of 2,500 to 7,000, I think the regulations say that we will look at the characteristics of that community in the middle zone. They're not presumed one way or the other. So the population size is a guide and there's some presumptive levels, but even there there's room for considering the character of the community as you suggested.

CHAIRMAN LOHSE: But when you aggregate communities, then the population level becomes the population of the aggregate, doesn't it?

MR. BUKLIS: Yes, Mr. Chairman.

CHAIRMAN LOHSE: So if the aggregate is above the presumed level for non-rural, then it's looked at but it's presumed non-rural.

MR. BUKLIS: That's correct. It's presumption is non-rural, but the characteristics could move it towards a rural assessment.

CHAIRMAN LOHSE: But would those characteristics have to be of the thing as an aggregate or as individual parts of the aggregate?

MR. BUKLIS: Mr. Chairman. It would be considered collectively as an aggregate.

CHAIRMAN LOHSE: And I know that's the biggest objection by some of the folks who live on the Kenai Peninsula. Just because once you're in the aggregate you're considered as part of the aggregate, not as the characteristics of the community in which you

live. With that, do we have any other comments we want to make on things we think need to be looked at more carefully. And I think that's one thing that needs to be looked at more carefully. Dean.

MR. WILSON: Yeah, I agree also. The high school thing probably ought to be looked at again. I just can't think of another option right now. This is really going to be a controversial issue, I'm sure, for the people on the Kenai especially, but also in the Copper River area, too. But it looks like we're going to get to comment on this in the fall, so I think there's enough information here that I've got.

CHAIRMAN LOHSE: Larry.

MR. BUKLIS: Thank you, Mr. Chairman. I don't want to prejudge the review process, so I don't want to get into specifics, but I will say that it strikes me that the proposed criteria we're intending to look at now, a shared high school is a smaller unit than a shared school district. Currently the standard is a shared school district and that's an even bigger reach. Mr. Chairman.

CHAIRMAN LOHSE: Any other questions for Larry.

(No comments)

CHAIRMAN LOHSE: Thank you, Larry. I think you got some comments from us that you'll probably be able to use.

MR. BUKLIS: Yes, Mr. Chairman. Thank you.

CHAIRMAN LOHSE: At this time I'd like to extend to Terry the invitation to present Fish and Game report and be finished.

MR. HAYNES: Thank you, Mr. Chairman. I appreciate the chance to give you a short report out of cycle here. Tom Taube from the Glennallen office will be here tomorrow and he will have a short report to present to you then. I'm going back to Fairbanks to get ready to go to Juneau. Bob Taube and Becky Kellyhouse from our Glennallen office asked me to present a short report to you if I could.

They want to thank and extend gratitude to the Regional Council members and the Federal Staff members from the Glennallen field office of the Bureau of Land Management for continued support regarding Nelchina caribou research and harvest monitoring. Last winter marked the end of a five-year joint research project between the U.S. Geological Survey and the Department of Fish and Game studying winter range and the effects of fire on the Nelchina caribou herd.

As many of you know, this past summer the Taylor Highway fire complex burned much of the herd's winter range northeast of Tok. This created the need to continue monitoring caribou calf weights and winter movements. The BLM, with very short notice, was able to provide needed funds to continue this monitoring. We would like to notice wildlife biologist Carrie Rogers in the Glennallen field office of the BLM for her hard work in making this happen.

We also would like to acknowledge Elijah Waters along with BLM Glennallen field office for his work to establish better harvest monitoring during the Federal subsistence moose and caribou hunts in Unit 13.

Last year we addressed the Regional Council with a problem with the return of Federal permit reports. This past hunting season, Federal staff in Glennallen began receiving field permit hunt reports directly. This change has allowed in-season harvest monitoring of both moose and caribou during the Federal subsistence hunts. This has been a major step in the advancement of cooperative State and Federal management of wildlife resources in the Copper River Basin.

As for general Unit 13 wildlife management issues, predator management is still on pace with the continuation of liberal brown bear harvest seasons and land provisions pertaining to the harvest of wolves. Moose surveys from this past November showed a slight improvement in moose calf numbers with an overall calf:cow ratio of 22 calves to 100 cows. We do expect higher calf numbers this coming November.

