

1 SOUTHCENTRAL FEDERAL SUBSISTENCE  
2 REGIONAL ADVISORY COUNCIL MEETING

3  
4 PUBLIC MEETING

5  
6 VOLUME III

7  
8 Anchorage, Alaska  
9 March 16, 2006  
10 9:00 o'clock a.m.

11  
12  
13 COUNCIL MEMBERS PRESENT:

- 14  
15 Ralph Lohse, Chairman  
16 Doug Blossom  
17 Tom Carpenter  
18 Gilbert Dementi  
19 Richard Greg Encelewski  
20 Pete Kompkoff  
21 Gloria Stickwan  
22 Dean L. Wilson, Jr.  
23  
24 Regional Council Coordinator, Donald Mike

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P R O C E E D I N G S

(Anchorage - 3/16/2006)

(On record)

CHAIRMAN LOHSE: We'll call this spring meeting of the Southcentral Regional Subsistence Advisory Council back into session. I've had a request that we take a look at our meeting schedule for next fall before we start any other business this morning because we have to change the date that we had picked. Donald, if you'd like to give us a heads up on this.

MR. MIKE: Thank you, Mr. Chair. If you'd look at the calendar in your book on Page 207. In our Kenai meeting this fall the Council selected October 11 through the 13th and that was the time the Council chose to accommodate those that had schedules. The Southeast Council met a couple weeks ago and they had to change their meeting dates because they have an ANB meeting or conference in Southeast. That made a conflict with Southcentral Council and Southeast Councils since we share Staff. So the option is to keep it as is or move it a week earlier or a week later.

CHAIRMAN LOHSE: So, Donald, if we keep it as it is we're going to have Staff problems, right?

MR. MIKE: Correct.

CHAIRMAN LOHSE: Greg, you said that was the only week you had off, right?

MR. ENCELEWSKI: (Away from microphone)

CHAIRMAN LOHSE: It's up to the rest of the Council. We can either go a week early or a week later.

MR. WILSON: I'd rather go later.

MR. CARPENTER: This is pure speculation, of course, but it is possible that that meeting is going to have to be longer than what we have figured in there depending on the actions the Federal Board makes. Keep that in mind.

CHAIRMAN LOHSE: Yeah, I think we should start our meeting on Tuesday so it gives us an

1 extra day for sure.

2

3 MR. BLOSSOM: So like October 17th  
4 you're looking at.

5

6 CHAIRMAN LOHSE: Well, if that's the  
7 wish of the Council. We can either go October 17th or  
8 October 3rd. It looks like nobody else has meetings on  
9 the October 17th week and both Dean and Tom expressed  
10 they'd like to go later. How about Gloria?

11

12 MS. STICKWAN: I was wondering when AFN  
13 is and if people here are going to go to AFN.

14

15 CHAIRMAN LOHSE: Does anybody know when  
16 AFN is?

17

18 MR. MIKE: Mr. Chair. AFN week is the  
19 week of October 23rd.

20

21 CHAIRMAN LOHSE: So it meets the week  
22 after ours, Gloria.

23

24 MR. MIKE: Mr. Steve Kessler has more  
25 information on the Southeast meeting and there's a  
26 rural determination hearing, I believe.

27

28 CHAIRMAN LOHSE: Steve.

29

30 MR. KESSLER: Mr. Chair. I know the  
31 Federal Subsistence Board is talking about doing  
32 hearings during this period on the rural determinations  
33 and the public comment period is scheduled to be open  
34 during the time of your meeting so that the Council has  
35 an opportunity to comment on the rural determinations.  
36 I believe that it's anticipated that there will also be  
37 a hearing during the time of your meeting to give the  
38 public an opportunity to comment. Of course, that  
39 would be particularly appropriate having your meeting  
40 down on the Kenai Peninsula. So that may take you  
41 extra time also.

42

43 Let me just let you know that Southeast  
44 Regional Advisory Council didn't really intend to  
45 schedule over you. It just was an oversight that your  
46 meeting wasn't on the calendar that they received. So  
47 they had no idea that your meeting was the same three  
48 days that they ended up scheduling.

49

50 CHAIRMAN LOHSE: Oh, you mean they

1 didn't purposely try to kick us out of there.

2

3 MR. KESSLER: That's correct, they  
4 didn't purposely do that, but it ended up that way.  
5 The other thing about their meeting, with the  
6 resignation of their chair and their vice chair may not  
7 be able to make those dates, so theirs is a little bit  
8 up in the air, but at the moment, as Mr. Mike says,  
9 it's scheduled for the same three days as yours.

10

11 CHAIRMAN LOHSE: Well, if we would  
12 schedule it for the 17th, 18th, 19th and 20th, then we  
13 could travel on a Monday and start our meeting on a  
14 Tuesday. If we thought it was going to be long enough,  
15 we could schedule for everybody traveling on a Sunday,  
16 I suppose. It's up to the rest of the Council.

17

18 MR. WILSON: If we went on a Monday, I  
19 don't know how Greg's shift is, but if we went on a  
20 Monday, we're getting into two work weeks for me. I  
21 can do a shift trade and make this, but I'd have to do  
22 a double shift to pull that one off.

23

24 MR. ENCELEWSKI: I'm in the same boat.  
25 I change on Tuesdays.

26

27 CHAIRMAN LOHSE: So let's just figure  
28 for your guys' sake we'll start on a Tuesday. Well, if  
29 nobody has any objections, Gloria, does that look okay  
30 to you? We'll just accommodate them and switch a week  
31 later. Sorry about that, Greg. We're going to figure  
32 we're going to have a meeting that goes 17th, 18th,  
33 19th and 20th, just in case. I think we'll have an  
34 extra day for sure. See, we can't stay past the 20th  
35 because that's the last day of the meeting window.  
36 Donald, if we had to, could we stay into Saturday?

37

38 MR. MIKE: Yeah, we could if we had to.  
39 It would be a challenge, but it's doable.

40

41 CHAIRMAN LOHSE: Okay. With that  
42 settled we can go on to where we were. I think we were  
43 on Proposal WP06-58.

44

45 MS. ARMSTRONG: That's correct, Mr.  
46 Chair. My name is Helen Armstrong for the record.  
47 This is a crossover proposal. The analysis can be  
48 found on Page 118 in your book. Proposal WP06-58 was  
49 submitted by the Eastern Interior Alaska Subsistence  
50 Regional Advisory Council and it requests that the

1 positive customary and traditional use determination  
2 for moose in portions of Unit 12 be  
3 expanded to include all residents of Unit 13(C).

4  
5                   If you look at the map on Page 119,  
6 you'll see lots of hatching in Unit 12 and what they've  
7 done for this analysis -- and I would like to credit  
8 Polly Wheeler, she's the author of the analysis, to  
9 simplify it she calls these areas A, B and C. These  
10 are not sub-unit areas, but just for purposes of the  
11 analysis she called them Unit 12 and puts the A in  
12 quotes.

13  
14                   The customary and traditional use  
15 determination for moose in Unit 12 is essentially the  
16 same as originally adopted by the Federal Subsistence  
17 Board in 1992 from State of Alaska determinations. The  
18 reason that the Eastern Interior Council wanted to  
19 submit this proposal is they were trying to do more  
20 comprehensive C&T for Unit 12 because of the proximity  
21 of Unit 13(C) residents, they were aware that Unit  
22 13(C) residents have a traditional pattern of hunting  
23 moose in Unit 12. You can see on the map that the  
24 communities that are affected are Slana, Mentasta Lake,  
25 Chistochina that are right there on the border.  
26 They're in 13(C) but they're on the border of Unit 12.

27  
28                   If you look at the proposed regulation  
29 on Page 120, it sort of clarifies it a little bit more.  
30 There's no change in the A portion. That one already  
31 includes 13(C). In the B portion it would add 13(C)  
32 and Chistochina already has C&T. They were given C&T  
33 last year. And then in the C portion, the Unit 12  
34 remainder, Chistochina and Mentasta Lake would be taken  
35 out and then 13(C) added.

36  
37                   So, essentially what you're doing in B  
38 is adding Mentasta Lake and Slana and Gakona and all of  
39 the people who live along the Glenn Highway and the Tok  
40 Cutoff Road that aren't included in those communities.  
41 It's a little bit confusing, but hopefully that helps  
42 explain it a little bit more.