The most noticeable effect from the recent active management is the vast improvement in caribou calf summer survival, mainly from the Little Nelchina to the Oshetna River in subunit 13(A). Increased caribou calf production combined with increased calf survival over the past three years has increased

recruitment considerably. This improvement, along with the conservative harvest strategy implemented by both State and Federal boards resulted in Nelchina Caribou Herd growing to more than 36,700 animals, which is within the management objective range of 35 to 40,000. Increased wolf take and liberal bear seasons have helped to ensure that subsistence needs within Unit 13 are met.

Thank you for your time and dedication to the contributions you make to managing Alaska's wildlife. So I wanted to present that report on behalf of our Glennallen staff since they and other wildlife staff from throughout the region have just finished a grueling 10-day Board of Game meeting and wanted to take a break, so they couldn't be here. I'll try to answer any questions you might have. If not, I can take them back to Bob and Becky and get back to you.

Thanks for the opportunity to present this report.

CHAIRMAN LOHSE: Any questions for Terry. Gloria.

MS. STICKWAN: Do you know when they're going to have the Alaska Board of Game on the proposal 155 meeting?

MR. HAYNES: Mr. Chairman. My understanding is that that will be taken up next spring, one year from now. Between now and then there will be opportunity for public review of both the revised Board of Game proposal as well as the proposal that Ahtna has developed. What we could commit to doing is provide an update to you at your fall meeting on the status of that process.

There is a very innovative Board of Game proposal that was developed for consideration at this recent meeting trying to come up with an alternative strategy to the current Tier II Nelchina caribou hunt and they're not quite there yet. The Board decided it would be good to spend more time working on this proposal and looking at an alternative that Ahtna developed and come back a year from now and see if that is a workable solution to this management issue.

MS. STICKWAN: Will the meeting be in Fairbanks?

MR. HAYNES: Yes, i believe the meeting next spring will be in Fairbanks.

CHAIRMAN LOHSE: Any other questions for Terry.

(No comments)

CHAIRMAN LOHSE: Terry, I'm glad to see that some of the things we worked on last year worked out and helped the biologists in Glennallen. I know they were a little leery of some of the proposals to start off with, but working with Elijah and the reporting, it sounds like it worked out pretty good. So glad to hear that and give them our thanks.

MR. HAYNES: Thank you, Mr. Chairman. We know there was some frustrating moments trying to keep things going in a positive direction, kind of holding back on cow harvest of caribou until we got up to the magic number. The ability to monitor the harvest on a daily basis has really helped too. Certainly the Council support of these things is critical, so we've appreciated that. You're a good group to work with.

CHAIRMAN LOHSE: Thank you. Any other questions for Terry. Otherwise, thank you for your report and we'll see you at the next Council meeting.

MR. HAYNES: Thank you, Mr. Chairman.

CHAIRMAN LOHSE: With that, let's see where we are and see what the time is. We've got not even 4:30 yet. So we're going to look at call for proposals to change Federal subsistence fisheries regulations, No. 17, and these are deferred Cook Inlet proposals.

MR. BERG: Thank you, Mr. Chairman. I'll handle that agenda item. It's mainly a place-holder and also a time that we can ask the Council if there are any proposals that the Council would like to put forward through the Federal program for fisheries next year. Our deadline is March 25th. You don't have to come up with proposal ideas today.

This is a chance for us to remind the Council that these three proposals that you see listed on your agenda were proposals that were submitted the first year we had the expansion of Federal jurisdiction into

the fisheries program and the Federal Subsistence Board did defer those proposals. This Council did take action on those proposals and the Council acted to defer them and the Board agreed with that recommendation pending the outcome of that Cook Inlet study, so that Cook Inlet study is done now, so that's why these proposals are being brought back on board for analysis for this next cycle.

As you can see, they're all C&T proposals. There were complimentary proposals associated with these same proposals. That's why you can see they're listed as 11(A), 12(A) and 13(A) and the B portions were for seasons, harvest limits and bag limits. But the Board did take action on seasons, harvest limits and methods and means. Those were to basically establish seasons, harvest limits and bag limits that were basically the same as the State sportfishing regulations. So that will remain in place until we receive a proposal to do otherwise and then we would analyze that proposal and move it through the process.