43  
44                   CHAIRMAN LOHSE: Helen, can I ask you a  
45 question real quick.

46  
47                   MS. ARMSTRONG: Sure.

48  
49                   CHAIRMAN LOHSE: This was submitted by  
50 the Eastern Interior Alaska Council and they're the

1 people who Unit 12 is in their area.

2

3 MS. ARMSTRONG: Right. And this is a  
4 crossover because the people they're adding are in your  
5 area.

6

7 CHAIRMAN LOHSE: Okay.

8

9 MS. ARMSTRONG: So, to address use by  
10 residents of other units, three areas within Unit 12  
11 were identified. In 1989 State regulations referred to  
12 these areas as South, East, and North respectively.  
13 For the purpose of this analysis, these three areas are  
14 labeled A, B, and C and are depicted in Map 1. In the  
15 South or A portion of Unit 12, which encompasses the  
16 Nabesna Road area, residents of Unit 12 were recognized  
17 as having positive customary and traditional use, as  
18 were residents of Unit 11 north of the 62nd parallel,  
19 approximately at the junction of the Unit 11 boundary  
20 with Klawasi River, residents of Units 13(A), 13(B),  
21 13(C), 13(D), residents of Dot Lake and Chickaloon. In  
22 the North or C portion of Unit 12, residents of Unit 12  
23 and residents of Dot Lake and Mentasta Lake were  
24 recognized as having customary and traditional use of  
25 moose. In the East or B portion of Unit 12, residents  
26 of Unit 12 were the only customary and traditional  
27 users of moose recognized until 1998, when the Federal  
28 Subsistence Board added the residents of Healy Lake to  
29 all of  
30 Unit 12. At the May 2005 Federal Subsistence Board  
31 meeting, residents of Chistochina were added to the  
32 customary and traditional use finding for all portions  
33 of Unit 12 through Proposal WP05-21.

34

35 As I noted, the community of Mentasta  
36 Lake is included in the C&T finding for moose in the A  
37 and C portions but not in B. Gakona and Slana are also  
38 included in the C&T use for A, but not in the B or C.  
39 People residing along the Glenn Highway and the Tok  
40 Cutoff Road are not included in the finding for B and C  
41 portions.

42

43 You can find the eight factors on Page  
44 121 in the analysis. I'm not going to read through all  
45 of those. The discussion on these pages indicates the  
46 people in the area demonstrate a long term consistent  
47 pattern of use in the area in question exemplifying the  
48 pattern indicated by the eight factors. For detailed  
49 information you can look at Pages 121 and 126 in your  
50 book.

1                   A few of the major points in the  
2 analysis are that the area in question historically was  
3 occupied and used by AHTNA and Upper Tanana  
4 Athabaskans. The long term uses and historic  
5 importance of moose to the people in this general area  
6 is well documented by explorers, travelers and  
7 anthropologists who worked in the region.

8  
9                   Residents of Mentasta Lake, Slana, and  
10 Gakona and along the Tok Cutoff Road today rely on  
11 moose as a mainstay of subsistence. Documentation of  
12 all permits issued and successful harvest for moose  
13 throughout the state by Mentasta Lake, Slana and Gakona  
14 residents are available for the period of 1983 through  
15 2002. The permit data shows that the harvest of moose  
16 in the A portion of Unit 12 and some hunting in the B  
17 and C portions. Definitely the A portion is used more,  
18 but B and C are used as well.

19  
20                   The mapping of harvest areas for  
21 Mentasta Lake, Slana and Gakona in 1983 showed that  
22 residents of Slana used the  
23 Nabesna River drainage beyond the A portion, north to  
24 Pickerel Lake and east of the Nabesna River. Data  
25 gathered in the mapping study represented use of these  
26 areas from 1964 to 1984. So it is older information,  
27 but we do have some mapping.

28  
29                   The mapped areas from Mentasta Lake  
30 indicated limited use of B portion in Unit 12. For  
31 Mentasta Lake residents record in 1983 noted that the  
32 area between Mentasta and Slana along the highway and  
33 into the Mentasta Mountains is considered to be very  
34 good moose hunting. Slana residents favored hunting  
35 locations were reportedly in Unit 12 in the A and B  
36 sections. Individuals living in the Tok Cutoff Road  
37 hunted moose in virtually every drainage coming into  
38 the Copper River on both side and the preferred hunting  
39 areas included areas in portions of Unit 12 in the A  
40 and B portions.

41  
42                   I'm not going to go through all of the  
43 eight factors in the interest of time, but they do  
44 support and indicate that there is a customary and  
45 traditional use of moose in these areas.

46  
47                   The effect of the proposal is that  
48 adoption of WP06-58 would recognize the remaining  
49 residents of 13(C) as customary and  
50 traditional users of moose in the remaining portions of

1 Unit 12 in the B area east of the Nabesna River and  
2 Nabesna Glacier, south of the Winter Trail from  
3 Pickerel Lake to the Canadian Border and the C portion,  
4 the remainder of Unit 12. This recognition should not  
5 have an impact on other users or the resource.

6  
7 The preliminary Staff conclusion is to  
8 support the proposal. The justification is that moose  
9 are clearly an important subsistence resource for  
10 residents of Unit 13(C), and there is evidence for  
11 these communities using moose in portions of Unit 12,  
12 namely 12 in the A portion, for which they currently  
13 are  
14 included, and the 12 B and C portions for which there  
15 is evidence of a C&T pattern of use.

16  
17 Thank you, Mr. Chair. That concludes  
18 my presentation.

19  
20 CHAIRMAN LOHSE: Thank you, Helen. If  
21 we take a look at that map on Page 119, Helen, all of  
22 the cross-hatches is Unit 12, right?

23  
24 MS. ARMSTRONG: That's correct.

25  
26 CHAIRMAN LOHSE: So the two C's are  
27 both in Unit 12.

28  
29 MS. ARMSTRONG: That's correct. I hope  
30 I'm saying that right.

31  
32 CHAIRMAN LOHSE: And then the cross-  
33 hatches is Unit 12(C) and the other diagonal lines are  
34 Unit 12(A) and Unit 12(B).

35  
36 MS. ARMSTRONG: That's correct.

37  
38 CHAIRMAN LOHSE: The communities that  
39 we're talking about are actually in 13.

40  
41 MS. ARMSTRONG: Right.

42  
43 CHAIRMAN LOHSE: So they're from  
44 Mentasta Lake to Gakona.

45  
46 MS. ARMSTRONG: Correct.

47  
48 CHAIRMAN LOHSE: Now you said that this  
49 was submitted by Eastern Interior.

50

1 MS. ARMSTRONG: That's correct. They  
2 have not met.  
3  
4 CHAIRMAN LOHSE: They have not met yet.  
5 Usually we defer to the Unit that it's in. If it was  
6 submitted by them, that doesn't mean that they've  
7 approved it or disapproved it.  
8  
9 MS. ARMSTRONG: No, but one would  
10 anticipate since they submitted it that they will  
11 support it, but you never know.  
12  
13 CHAIRMAN LOHSE: Unit 12 is all their  
14 area. Okay. Any questions for Helen.  
15  
16 MR. CARPENTER: I just had one  
17 question.  
18  
19 CHAIRMAN LOHSE: Tom.  
20  
21 MR. CARPENTER: Helen, we're talking  
22 about Mentasta Lake and Slana basically because  
23 Chistochina already has a C&T, right. How many people  
24 are we talking about outside of Mentasta Lake, Slana  
25 and Gakona? It's not that many?  
26  
27 MS. ARMSTRONG: I don't believe so.  
28 Gakona has 215 residents and it doesn't actually say  
29 how many people live on the Glenn Highway and Tok  
30 Cutoff Road. I can't imagine it's too many.  
31  
32 MR. CARPENTER: I was ready the public  
33 comments. One was from AHTNA and one was from Mentasta  
34 Traditional Council. Both of them opposed this. I  
35 guess I would be curious to see what the Wrangell-St.  
36 Elias SRC said, but like Ralph said we usually defer to  
37 the other Councils but they haven't even taken action  
38 on this yet. I was just curious why AHTNA and Mentasta  
39 Traditional Council would both oppose it.  
40  
41 MS. ARMSTRONG: This isn't my area of  
42 the state, but what I've learned from people and  
43 actually Terry Haynes is an anthropologist here who's  
44 worked in that area and he probably could say a little  
45 bit more, but my understanding is that the concerns are  
46 because the Slana people are not a Native population,  
47 but our position has always been that it's a rural  
48 program, it's not a Native program. They have used  
49 moose and they've adopted the uses of the people in the  
50 region and I think it's the same for the people on the

1 road, too. And Gloria might be able to say more about  
2 that.