So it's just a reminder that those proposals will come before you next fall at your fall meeting with a full analysis. Also just to let you know we've received three other proposals all from Ahtna for the Copper River that will also be analyzed and be brought before you at your next fall meeting. So it's mainly just an informational agenda item for you. If there's any proposals the Council would like to move forward at this time, we'd be more than happy to hear those.

Thank you, Mr. Chair.

CHAIRMAN LOHSE: Thank you. I do have a comment because I'm looking at these proposals on the Cook Inlet. After what we just heard today, I wonder how many of them are even applicable. Proposal FP02-11a requests it for fish and shellfish. Well, shellfish are all in marine waters, which are now removed, we've been told, from Federal jurisdiction. FP02-12a is for herring, crab, smelt, whitefish, razor clams and salmon. About the only two of those in freshwater are the whitefish and the salmon. And FP02-13a requests the Cook Inlet area for salmon and halibut and Cook Inlet is not in our jurisdiction anymore. So what are we going to do about those kind of proposals?

MR. BERG: Those issues will certainly be

addressed in the analysis. Regarding the shellfish issue, we do still have a very limited amount of jurisdiction in Tuxedni Bay and so there is the potential for somebody to go there and harvest shellfish. Obviously that first proposal is very broad. Donald Mike did contact all the proponents and talk to them. They were interested in seeing their original proposal move forward and the Federal Board does have a new policy in place that once a Regional Council takes an action on a proposal, that that proposal will remain part of the Federal process unless it's withdrawn by the Federal Subsistence Board.

So certainly if the Council feels like some of these proposals were not appropriate anymore, the Council could make a recommendation that they be withdrawn and that's why we contacted the proponents to see if they had an interest in them being withdrawn, but all the proponents stated they were interested in moving forward at this time.

Pat has some updates also here.

MS. PETRIVELLI: These are just listed as they were originally proposed, but those shellfish ones were dealt with by the Board separately. So anything to do with the shellfish has been resolved and dealt with. The only thing left are the non-shellfish species. So that's what would be up for consideration at this time. I'm sure whoever does the analysis will give the regulatory history and include what the Council said the last time.

CHAIRMAN LOHSE: I'm just wondering with what we heard today that these are out of our jurisdiction, will we even be able to take action on them?

MS. PETRIVELLI: When we say Cook Inlet area, it's all the waters within the boundaries of the conservation unit. It's not what you're thinking, the Cook Inlet area as a commercial district. We have a map of the area and it includes the whole Kenai Peninsula. So any fresh water within the boundaries of the conservation unit. So those are included in our references of the Cook Inlet area, not what you're thinking of the commercial one.

CHAIRMAN LOHSE: No, that's what I'm thinking because.....

MS. PETRIVELLI: But salmon do occur in.....

CHAIRMAN LOHSE: Salmon do, but I don't know too much halibut, crab, herring.....

MS. PETRIVELLI: Yeah, halibut wouldn't count.

CHAIRMAN LOHSE: Freshwater fish.

MS. PETRIVELLI: Yeah.

MR. BERG: And there are currently regulations for smelt, so we'd have to review those regulations and come forward with that information for the Council in the fall. It will be a species by species analysis that we'll come forward to the Councils with in the fall time.

CHAIRMAN LOHSE: And the species that are not in our jurisdiction then we won't be able to take action on.

MR. BERG: Right. I'm sure that will be in the staff analysis that we don't have jurisdiction over those species.
Pete was just reminding me that the proposals will go forward because the proponents wanted to have the proposals go through the Federal process.

CHAIRMAN LOHSE: Thank you. Any other questions. Doug.

MR. BLOSSOM: Mr. Chairman. So in the case of hooligan, you'll look at the latest State regulations and then you'll have that in the fall proposal.

MR. BERG: Mr. Chair, Mr. Blossom. We'll certainly present the latest smelt regulations and Federal regulation. Usually we almost always include what the State regulations is in addition to that, then we come up with what the staff recommendation is and then the Council can weigh what they feel is most appropriate for the region.

CHAIRMAN LOHSE: Doug, we won't be dealing with regulation for harvest, we'll just be dealing with C&T determination.

MR. BLOSSOM: Mr. Chair. They just recently put 100 ton of hooligan up for grabs in the Susitna River, so I would think there is surely some C&T for rural people in that.