3

4 CHAIRMAN LOHSE: Gloria.

5

6 MS. STICKWAN: The AHTNA Tene Nene,  
7 when we met, there wasn't any representation from  
8 Chistochina or Mentasta at that meeting and people  
9 there at that meeting did not want to say yes because  
10 they did not know how to vote. Mentasta had their own  
11 meeting and they voted no and I don't want to speak for  
12 them because I don't know why they did, but I can  
13 probably guess why. They've always believed that  
14 AHTNA's Unit 11, 12 and 13 is their traditional area  
15 and they have a different view of C&T.

16

17 CHAIRMAN LOHSE: Thank you, Gloria.  
18 Helen, can I ask a question. This also adds Gakona to  
19 the people who can use Unit 12 over there?

20

21 MS. ARMSTRONG: It adds anybody who  
22 lives in 13(C).

23

24 CHAIRMAN LOHSE: And that starts at  
25 about Gakona, doesn't it?

26

27 MS. ARMSTRONG: Yes.

28

29 CHAIRMAN LOHSE: So it would add  
30 Gakona, Slana, Mentasta and the people that live on the  
31 road between Gakona and Mentasta.

32

33 MS. ARMSTRONG: Correct.

34

35 CHAIRMAN LOHSE: Okay. Any other  
36 questions. When does Eastern Interior have their  
37 meeting?

38

39 MS. ARMSTRONG: Next week.

40

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

43

44 MR. HAYNES: Thank you, Mr. Chair. The  
45 Department's comments are on Page 129. Last year, when  
46 the finding was made to add Chistochina to other parts  
47 of Unit 12, we had strong concerns about that action  
48 because we felt the data was insufficient to support  
49 addition of Chistochina as customary and traditional  
50 users of moose throughout Unit 12. In the meantime, we

1 have concluded that until the Office of Subsistence  
2 Management completes its policy on how it's making  
3 customary and traditional use determinations that we'd  
4 prefer that action be deferred on C&T proposals until  
5 we better understand how they're using their criteria  
6 to make those determinations. So we recommend deferral  
7 in this case.

8

9 CHAIRMAN LOHSE: Thank you, Terry. And  
10 that's basically a policy at this point in time with  
11 Alaska Department of Fish and Game, isn't it?

12

13 MR. HAYNES: Mr. Chairman. Yes, in  
14 cases where there is new information on the table  
15 that's being evaluated that would result in a change we  
16 recommend deferral.

17

18 CHAIRMAN LOHSE: Okay. I was just  
19 going to ask you a personal opinion question outside of  
20 policy. Would you expect it to have more validity if  
21 the area that the game is in is asking for somebody  
22 else to be included that's out of the area than for  
23 somebody that's out of the area asking to be included  
24 in an area where the came is.

25

26 MR. HAYNES: Yes. (Laughs) No, Mr.  
27 Chairman, I'm not sure how to answer that. I think the  
28 issue is, regardless of who's asking the question, do  
29 people in the area have a C&T pattern of use.  
30 Obviously the proponent believes that there is an area  
31 that should be added.

32

33 CHAIRMAN LOHSE: It's just kind of  
34 interesting because usually what we're dealing with is  
35 somebody asking to be in somebody else's area instead  
36 of somebody else's area asking to have somebody else  
37 included in it. It's just kind of a reversal from  
38 normal procedure.

39

40 MR. HAYNES: Mr. Chairman. I suspect  
41 that Sue Entsminger, who is a member of the Eastern  
42 Interior Regional Council, lives in this area of 13(C),  
43 if I'm not mistaken, and I'm sure she had an interest  
44 in this proposal.

45

46 CHAIRMAN LOHSE: No, she doesn't live  
47 in 13(C). She lives in 12, just above it.

48

49 MR. HAYNES: I know she lives right in  
50 that area.

1 CHAIRMAN LOHSE: Yeah. She's on the  
2 other side of Mentasta. So this proposal wouldn't  
3 affect her, but she knows the people in Mentasta pretty  
4 well. You're probably correct in that assumption I  
5 would think. Thank you, Terry. Any other questions  
6 for Terry. Doug.

7  
8 MR. BLOSSOM: Mr. Chairman. I guess to  
9 either one of you. Just reading through this and  
10 trying to digest it, it looks to me like they qualify.  
11 But the second part is didn't the Eastern Interior  
12 Council have to act in unison to put this out as a  
13 proposal? So that whole area has to be in favor of it.  
14 Am I wrong?

15  
16 MS. ARMSTRONG: That's correct. In  
17 order for it to be a Council proposal and not from an  
18 individual, it would have to have been a majority vote  
19 of the Council. It may not mean that everybody on the  
20 Council agreed, but the majority would have to agree.

21  
22 MR. BLOSSOM: What was the vote?

23  
24 MS. ARMSTRONG: I don't know.

25  
26 CHAIRMAN LOHSE: Other questions for  
27 Terry. Gloria.

28  
29 MS. STICKWAN: I was just going to say  
30 Unit 12 has always been considered AHTNA's region. We  
31 claim it as part of our traditional territory.

32  
33 CHAIRMAN LOHSE: The Tanana people are  
34 on the other side of it, aren't they?

35  
36 MS. STICKWAN: Yeah.

37  
38 CHAIRMAN LOHSE: And we're dealing with  
39 two AHTNA communities and the people that are in  
40 between them, I guess. Thank you, Gloria. Okay. Any  
41 other questions for Terry. Dean.

42  
43 MR. WILSON: I don't know if I should  
44 be bringing this one up or not, but going back to the  
45 C&T findings with the Federal side, could you expand on  
46 that a little bit. I guess there's some new  
47 regulations that you guys are looking at.

48  
49 MS. ARMSTRONG: They aren't new  
50 regulations. The Board has asked our anthropologist to

1 draft a policy of how we do C&T. Just so that it was  
2 in writing how they make decisions because there are  
3 some entities who feel that the Board makes one kind of  
4 decision one place and requires a certain amount of  
5 information and another place they don't require the  
6 same amount of information. I hope I'm putting that  
7 accurately. It's a little touchy situation. It's not  
8 that they're creating new regulations at least at this  
9 point. It's more writing down on paper what it is they  
10 do. There may be some new directions. I don't know.  
11 It's not been written yet.

12

13 CHAIRMAN LOHSE: I think, Helen, isn't  
14 that in response to a request by the State of Alaska,  
15 Governor's Office?

16

17 MS. ARMSTRONG: Yes, it is.

18

19 MR. WILSON: Okay. Is it expected to  
20 change the eight C&T?

21

22 MS. ARMSTRONG: I think anything is on  
23 the table right now.

24

25 CHAIRMAN LOHSE: Gloria.

26

27 MS. STICKWAN: So does that mean we're  
28 going to have to do C&T all over again for our region?

29

30 CHAIRMAN LOHSE: I hope not, Gloria.  
31 If we do, probably none of us would be willing to sit  
32 here and do it.

33

34 MS. ARMSTRONG: I wouldn't expect that  
35 that would happen. I believe it would be more that  
36 we're putting -- I shouldn't say. I don't really know.  
37 But that's not the intention. The intention is to  
38 clarify how we do C&T.

39

40 CHAIRMAN LOHSE: Helen, wasn't the  
41 intention more to -- I mean the State's request is that  
42 the policy be done in writing for future decisions on  
43 C&T. I don't think there was anything that I read that  
44 said we were going to go back and review C&T decisions.  
45 As we get farther along in this, the decisions get more  
46 complicated and harder because they're smaller. And I  
47 think that's what the State's request was, is that we  
48 come up with a consistent policy in writing for dealing  
49 with these new C&T things that keep coming up.

50

1 MS. ARMSTRONG: That's correct. I  
2 think there may be a few instances where they would  
3 revisit some. There are some particular ones they have  
4 some concern over that were too broad in their opinion.  
5 So it may be that they would reconsider some of them,  
6 but I don't think they would be looking at every single  
7 one across the state.

8  
9 MR. KESSLER: Mr. Chairman. Steve  
10 Kessler with the Forest Service and InterAgency Staff  
11 Committee. I just wanted to clarify for you how this  
12 came actually to the Board. There were discussions  
13 between the State and the Department of Interior and  
14 actually the Department of Agriculture at fairly high  
15 levels and as a result of that discussion, Lynn  
16 Scarlett, who is now the Deputy Secretary of the  
17 Department of the Interior, recognized that it looked  
18 like the Board needed to develop policies or guidelines  
19 for how the Board goes about doing two things. One is  
20 closures and one is customary and traditional use  
21 determinations. So the direction came in a letter from  
22 Deputy Secretary Lynn Scarlett to the Federal  
23 Subsistence Board to do this.

24  
25 I just wanted to make sure you  
26 recognized it came from the Secretaries to do this.  
27 The closure policy will be before you. You'll be  
28 discussing that later today because there's a draft  
29 policy in your book and the draft customary and  
30 traditional use policy then would be coming to you at  
31 your fall meeting. So that would be all discussed  
32 among all the Regional Advisory Council's  
33 recommendations made to the Federal Subsistence Board  
34 and then it's in the authority of the Federal  
35 Subsistence Board to make a final decision on what they  
36 want as far as their policies.

37  
38 I just wanted to make sure you knew  
39 that that link came through the Secretaries, it wasn't  
40 sort of directly between the Federal Subsistence Board  
41 and the State.

42  
43 CHAIRMAN LOHSE: No, I think the  
44 request came from the State, but it went to the  
45 Secretary of Interior, didn't it? I mean this was in  
46 response to a request by the State.

47  
48 MR. KESSLER: That's correct. The  
49 State was pointing out in their opinion there were some  
50 things that were missing and the Federal Subsistence

1 Board was taking some actions that were wholly  
2 consistent. I think Helen described some of that. As  
3 a result, this direction came from the Secretary.

4  
5 CHAIRMAN LOHSE: Thank you, Steve.  
6 Donald.

7  
8 MR. MIKE: Thank you, Mr. Chair. Since  
9 we're on the subject of the draft closure policy, Mr.  
10 Knauer will be presenting that briefing and he has to  
11 leave before noon today, so it might be a good  
12 opportunity for the Council to hear his presentation  
13 after this proposal. Thank you, Mr. Chair.

14  
15 CHAIRMAN LOHSE: So maybe we can  
16 accommodate him after this proposal so he can leave.  
17 The only other thing, I know we have some people who  
18 have been waiting to do a couple other ones. Okay.  
19 Any questions for Terry.

20  
21 (No comments)

22  
23 CHAIRMAN LOHSE: Thank you, Terry.  
24 Other Federal, State and Tribal agency comments.  
25 Justin.

26  
27 MR. JUSTIN: Good morning, Mr.  
28 Chairman, Council Members. Wilson Justin, Mt. Sanford  
29 Tribal Consortium and Cheesh-Na Tribal Council. This  
30 particular issue is troublesome in a number of ways,  
31 but Cheesh-Na Tribal Council is going to support the  
32 proposal and probably I should backtrack and talk a  
33 little bit about some of the ramifications of this type  
34 of proposal.

35  
36 I've been on record for many, many  
37 years opposing the way the units have been designated  
38 from the '50s and the '60s. I know the background very  
39 well. One of the reasons I opposed how these unit  
40 boundaries were put together was precisely what's  
41 happening today, is that it cuts across all traditional  
42 practices and all traditional hunting boundaries. It  
43 just carved up these various hunting areas in terms of  
44 where the general public should be hunting that won't  
45 bother guide operations. Unit 12 is specifically in a  
46 protective sense a complete designation to protect  
47 guiding operations for sheep and bear. There was no  
48 other reason to create Unit 12.

49  
50 Yet, on the other hand, Cheesh-Na,

1 Mentasta, Gakona, Slana, all traditional AHTNA  
2 villages, had extensive trade and background in hunting  
3 all up and down not only Chisana River but White River  
4 and Chitina. My family used the trail all the way down  
5 to Swan Lake. There's trails split down below the pass  
6 over at Chitistone, about 14 miles. We not only knew  
7 and named quite a few of those landmarks over there,  
8 but we had hunting camps all along the trail, all the  
9 way down below Healy Lake. We have vast historical  
10 background in terms of our hunting practices, our camps  
11 and our trade from those villages in that region. Yet,  
12 when you look at the unit designations, the ability to  
13 provide that background is very limited because of the  
14 way the unit boundaries are put into place.

15  
16 I've always objected to those  
17 boundaries and I will continue to do so because they  
18 don't make sense in terms of customary and traditional  
19 uses. But Cheesh-Na will support the proposal because  
20 we do know that these past practices among the AHTNA  
21 camps were very extensive. The reluctance to support  
22 it completely is the fact that there are many, many  
23 newcomers to the area who have been there very recently  
24 who, in our estimation, do not have C&T but they will  
25 be included. We recognize that. But it's better to  
26 include the newcomers on a C&T back-door policy than  
27 damage our own efforts to continue to develop  
28 traditional C&T practices that are more meaningful.

29  
30 Mt. Sanford has probably spent 10 years  
31 at least developing a curriculum, developing language  
32 activities, stories and also what you'd call  
33 videotaping, which I've done a lot of, to show what  
34 kind of C&T practices we think should be in place.  
35 We're a long ways from completing that. In the  
36 meantime, we think that a flawed system works better  
37 than a system that will harm us in the long run. So  
38 I'll leave it at that. If there's any questions.  
39 Thank you.

40  
41 CHAIRMAN LOHSE: Dean.

42  
43 MR. WILSON: Wilson, at the SRC meeting  
44 I was at, we heard from some folks from Dot Lake inside  
45 Unit 12 that they were in support of this, but they  
46 would prefer not be Unit 13(C). They would prefer that  
47 we stick with the community-based names, like actually  
48 naming off Gakona, Chistochina, Mentasta Lake, Slana.  
49 What's your thoughts on that?

50

1 MR. JUSTIN: The original system that  
2 was proposed back in the '70s were exactly that. They  
3 were specifically community-based. I thought of all  
4 the system that was proposed, that might have been the  
5 best subsistence practices. That was discarded in a  
6 discussion in late '70s when the language for ANILCA  
7 began attracting national attention. After that the  
8 proposals that came along, which basically were a  
9 mishmash of various kinds of uses were not very good in  
10 terms of protecting existing subsistence. So, if I had  
11 a choice, I would go to the community designated only,  
12 but that has its own flaws, too.

13  
14 I guess the best way to look at it is  
15 say every one of these trails that supported  
16 subsistence activities have names, they're recorded in  
17 elders memory, we use them on a basis of which families  
18 originally had jurisdiction over them and that's a good  
19 a place as any in my estimation to get started on it.  
20 You know the State will object strenuously to that  
21 approach because they'll say that's beneficial to  
22 Natives only. But that establishes in my mind the  
23 proper practice and use in the traditional sense for  
24 the area and we don't have to worry about this mishmash  
25 of C's and B's and A's and cross and dotted lines and  
26 what have you. All of it is arbitrary and all of it is  
27 capricious in my mind in terms of equitable use of  
28 subsistence practices.

29  
30 CHAIRMAN LOHSE: Dean.

31  
32 MR. WILSON: And I think where that  
33 came from, this portion that we're talking about is in  
34 the Wrangell-St. Elias National Park. Other than Unit  
35 11 and Unit 12, the portions that are right in the  
36 park, when they name user groups outside of that park,  
37 they usually name community groups around it. This is  
38 going to be outside of that. My understanding is this  
39 will be the first unit designated outside of that so  
40 the entire unit is included.

41  
42 MR. JUSTIN: It is a break.