MR. BERG: Just one clarification. Currently there are no determinations for the Cook Inlet area, which is why these are being reviewed, so that means that all rural residents in Alaska currently have C&T in the Cook Inlet area. So people from Barrow, Kotzebue, wherever, they're all rural residents. They technically have a C&T determination to come down and fish in the Cook Inlet area under Federal regulations. So this will hopefully try to narrow that determination down.

CHAIRMAN LOHSE: Any other questions.

(No comments)

CHAIRMAN LOHSE: Thank you muchly. Okay. We still have time for an agency report. I know the NGOs, Native Village of Eyak won't be here until tomorrow morning. So that leaves the Bureau of Land Management, which we've heard from once, but I'm sure Elijah has more report to give to us. We have the Anchorage office and Glennallen office. Are you going to give both offices, Elijah?

MR. WATERS: I'm only going to give Glennallen. I don't think Anchorage has a report today. I'm Elijah Waters again with the Glennallen Bureau of Land Management. I'm going to be real brief because you've seen me enough today.

First of all, just to go over the caribou hunt again, this last year we opened to cows on November 10th and we issued a total of 2,226 permits, so half of that is the number of people. That's about average. As I pointed out before, 220 animals have been harvested, 51 of which have been cows and that's below average. The moose season closed September 20th. We issued a total of 1,025 permits and the harvest was only 25. That's about average on the recent harvest, but the overall average is significantly lower. Since the history of the program we've averaged about 40 moose, but in the last three or four years it's been around 25.

Also, recent actions that this Council recommended, the Hudson Lake Residential Treatment Camp

and the Ahtna Heritage Foundation a year ago you recommended that the Board pass those permits and those were enacted and both camps have come by and got their permits. They haven't reported any harvest as of yet.

The final thing I'll give you a quick brief on is just an update on some of our enforcement actions. We've seen quite a decrease in the number of people hunting out of the area and especially now that it's open to cows and people were anticipating that, we saw a big decrease in the number of illegal cows killed as well. In fact, we're only aware of one and that's tied up in court as we speak.

Other enforcement actions that we've made progress on this year is trying to root out some of the people who fraudulently get permits, claim a rural residency. Now that we have two law enforcement officers, we're able to put more time into tracking some of those down. The approach we've been taking, we get them, we tell them they don't qualify. In most cases they understand, it was an honest mistake, we take their permits back and everything is fine and dandy. Other people are probably going to be getting tickets in the next couple months. There's some ongoing investigations on that. I don't want to make it sound like it's a huge problem, but it's a potentially growing problem, so we're trying to nip that before it gets out of hand.

With that I'll be glad to answer any questions you have and that will conclude my report.

CHAIRMAN LOHSE: Any questions. Dean.

MR. WILSON: No question, just a comment. It's good to hear you guys are starting to go after the law-breakers or whatever. I know the Park Service is starting to do the same thing in their area and that's good to see also. In the past, we've heard of people that bought land in the area so they could move in and get a permit, so it's good to see you guys are making an attempt at that.

MR. WATERS: I want to compliment the Park Service on that as well. When they catch somebody, they send that information over to us so there's a check and balance and we do the same thing for them.

CHAIRMAN LOHSE: With two enforcement officers, they can just go knock on the door and see if

somebody is home, can't they?

MR. WATERS: That's actually what they do on some of them if they claim it's their primary residence. We have to document it and it's quite a process, really.

CHAIRMAN LOHSE: I'll have to compliment the law enforcement officers from what I saw this fall when I was up there caribou hunting. It was nice to see the patrols on the road and a few tickets for people shooting off the road. That's my biggest fear about having it go to any caribou with that road hunt because people have a tendency to shoot first and look later. If there's enough enforcement for off-the-road shooting, they at least have to get off the road like hunting should be.

I'd also compliment them from myself and others who have had a very positive experience with the law officers. I don't mean they ran into them because they were doing something illegal. But in the manner in which they were checked, it was very professional and polite. They really appreciated the way the law officers did business up there and I'll say the same thing.

MR. WATERS: I'll pass that along. We work real close with the State, so I'll make sure the troopers understand that as well and I'll certainly pass it along to our new ranger, but I'll be hesitant to pass that along to Officer Ranger Nelson. His head is big enough and anything we can do to keep it down will be better.

(Laughter)

CHAIRMAN LOHSE: With that, any other questions for Elijah.