43  
44 CHAIRMAN LOHSE: Gloria.

45  
46 MS. STICKWAN: Justin, don't you think  
47 that these people that live along the highway are  
48 affiliated with the community?

49  
50 MR. JUSTIN: To a great degree, yes.

1 Probably more than half the people that you're looking  
2 at along the -- I live in Chistochina. I was born at  
3 Nabesna. My family is from Nabesna, Chisana. To a  
4 great degree nearly all of the people, about half the  
5 people in the area we're talking about that stretch of  
6 road are affiliated with one or the other communities,  
7 either long-standing friendship, marriages or adoption.  
8 There's a small percentage, probably about 25 or 30  
9 percent of the people that we're talking about are  
10 relatively newcomers. They're agency personnel,  
11 they're homesteaders, they've come in the last 15 or 20  
12 years. In the minds of the community members who are  
13 affiliated with traditional practices, they won't be  
14 accepted for another 500 years.

15

16 (Laughter)

17

18 CHAIRMAN LOHSE: Tom.

19

20 MR. CARPENTER: Yeah, I guess I have a  
21 question. That's pretty interesting what Dean had to  
22 say. I guess I'm curious as to why this is the first  
23 time an entire part of a unit is being listed instead  
24 of communities.

25

26 MS. ARMSTRONG: It actually isn't. Did  
27 you look at the top of Page 120, the A portion of Unit  
28 12? In the right-hand side it has the C&T listed and  
29 it has residents of Unit 11, then Units 12, 13(A),  
30 13(B), 13(C), 13(D). So they did that for part of Unit  
31 12, the A portion, but not the B and C portion. So  
32 this would be making the B and the C more parallel to  
33 what is in the A.

34

35 CHAIRMAN LOHSE: I was going to remind  
36 Dean also that unit designation has been used before  
37 simply because unit designation has included the  
38 communities and the road systems of that unit.

39

40 MS. ARMSTRONG: If I could, Mr. Chair,  
41 maybe I could say a little bit more about the process  
42 because I don't think this Council has had to do this,  
43 but in the Unit 22 in Seward Peninsula where there has  
44 become a shortage of a resource, we have moved to  
45 Section 804 analyses and that's where you can start  
46 distinguishing between proximity to the resource and  
47 long-term dependance on the resource.

48

49 So, for example, in the Unalakleet area  
50 they exclude now Nome people from going into the

1 Unalakleet area to take moose because there's such a  
2 shortage. So if you had a shortage of moose, anybody  
3 could then make a proposal for an 804 and deal with  
4 some of the issues of, well, there's not enough for  
5 everybody.

6

7

CHAIRMAN LOHSE: Tom.

8

9

MR. CARPENTER: Just one more question  
10 and then I think I'll be satisfied. When Chistochina  
11 was added, when they received a C&T last year, I'm  
12 curious as to why the Office of Subsistence Management  
13 at that time didn't include the rest of these  
14 communities as you have, for example, in Prince William  
15 Sound or many other units around the state where  
16 because a community or because a group of people have  
17 asked for something you just have thrown these other  
18 communities in. Why didn't you do that with this?

19

20

MS. ARMSTRONG: That's a good question.  
21 We actually have that written down in our C&T writing  
22 guide, author's guide. What we do is the first time  
23 the Council and the Board hear a C&T proposal, the  
24 first time since when we took it over from the State,  
25 then we do it comprehensively. So, for example, the  
26 Kenai C&T if it's never been heard. But then, after  
27 that, we just do it when a particular community  
28 requests it. So, Chistochina asked for it last year,  
29 so we looked at Chistochina. I think that's why then  
30 in their discussions they said, well, gee, we should be  
31 including the whole area, so then they made a proposal  
32 specifically for 13(C). So that's why they didn't do  
33 it last year. Did that make sense?

34

35

MR. CARPENTER: But shouldn't that be  
36 the other way around? I agree with Wilson on this one  
37 completely. If somebody wants a C&T, Chistochina  
38 should ask for it. If Mentasta Lake wants a C&T,  
39 Mentasta Lake should ask for it.

40

41

MR. ARMSTRONG: Well, the Eastern  
42 Interior Council asked for it.

43

44

CHAIRMAN LOHSE: Justin.

45

46

MR. JUSTIN: Thank you. I probably  
47 could shed some light on the issue. Mt. Sanford Tribal  
48 Consortium is a health consortium. We represent  
49 Mentasta and Chistochina on their health programs. We  
50 were also part of development of the subsistence issues

1 over the past 10 years and we also do a lot of language  
2 activities. One of the assignments that I got back in  
3 1993 or 1994 was to develop a parallel C&T policy so to  
4 speak that we can use for the villages of Mentasta and  
5 Chistochina on asking for designation in determination  
6 before the Federal Board.

7  
8 I was never able to complete that  
9 because I got led into this long extended background  
10 research on language, dialects, trading trails and all  
11 the designations and the project kept getting larger  
12 and larger and larger. Now we're 10 years down the  
13 road and I never ever got to the point where I could  
14 offer the communities. Our intent was to develop a  
15 template for the whole AHTNA region in terms of walking  
16 through this process.

17  
18 So last year or the year before at  
19 Cheesh-Na I said why don't we ask for -- I'll walk  
20 through it just to see what it's like now because it's  
21 evolved since '93. So Cheesh-Na asked for a C&T  
22 designation as a walk-through for me and it was  
23 illuminating for me in many ways. It's nice to go back  
24 into something that you're a part of but you never did.

25  
26  
27 For instance, I'll never hunt in Unit  
28 13 ever. I've been in a lot of places over there.  
29 It's right across the street for me, but I'll never  
30 take a moose or caribou or anything. Rabbits, yeah,  
31 but that's it. If I really wanted to know about 13 and  
32 I wanted to talk about the practice, I would have to go  
33 in there and hunt, which I've never done. It's the  
34 same thing with the C&T process.

35  
36 We were hoping to develop a template  
37 that we would be able to use region wide and we're only  
38 halfway done with that big project. That's why you  
39 have this background, why things happen this way  
40 sometimes and happen that way sometimes. I'll stick  
41 with the original statement I made that every user or  
42 consumer group should have the sole right to ask for  
43 C&T when they want it, under what conditions they want  
44 it for.

45  
46 CHAIRMAN LOHSE: Thank you, Wilson.  
47 You and I would probably agree on something pretty  
48 strongly. We've talked trails quite a bit in the past.  
49 If I had my way, C&T would extend to how far did you  
50 traditionally walk to do your hunting.

1 MR. JUSTIN: Where were your hunting  
2 camps on the trails. That's a major part of past  
3 practices in C&T determination. If I might, Mr.  
4 Chairman. I was instrumental in developing the eight  
5 criteria. Nick Jackson served on the State Board of  
6 Fish and Game and worked very closely with him and we  
7 tried to develop the discussion in the State Board of  
8 Game and the original designation to look at that and  
9 that was considered a cultural practice and, therefore,  
10 in violation of the State's constitutional safeguards.  
11 But Nick Jackson, to his credit, spent about two years  
12 trying to develop that as a component of the regional  
13 C&T designations.

14

15 CHAIRMAN LOHSE: In other words, if you  
16 didn't walk there, it was out of your unit.

17

18 MS. STICKWAN: So it was Nick and him  
19 that started all this?

20

21 (Laughter)

22

23 MR. JUSTIN: Well, Nick was up front.  
24 I was in the background.

25

26 CHAIRMAN LOHSE: Thank you. Any other  
27 questions for Wilson.

28

29 (No comments)

30

31 MR. JUSTIN: Thank you.

32

33 CHAIRMAN LOHSE: Okay. Any other  
34 Federal, State, Tribal agency comments.

35

36 (No comments)

37

38 CHAIRMAN LOHSE: InterAgency Staff  
39 Committee comments.

40

41 (No comments)

42

43 CHAIRMAN LOHSE: Fish and Game Advisory  
44 Committee comments.

45

46 (No comments)

47

48 CHAIRMAN LOHSE: Summary of written  
49 public comments. Donald.

50

1 MR. MIKE: Thank you, Mr. Chair.  
2 You'll find your written public comments on Page 129.  
3 We received two written public comments from the AHTNA  
4 Subsistence Committee opposing the proposal. We do not  
5 support WP06-58 to revise the customary and traditional  
6 use determination to include residents of Unit 13(C).  
7 This subunit is the Ahtna People s customary and  
8 traditional use area.