(No comments)

CHAIRMAN LOHSE: Thank you and thanks for the information and thanks for working with the State the way you have.

MR. WATERS: Thank you.

CHAIRMAN LOHSE: So the Anchorage field office isn't here, right?

MR. WATERS: Right.

CHAIRMAN LOHSE: So we can go to the Office of Subsistence Management. We've got 20 minutes. Office of Subsistence Management, subsistence use amount protocol.

MR. PROBASCO: Mr. Chair. This should go pretty quick. As we committed a while back when they started on this protocol that at every meeting we would give you a status report on the work group. If there are any questions, we do have one of the co-chairs here, Marianne See, the Department of Fish and Game. It's just a written briefing to give the Council a status report. No action is needed to be taken.

Mr. Chair.

CHAIRMAN LOHSE: Thank you. That's it?

MR. PROBASCO: That's it. Unless you have questions.

CHAIRMAN LOHSE: Anybody have any questions for Pete?

(No comments)

CHAIRMAN LOHSE: Okay. We have the U.S. Forest Service.

MR. BURCHAM: I just have basically a report on what the Cordova Ranger District has been up to. By the way, my name is Milo Burcham, a wildlife biologist who does subsistence wildlife, not fish, work on the Cordova Ranger District.

Anyway, just an update on how things went for us this year in terms of wildlife and I have a page printed to update you on fisheries activities in the Cordova Ranger District. The first species I'll talk about is mountain goats. Just for a review, there's six units in Prince William Sound where we have a subsistence set aside of the harvest quota that Fish and Game have set for mountain goats in those units. These are the units where we have subsistence harvest reservations and they're kind of scattered all around Prince William Sound available to people in Cordova, Tatitlek and Chenega. The subsistence reservation in each of those harvest units adds up to 17 mountain goats and it varies

depending on which unit you're talking about.

The way this works is the State has set harvest quotas for each of those units and there's a reservation for subsistence, a portion of each of those quotas that's reserved for subsistence. Basically, in a nutshell, we have very light use of these animals right now. I have only maybe half a dozen requests for permits and then a very low harvest on these permits. Anyway, there's 17 reserved for subsistence users in the Sound and that's been fairly stable over the last three years.

In addition to providing permits and helping with harvest of mountain goats in Prince William Sound, we assist Fish and Game with population surveys and I basically fly these mountain goat units on a rotation in Prince William Sound and do population trend counts. We try to do each unit every other year, but weather and logistics of flying conditions affect how readily we can get to these units and when they get done.

In a nutshell, this year was a bad one for getting goat surveys in. We need perfect flying conditions to count mountain goats in this mountainous terrain. We got very few surveys done this year. We did get Units 249 and 252, which are of concern to us because they had dropped to at least -- counts in early 2000, 2001, 2002 and 2003 -- or 2001 and 2002 had shown low numbers, so we were concerned about those populations. Those two units are right next to Columbia Glacier. We did get to do those this year. We had great conditions for them in September and goat numbers were up and out of the danger zone that we had seen earlier. Maybe conditions on the earlier counts weren't as ideal as we had thought and we might not have counted all the goats that were out there.

Other goat units around the Sound appeared to be doing pretty good. They're stable or increasing. The one unit we need to get to is over by Chenega, Unit 266. That's the hardest one to get to and takes two days to survey. That's high on our list for this year.

The biggest species in the subsistence program on the Cordova district is moose. Just as review, you all passed in 2002 some subsistence regulations that moved 75 percent of the bull moose permits into Federal management. Right now the State

still sets the harvest quota on the moose. Right now on bulls in Unit 6(C) at 35 bulls, so that means 26 of those are in subsistence management and the other ones are in State management. This is all a drawing hunt by both the State and subsistence. There was one change to the season dates where they had always been September 1st to October 31st, the closing date on the bull hunt was lengthened to December 31st and there was a clause put in there that limited the permits to one per household.

In summary, the bull moose hunt is managed by both the Forest Service and Fish and Game, 26 and 9 permits, and we have a five cow moose harvest that's all in subsistence management and that's also a drawing hunt. The hunt is extremely popular. Cordovans love their moose, they love access to this and it's off the road system. Of the five cow permits available, this year we had 613 subsistence users apply and for the 26 bull permits, 626 people applied for the two permits. Those numbers are down a little bit and why I don't know this year. They're fairly long odds, but they're highly prized permits when they are drawn.