9  
10 The Mentasta Traditional Council  
11 opposed the proposal. We do not support this proposal.  
12 We would like to have it read Mentasta Lake and  
13 Chistochina instead of Unit 13(C). The communities of  
14 Mentasta and Chistochina have traditionally used this  
15 area and to include all of Unit 13(C) would include  
16 others with no use.

17  
18 The Wrangell-St. Elias SRC will be  
19 presenting their comments.

20  
21 CHAIRMAN LOHSE: Barbara.

22  
23 MS. CELLARIUS: Mr. Chair, Members of  
24 the Council. Barbara Cellarius from Wrangell-St. Elias  
25 National Park. I'm afraid, Tom, this isn't going to  
26 help you a lot. Wrangell-St. Elias National Park  
27 Subsistence Resource Commission failed to support the  
28 proposal. Because the vote on this proposal was very  
29 close (4 votes to support, 4 votes to oppose, and 1  
30 abstention), both sides are presented here.

31  
32 Those who voted to oppose the proposal  
33 were concerned that not all the communities and areas  
34 in 13(C) are demonstrated to have a customary and  
35 traditional use of moose throughout Unit 12.

36  
37 Those who voted in support of the  
38 proposal noted that people living in Unit 13(C) have  
39 well-documented ties to the region at issue. They  
40 recommend that rather than using the term Unit 13(C),  
41 the regulation list the designated resident zone  
42 communities (for Wrangell-St. Elias National Park) of  
43 Chistochina, Mentasta, Gakona and Slana.

44  
45 Dean had alluded to that earlier.

46  
47 CHAIRMAN LOHSE: Thank you, Barbara.  
48 Any questions for Barbara.

49  
50 MR. WILSON: I have a question. One

1 thing I was thinking about as far as a community-based  
2 selection we were talking, are those four communities  
3 you just mentioned would that cover everybody currently  
4 in 13(C) if those four were put in or who would it  
5 leave out?

6  
7 MS. CELLARIUS: Those are the named  
8 communities within 13(C). The question of the roads is  
9 complicated in the Copper Basin. There was actually an  
10 effort some years ago to designate community boundaries  
11 for these resident zone communities and the conclusion  
12 was that it was impossible or at least extremely  
13 difficult to figure out where one community ends and  
14 one community starts up again.

15  
16 MS. ARMSTRONG: To answer what you  
17 said, it leaves off people who live in between the  
18 communities off the road.

19  
20 MR. WILSON: Are you sure of that?  
21 Because here's how it works with that Copper Center,  
22 Chitina, Kenny Lake area. Basically anybody between  
23 Chitina and Copper Center is in Kenny Lake and even  
24 though they're on the road system there is no town  
25 center for where I live. So what I'm wondering is if  
26 these four communities are designated, where they get  
27 their mail and where they call themselves should cover  
28 it. Is that correct?

29  
30 MS. ARMSTRONG: Maybe that's a question  
31 for Bill Knauer. Place of residency but not where you  
32 get your mail. It's a fine line, I think.

33  
34 CHAIRMAN LOHSE: We've struggled with  
35 this one before, Dean, specifically with Kenny Lake  
36 area. There was Chitina and there was Copper Center  
37 and then there was all the people that lived between  
38 Chitina and Copper Center. While you recognize that  
39 they interact as a community, they don't have a central  
40 community. So it's pretty hard. If you took exactly  
41 what we were talking about, where does Gakona stop and  
42 Slana stop and are there people that are in between  
43 that.

44  
45 If you look at it from a more  
46 traditional standpoint, the community is all the people  
47 that are gathered all in one little spot. But if you  
48 go far enough back, they would be spread out here and  
49 there in their hunting camps and they would just come  
50 together at certain times. How do you deal with that.

1 I think what's ended up happening is we've ended up  
2 saying this is a community and this is a community and  
3 there's no way to exclude the people who are rural  
4 residents that live between the community that are  
5 scattered.

6  
7                   It's a hard one because it's hard to  
8 answer from a traditional standpoint and from current  
9 practices because there's people who are obviously part  
10 of the community who live outside of the community.  
11 But then there are also people who are newcomers who  
12 live outside of the community and then there are  
13 newcomers who live inside the community. How do you  
14 divide them up.

15  
16                   MR. WILSON: Yeah. Well, that's kind  
17 of the point I'm trying to make. How do we not only  
18 divide them up but how do we exclude them. As far as  
19 I'm concerned, if you're looking at trying to exclude  
20 anybody along that route, you'd be pretty hard put just  
21 to say, okay, you're not in that area when you're  
22 living in between it. I think everybody, if you ask up  
23 and down the road there, they'll tell you which  
24 community they're in. You're probably just going to  
25 have to go with that.

26  
27                   CHAIRMAN LOHSE: Thank you, Barbara.  
28 Roy, would you like public testimony. Roy sat in this  
29 position lots of times in the past, so he knows what  
30 we're going through.

31  
32                   MR. EWAN: Thank you, Mr. Chairman.  
33 I'm just going to make a short comment. I know that  
34 this one here is kind of a divided issue up in our  
35 area. I think the main reason that is a concern to the  
36 AHTNA people is that the Eastern Interior Regional  
37 Advisory Council recommended this. I think the first  
38 reaction from our people was why are they recommending  
39 something for the Southcentral area and it didn't seem  
40 right to a lot of people.

41  
42                   Maybe I should say this first. I'm  
43 just one member of the AHTNA Tene Nene Subsistence  
44 Committee and we go through meetings much shorter than  
45 yours and there's a lot of unknowns. Not knowing the  
46 process that the Eastern Interior Council and the  
47 Federal Subsistence Staff went through to make this  
48 proposal, we had to oppose. The unknown is always a  
49 factor in a case like this.

50

1 I'm not for excluding people that  
2 really need subsistence. I think everybody on the  
3 Council probably realizes that. I've been a long-time  
4 supporter of subsistence for rural Alaska people. I  
5 think the Native communities of Mentasta and  
6 Chistochina have concerns about new people arriving in  
7 the area. Why would they want to be included in  
8 whatever process is taking place here. If they want to  
9 be included in the Federal subsistence hunting process  
10 and fishing, they should go through the Southcentral  
11 Regional Council, which would be the proper process in  
12 my opinion.

13  
14 So our first reaction as members of our  
15 committee was to oppose this mainly because we didn't  
16 want other people trying to make a recommendation for  
17 our area. The areas we're talking about are  
18 traditional AHTNA hunting and fishing areas. I think  
19 everybody knows that. We support anything that say  
20 people along the highway are AHTNA people that want.  
21 If they came to us and said we want a proposal for C&T  
22 determination for our area here or anything like that,  
23 we would support that. We have not had that process,  
24 so we're opposed to this. Maybe it should be postponed  
25 and studied a little more. Maybe the process isn't  
26 proper to deal with it today. Thank you, Mr. Chairman.

27  
28 CHAIRMAN LOHSE: Thank you, Roy. One  
29 question. Currently Unit 12 is in Eastern Interior's  
30 area, so what they're doing there is making a proposal  
31 to include people from Southcentral in their area  
32 instead of trying to add people to Southcentral's area.  
33 If we made a proposal to put it into Unit 12, they  
34 would still have to consider it because under the  
35 current system, flawed as it is, puts that area in  
36 their decision-making group.

37  
38 MR. EWAN: Mr. Chairman. I understand  
39 that. I think the concern that we have is that Tok is  
40 included in that area, which is predominantly non-  
41 Native people and they probably have a lot of influence  
42 up there. We don't know what the proposal process goes  
43 through up there and we don't know who's for it or  
44 against it or what. So our first reaction was to  
45 oppose this.

46  
47 CHAIRMAN LOHSE: Okay. But the people  
48 that would be included then in Unit 12 would be Gakona,  
49 Mentasta, Slana, and the people in between with this  
50 proposal here. It doesn't include people from Tok or

1 anything like that. It includes the communities that  
2 we have in Southcentral. So, in opposing it, basically  
3 what you're opposing is including Mentasta and Gakona  
4 and Slana.