Problems this year. I'll say thanks to the Council this year for fixing our biggest problem and that was setting a minimum age. The clause in the Federal Register for minimum age was very difficult to interpret and implement and we were faced with that when we drew an eight-year-old boy this year. Anyway, your solution I think will be a good one and I hope the Board accepts it with that 10-year-old minimum age.

We did have another law enforcement problem this year. There was a moose that was shot on private land. It was an unfortunate thing and this is the first time I've seen it happen and the person was just careless and didn't take time to look at the maps we give them and the explanation we give them. I even hold a hunter orientation where I show them the maps where Federal and non-Federal lands are. Anyone, one was shot off Federal lands and had to be confiscated.

We still are lacking good weather and it rains most of the winter. Ideal conditions for counting moose require there be snow on the ground to get accurate counts. Better would be snow in November when bulls still have antlers so you can get good bull count ratios. That hasn't happened for several years now. We're in need of good data. That translates to good winters for moose survival, so I think moose numbers in general have

been going up, but we'd sure like to see a good count in the next year or so.

The additional moose permit that we issue through subsistence is the potlatch moose to the Native Village of Eyak and that is held in the fall or early November every year. They're allowed to harvest a moose of either sex to serve at their potlatch celebration and it's open to the whole community and is well attended.

The other subsistence moose issue on the Delta is a project where we have radio-collared moose and with ultrasound we measure body fat to look at animal condition and how they overwinter. The assumption that moose in poor condition, if the winter range is poor, will lose most of their body fat during the winter, whereas a moose in good condition will maintain their body fat. It's been said that Cordova has the fattest moose in the state because of that maritime influence and a lot of browse and generally mild winters. This study is ending this year. If you are interested in another meeting, I'll be happy to present the results or get Paul Meyers, who has been more involved in the project, to present the results of this body fat project. There will be one more capture and I believe the collars will be removed from the moose this spring, the next couple weeks.

The other subsistence species. There's a C&T determination for deer in Prince William Sound for all the residents, but at the moment the State bag limit is five and the C&T determination is four, so all harvest of deer in Prince William Sound is taking place under State regulations. If the State saw the need to reduce the harvest to something under four deer, then there might be a reason to implement a Federal subsistence deer season, but right now there's no special seasons.

We cooperatively monitor the deer population with the State of Alaska. I help Dave Crowley do deer pellet transects around the Sound every year and the State has run them even longer, so there's pretty good information on the trends of deer populations, not absolute numbers. Recent mild winters. We have transects on Naked Island, Knight Island, Montague Island, Hinchinbrook Island and Hawkins Island in different sites and the exact same transects are run every year.

Then I have a page that Tim Joyce printed

for me. I could read the three pages or just the bullets he printed up for me. Anyway, this fall there was a meeting on new Federal subsistence fisheries regulations that have appeared for the Copper River Delta. This meeting was on December 2nd in Cordova to come up with regulations or restrictions on the fishing permit. Many people in the room were in attendance at that meeting.

In a nutshell, the group agreed that the opening of the Lower Copper River to subsistence harvest was an administrative error and should be corrected. The error was corrected and the Lower Copper River and its tributaries are now closed to subsistence salmon fishing.

The group agreed to limit the types of gear allowable for subsistence harvest because of the potential for overharvest. They would be rod and reel, dipnet, spears and gaffs. Allowable gear for harvest of freshwater fish would be rod and reel, spears and gillnets. Gillnets are only allowed from January 1st to April 1st to avoid salmon harvest.

The group agreed to time closures to prevent overharvest in highly vulnerable populations in some systems. The group agreed to limit the subsistence harvest of salmon to the same number as allowed by the State for this area. Trout harvest was also limited. The permit developed for the Chugach National Forest permit for subsistence fishing was in the Prince William Sound area available with the above restrictions on the permit and there's one permit issued to date. I'm sure many more will be issued.

That, in a nutshell, is what the Cordova Ranger District has been up to. Steve will talk about the Chugach. Do you want to just wait until the end for questions or take them now?

MR. KOMPKOFF: I have a couple questions.

CHAIRMAN LOHSE: Pete.