5  
6 MR. EWAN: Well, I think we, in our  
7 written comments, say we want the AHTNA people to be  
8 included.

9  
10 CHAIRMAN LOHSE: I know at one time  
11 Slana was an AHTNA village. Are there AHTNA people in  
12 Slana?

13  
14 MR. EWAN: I don't know offhand.  
15 Wilson is the expert in that area.

16  
17 MR. JUSTIN: There are.

18  
19 CHAIRMAN LOHSE: Are there any  
20 questions for Roy. Dean.

21  
22 MR. WILSON: Hi, Roy. In answer to  
23 your question, I think it is. It does seem backwards  
24 the way this whole thing went through. In the SRC  
25 meeting I sat in, if I remember right, that came up. I  
26 believe since the proposal went in last year for  
27 Chistochina and Mentasta, some people felt left out of  
28 that, so they went to the Eastern Interior and the  
29 Eastern Interior made a proposal. Is that correct?

30  
31 MS. ARMSTRONG: I think so. I wasn't  
32 there, but I think that probably is what happened.

33  
34 CHAIRMAN LOHSE: Barbara.

35  
36 MR. EWAN: Mr. Chairman. Could I make  
37 just.....

38  
39 CHAIRMAN LOHSE: Yes, Roy.

40  
41 MR. EWAN: I just wanted to reiterate  
42 what I said. If our people made a proposal, I would  
43 support it. But we don't know who did this. When you  
44 don't know anything, you oppose it.

45  
46 CHAIRMAN LOHSE: Any other questions  
47 for Roy.

48  
49 (No comments)

50

1 CHAIRMAN LOHSE: Thank you, Roy. Oh, I  
2 have one more question, Roy. It's not so much that you  
3 oppose the results of this proposal, but you oppose how  
4 it was put in.

5  
6 MR. EWAN: Well, there's a lot of  
7 unknowns. Maybe I would oppose it totally. I don't  
8 know.

9  
10 CHAIRMAN LOHSE: Okay. Barbara.

11  
12 MS. CELLARIUS: Mr. Chair. I was at  
13 the Eastern Interior Regional Council meeting last fall  
14 or whenever they developed this proposal. It grew out  
15 of the discussion of the Chistochina proposal and  
16 whether there were other communities in the area that  
17 had similar use patterns to Chistochina and should also  
18 be included. I think somebody mentioned Sue  
19 Entsminger's name. She's the Eastern Interior Regional  
20 Council member from that part of the region and she had  
21 suggested that a more regional approach would be more  
22 appropriate than just singling out a single community.  
23 So that's more or less as I recall how the proposal  
24 developed.

25  
26 CHAIRMAN LOHSE: I can't imagine Sue  
27 wanting to leave Mentasta out if Chistochina had it.  
28 If you include Mentasta, then you almost have to  
29 include Gakona. Then you have to include in between  
30 there. So I think that's probably how it developed.  
31 And Wilson maybe knows a little bit on that one, too.

32  
33 MR. JUSTIN: The chronology is correct.  
34 This is really pushed by Sue to include Mentasta. Sue  
35 considered Mentasta being left out of the C&T  
36 designation as an oversight because Unit 12 went over  
37 to Mentasta. My thinking last year, which I spoke with  
38 OSM about, if Mentasta wanted to do a C&T they could  
39 request it and I could either assist them or bring a  
40 message to you on their behalf. It's entirely up to  
41 them.

42  
43 So this is just one of those classic  
44 examples of good-hearted people doing generous things  
45 on behalf of other people and I spoke to this  
46 yesterday. It doesn't always turn out the way you  
47 expect it to. Thank you.

48  
49 CHAIRMAN LOHSE: Thank you. Well,  
50 we've got it before us no matter how it got there, so

1 we've had our public testimony, so a motion is in order  
2 so we can discuss it as a Council.

3  
4 MR. CARPENTER: Mr. Chairman. Move to  
5 adopt 06-58.

6  
7 MR. BLOSSOM: Second.

8  
9 CHAIRMAN LOHSE: It's been moved and  
10 seconded to adopt 06-58. Discussion. Doug.

11  
12 MR. BLOSSOM: Mr. Chairman. I guess  
13 the first question I would ask, did any of these  
14 communities come before the Eastern Council and ask to  
15 be included? Did they do this or has it just been done  
16 automatic without their input?

17  
18 MS. ARMSTRONG: Barb, do you know?

19  
20 MS. CELLARIUS: I believe it was more  
21 of a discussion of these other communities should be  
22 included, although you do have comments from Mentasta  
23 in the written public comments.

24  
25 MR. BLOSSOM: Okay. I guess in the  
26 past we've held if the community wants to do this, they  
27 come forward and ask us. I just wondered if they asked  
28 that Council instead of us because they live up that  
29 way. Thank you.

30  
31 CHAIRMAN LOHSE: Dean.

32  
33 MR. WILSON: A question or comment. I  
34 know the SRC meeting that we had there were folks from  
35 some of these other communities that mentioned there's  
36 some long-standing use in that area and they wanted to  
37 be included in it. So again this is kind of a  
38 backwards way of putting in a proposal, but I think  
39 because they were behind the gun on getting their name  
40 in, I had a feeling that they had gone to the Eastern  
41 Interior and talked to folks. Maybe not necessarily  
42 during the meeting, but that's why Eastern Interior was  
43 led to put this proposal in on their behalf.

44  
45 MS. CELLARIUS: Mr. Chair, Dean. I  
46 think it's already been mentioned that Sue has very  
47 close ties with Mentasta. It's actually the community  
48 closest to her. Although she lives in Unit 12, the  
49 boundary is very close to where she lives. At the SRC  
50 meeting, there was a representative from Mentasta who

1 spoke and sort of added to the written public comments  
2 that they had submitted to OSM indicating they were  
3 interested but they were concerned about the other  
4 communities and we have an SRC member from Gakona who  
5 talked about her area having ties to the region.

6  
7 So there were people at our SRC  
8 meeting, which is another venue for people to comment  
9 on these proposals and sometimes easier because the  
10 meetings are local. It's sometimes easier for them to  
11 get to the SRC meetings than it is for them to get to  
12 the RAC meetings.

13  
14 CHAIRMAN LOHSE: Thank you, Barbara.  
15 Tom.

16  
17 MR. CARPENTER: I have a couple  
18 questions. Do Mentasta Lake, Gakona and Slana all have  
19 resident zone status?

20  
21 MS. CELLARIUS: Yes, those are all  
22 resident zone communities for Wrangell-St. Elias  
23 National Park.

24  
25 MR. CARPENTER: The entire thing? For  
26 Unit 12 they do at least.

27  
28 MS. CELLARIUS: Basically the resident  
29 zone status means these are communities or areas that  
30 have been determined to have customarily and  
31 traditionally used Park resources. The C&T  
32 determinations for specific areas is actually a  
33 separate process. If you have resident zone status,  
34 that means if you have C&T you can hunt in the National  
35 Park.

36  
37 MR. CARPENTER: So what about all the  
38 people in between all those communities, are they  
39 included with resident zone status?

40  
41 MS. CELLARIUS: This is the issue that  
42 we talked about earlier in terms of the boundaries.

43  
44 MR. CARPENTER: But if somebody comes  
45 to you and wants a permit, what do you do?

46  
47 MS. CELLARIUS: Generally, if they're  
48 between two communities that have resident zone status,  
49 we treat them as if they were part of the resident zone  
50 within the Copper Basin because, as I said, there was

1 an effort to determine boundaries and the conclusion  
2 was it was just impossible to do that. So basically if  
3 they're in between communities we would treat them as  
4 if they were within one or the other community.

5  
6 MR. CARPENTER: I guess one more  
7 question I had. I was just looking at the Unit 12 map  
8 here and Mentasta Lake has a C&T for A and C, but not  
9 B. Gakona and Slana have C&T for A, but not B and C.  
10 If you look at the map, it kind of makes sense as to  
11 why that maybe was. It just seems odd to me that at  
12 the time these communities are so close in proximity to  
13 Unit 12, I'm just trying to figure out if they could  
14 have a C&T in part of it, there must have been a large  
15 discussion that went on at some point in time as to how  
16 they got that C&T. Why didn't they get a C&T for B and  
17 C back then if they could get it for A and what has  
18 changed since then to give them the C&T?