MR. KOMPKOFF: Thank you, Mr. Chairman. We've designated Kings Bay for our subsistence moose hunt, but it's so far away and the moose is way in the valley, we have a tough time getting up there. Consequently, we've never got a moose out of there. We'd like to change that area if that's possible and if we can get over to the Cordova area and get a moose from there

rather than Kings Bay. Is that possible?

MR. BURCHAM: I'm sure that's possible. I've been on the district for four years and I know there's some history that predates me. I can't give you the best answer right now, but anybody can submit a proposal, so I would never discourage you from submitting a proposal for that and then have it taken up by the Council.

MR. KOMPKOFF: Thank you. Have you guys ever noticed a deer or some of the deer with deformed antlers? Is that due to integration and do we need to bring in new males from somewhere?

MR. BURCHAM: That's news to me. I wasn't aware that people were seeing deer like that. I'd be interested in reports. That's true, this population comes from a pretty small number of deer introduced in the '20s and '30s. I don't know the number right now. Tom or Ralph.

CHAIRMAN LOHSE: I think Tom has a pretty good idea. I would say 35. He says 40.

MR. BURCHAM: That's a very small number. It's a possibility.

MR. KOMPKOFF: There's a word for it, genetic deformation or something like that.

MR. BURCHAM: Just a personal observation, looking at antlers of deer, the biggest deer in Prince William Sound antlerwise is very small as far as Sitka blacktails in other parts of the state.

MR. KOMPKOFF: Think about it. Bring some new males in.

CHAIRMAN LOHSE: Any more questions. Steve.

MR. ZEMKE: It's 5:00, so I'll make it short. Chugach National Forest, we don't have a lot of subsistence wildlife hunts currently. As Pete Kompkoff mentioned, there's the Kings Bay hunt. A small moose herd, kind of isolated. We normally try to fly that every other year but we haven't because of the weather conditions and some other factors since 2002. There was 12 total moose observed, not to say that's the total

population. It appears to be relatively stable. We're going to try to fly it this fall to get an accurate bull count.

In that vein, we're also looking at putting together a project in conjunction with ADF&G to actually do a better count of moose populations in Unit 7. One of the problems there is they do aerial surveys but they're basic and the actual count numbers aren't that good, so we're trying to put together a better estimate, particularly with a couple things coming on.

So that's kind of the basic wildlife management activities that have occurred on the Chugach. In that vein, Steve Kessler, our regional program manager for subsistence management presented the wildlife information services or the wildlife monitoring program proposal that the Forest Service is putting together a parallel program for the FIS program that the OSM runs. As he described before, it's to get basic information for management sustainability of subsistence wildlife resources on the National Forest system, so it's not only Chugach but also the Tongass, so you wouldn't be involved directly with that but something to be informed of.

Probably the other major difference between the FIS program this would only occur on National Forest system lands rather than on all Federal public lands, so Southcentral would include Wrangell-St. Elias or Kenai Refuge lands, so it's more of a focus program. Like the FIS program, it looks at the two basic categories of information gathering. One is the traditional ecological knowledge and the other one is kind of population status and trends. It would also emphasize the partnership funding through other governmental agencies, possibly ADF&G, but also through local organizations and private sources. A prime example of the success story in the Copper River area is the Native Village of Eyak's program for Copper River chinook/salmon census, which I think is going to be presented tomorrow.

That's probably some of the types of programs you'd be looking for and the other one is the idea about trying to enhance the capacity-building of local rural organizations and people. I think the FIS program has kind of served as a prime example of that.

As Steve mentioned back in Soldotna, it's about a $500,000 a year program and last October we were

in a series of continuing resolutions with the Federal government, so it was uncertain about whether or not we could implement the program. December of last year the budge bill finally did go through and the $500,000 was obligated for the wildlife information project. With that, we're actually going to start to implement the program. We're going to hire a wildlife information manager to put together the final guidelines of how the program would work, kind of develop an initial call for proposals for wildlife information that would be coming this year. Again, it would be similar to the proposal process that the Fisheries Information Service uses. Also, he or she would be developing a technical review committee process similar to what's used in FIS. Also, a strategic plan would be done both for the Chugach and the Tongass to take a look at the highest priorities of the area.

One of the things to note is that particularly in the wildlife strategic planning process it would be a cooperative program with knowledgeable experts throughout the regions put together and one of the ideas which surfaced last October was that we'd be looking for somebody from the Southcentral Council to help serve on that committee. It sounds like it would be occurring in late spring and summer, so about the same time when everybody is very busy, but I'm sure we could move timeframes around to be able to get a member or two from the Council to sit on that. Probably looking at sometime in August or September before the strategic planning meeting would be looking at that. So I guess one of the things we were looking for would be a recommendation from the Council who would be available to provide a member to that strategic planning committee.

Also, in the future years, looking at great things in the future, but at the same time Federal budget deficits are coming around and in 2006 we may not have our $500,000 again. Looking at the President's 2004 budget, which didn't include this additional $500,000, so that's not included in the President budget, so it's going to be a hard push to get that included back in to our overall budget. At the same time we'd still have that significant amount of money to take a look at developing the program, looking at those priorities and actually getting some seed money to get some of the significant work done.

Those monies that we have, the $500,000, their subsistence dollars, so one advantage of that is

they're not normally considered year money, so they potentially could be carried over, so we could either obligate the money this coming fiscal year actually just carry the money over to next year to obligate during that year.

So that's all I have. I guess if there's any questions I'd be willing to entertain those.

CHAIRMAN LOHSE: So basically what you'd like from us would be somebody from the subsistence Council that would be willing to sit on the strategic planning committee. This would be basically dealing mostly with Unit 7, wouldn't it?

MR. ZEMKE: Unit 7 and Unit 6. Eastern Kenai Peninsula, Prince William Sound, Copper River Delta.

CHAIRMAN LOHSE: It would go all the way to the Copper River Delta?

MR. ZEMKE: Correct. But not upriver into Unit 13.

CHAIRMAN LOHSE: Okay. Now Unit 7 goes to Seldovia, doesn't it?

MR. ZEMKE: No. Actually it ends at Russian River in the Chickaloon boundary in Eastern Kenai Peninsula.

CHAIRMAN LOHSE: Doug.

MR. BLOSSOM: Mr. Chairman. In your strategic plan, are you doing winter things too or just summer?

MR. ZEMKE: I'd take a look at the various species of concern that subsistence users heavily rely on and what information is available for those species and if there are significant information gaps, what information would be needed to fill that and then it would prioritize those information gaps in somewhat rank order to be able to say which are the highest priority for funding in the near term.

CHAIRMAN LOHSE: Pete.

MR. KOMPKOFF: Yeah, do you get reports

from the charter boat operators for winter king catch?

MR. ZEMKE: No, we don't collect -- that's in marine waters, so that's not under Federal jurisdiction. I think the charter boat operators are required to keep a log and ADF&G would have that information.

MR. BIRCHAM: Tom and Ralph and I don't like to talk.

CHAIRMAN LOHSE: Anyhow, I was thinking what he's asking for, since it basically deals with Unit 6 and 7, we only have two people on the Council that are from those areas. Pete and Tom. Do you think between the two of you you could make sure one of you attends and work as representatives from our Council on the strategic planning committee?

MR. CARPENTER: Yeah, Mr. Chair, I served on the one this winter with Gloria in the fisheries side for the Copper River. It was a good workshop. I wouldn't have a problem attending. I think it's important. The dating might be tough that time of year. I don't know if it can be pushed to early October. Steve, just get a hold of me or Pete and one of us will try to be there.

CHAIRMAN LOHSE: Do you agree with that, Pete?

MR. KOMPKOFF: I agree with that. I have no problem sitting on the committee. If Tom can't make it, I'll be there.

CHAIRMAN LOHSE: If they both can attend, that would be better yet because one is from Unit 6 and one is by Unit 7 and that would cover both areas of the Sound. Both of them understand the other areas. I'll give you their names and you contact them and we can expect them to come back and tell us if there's anything that needs to be brought to our attention.

MR. ZEMKE: Thank you, Mr. Chair, and thanks Tom and Pete for volunteering your services. Thank you.

CHAIRMAN LOHSE: Any other questions.

(No comments)

CHAIRMAN LOHSE: With that, we're going to recess until 8:30 tomorrow morning.

(PROCEEDINGS TO BE CONTINUED)

C E R T I F I C A T E

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)ss.
STATE OF ALASKA)

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