19  
20 MS. ARMSTRONG: I think you're going  
21 way back to the State process and that's impossible to  
22 determine.

23  
24 MR. CARPENTER: So we basically.....

25  
26 MS. ARMSTRONG: It's been the same.

27  
28 MR. CARPENTER: It's been the same. So  
29 if it's been the same and they haven't had a C&T in  
30 this area, what new information do we have that has  
31 shown that they -- I'm trying to see what's the new  
32 information.

33  
34 MS. ARMSTRONG: I think standards that  
35 the State had were different perhaps than our  
36 standards.

37  
38 CHAIRMAN LOHSE: I think also what  
39 you're looking at is -- the information you should be  
40 looking at is the information that's currently  
41 presented and the request. I'm going to make a comment  
42 as a Chair and kind of as a policy of this Council is  
43 we have always deferred to the Council on whose land  
44 the hunting and fishing would take place and I know  
45 they're going to have exactly the same discussion in  
46 Eastern Interior.

47  
48 I don't know if we need to take a  
49 position on this or if we can defer to the decision of  
50 Eastern Interior or whatever the Council would prefer

1 to do. But my inclination would be, simply because we  
2 have never liked to find a C&T for people from our unit  
3 on somebody else's area, my inclination would be to  
4 defer to the decision that the Eastern Interior Council  
5 makes. Tom.

6  
7 MR. CARPENTER: Mr. Chair. I tend to  
8 agree with you to a certain degree, but on the other  
9 hand -- I mean I have a real hard time -- in my  
10 opinion, we need to be a little more stringent than we  
11 have in the past on handing C&T's out. I know this  
12 isn't for our particular area, but I think we need to  
13 be consistent. The thing I think we need to be  
14 consistent about is it could be reversed. Somebody in  
15 Unit 12 might be asking for a C&T in Unit 13 and I  
16 think we need to be consistent on how we go about this  
17 process.

18  
19 The part that really gets me is I have  
20 a hard time being able to have somebody like Mentasta  
21 Traditional Council who is opposed to this proposal and  
22 they're actually one of the communities that is being  
23 requested to be put into this. That's the only part  
24 that doesn't make a whole lot of sense to me. I  
25 understand Sue lives right there and feels a part of  
26 that community, but obviously there's some serious  
27 debate maybe within that community as to if this is the  
28 way it should be.

29  
30 In that regard, I would be against this  
31 proposal, but if the Board wants to defer and take no  
32 action in lieu of what the Eastern Interior Board does,  
33 I have no problem with that either.

34  
35 CHAIRMAN LOHSE: Gloria.

36  
37 MS. STICKWAN: I would defer as a  
38 Council, but I would like to say that I personally  
39 support that they use this Unit 12 because that is  
40 their traditional area and we've always used it for  
41 thousands of years. Since the Council stance has been  
42 that they defer, I would be willing to go along with  
43 that since Eastern RAC wrote the proposal, I'm sure  
44 they'll support it.

45  
46 CHAIRMAN LOHSE: Thank you, Gloria.  
47 I'd like to say something to Tom. If you look on Page  
48 129 and look at the written public comments, Mentasta  
49 Lake does not oppose being part of this proposal.  
50 Mentasta Lake would just like to see it limited more to

1 just Mentasta Lake and Chistochina. In fact, they say  
2 right there the communities of Mentasta Lake and  
3 Chistochina have traditionally used this area.

4  
5 MR. CARPENTER: Right, Mr. Chairman. I  
6 agree with that. My point was that they were opposed  
7 to this proposal as written. That's the point I was  
8 trying to make, not that they were opposed to it.

9  
10 CHAIRMAN LOHSE: Pete.

11  
12 MR. KOMPKOFF: Mr. Chairman. Based on  
13 what Roy had to say about the area and not knowing who  
14 submitted the proposal or not being part of this  
15 proposal in general, I would have to go with Roy's  
16 decision too and oppose this proposal.

17  
18 CHAIRMAN LOHSE: Dean.

19  
20 MR. WILSON: Yeah, I think we --  
21 personally, I support the proposal. I think it was an  
22 oversight for these communities to be left out. There  
23 are some long-standing folks that use and have a  
24 history of use in this area. But, with that, I think  
25 we should defer back and support the Eastern Interior.  
26 There may be more information going on there than we're  
27 aware of.

28  
29 CHAIRMAN LOHSE: Greg.

30  
31 MR. ENCELEWSKI: Mr. Chairman. I would  
32 probably agree that we should defer. I think there's a  
33 lot of varying concerns here that are not answered yet.  
34 In listening to Roy and others, I have a question if we  
35 can really support this at this time. I'm totally for  
36 them having it, but I think there needs to be more  
37 questions answered between the communities themselves.  
38 There seems to be some varying differences. Thank you.

39  
40 CHAIRMAN LOHSE: Doug.

41  
42 MR. BLOSSOM: Mr. Chairman. If we  
43 defer though, I would like a message passed along to  
44 that Council that we believe that these communities  
45 should come forth and fight for their inclusion rather  
46 than automatically be put in. Tell them that's kind of  
47 been our stand.

48  
49 CHAIRMAN LOHSE: So what you would like  
50 to do is defer but include in our motion that we

1 believe the communities themselves should come forward  
2 and request it. Gloria.

3

4 MS. STICKWAN: The Eastern Interior,  
5 their meetings are out of our area and it's expensive.  
6 That's why people don't attend their meetings because  
7 it's in the interior and expensive to go there.

8

9 CHAIRMAN LOHSE: So you pretty much  
10 have to rely on written comment.

11

12 MS. STICKWAN: I would think so. I  
13 don't think very many people from our area have been to  
14 Eastern Interior's meetings because of the expense.

15

16 MR. WILSON: Where do they hold them?

17

18 MS. STICKWAN: They hold them in the  
19 Interior at different village sites.

20

21 MR. WILSON: That's a good point. If  
22 showing up directly may be tough, but I think they  
23 should be able to round up some kind of support for it,  
24 whether it's written or whatever.

25

26 CHAIRMAN LOHSE: Well, we can add that  
27 kind of comment to our motion if we'd like. We can  
28 just vote on the motion that's before us or we can make  
29 an amendment to defer or whatever anybody would like to  
30 do.

31

32 MR. CARPENTER: Mr. Chairman. I move  
33 that we defer Proposal 06-58. The deferral would be  
34 that the Eastern Interior hasn't taken action on this  
35 proposal yet and we feel there is some debate between  
36 the residents that live in this area and our concern is  
37 that they provide testimony in support of themselves  
38 being included with this C&T.

39

40 CHAIRMAN LOHSE: Okay. So we're  
41 deferring the proposal. Are we deferring it with the  
42 idea that it's going to come back to us or are we  
43 deferring it to the decision of the Eastern Interior?

44

45 MR. CARPENTER: In my opinion, we'd  
46 defer to the opinion of the Eastern Interior but with  
47 those caveats that they take a look at some of the  
48 discussion we had.

49

50 CHAIRMAN LOHSE: So we're deferring to

1 the decision of the Eastern Interior, but we recognize  
2 -- how did you put it?

3

4 MR. CARPENTER: We recognize that  
5 there's some debate about which of these communities  
6 should be included, if all the areas of Unit 12 should  
7 be included, and it's important for people of these  
8 communities, and the people that live along the road  
9 for that matter, to either show through public verbal  
10 testimony or written support that their community  
11 should be included.

12

13 CHAIRMAN LOHSE: Gloria.

14

15 MS. STICKWAN: I would like to have it  
16 noted on the record that Wilson said he did support  
17 this proposal and he's from Chistochina.

18

19 CHAIRMAN LOHSE: That will be in the  
20 record. Dean.

21

22 MR. WILSON: In my understanding,  
23 Eastern Interior meets in Fairbanks next week, so that  
24 may be kind of tough and short as far as a time line to  
25 get folks up there or much testimony in there as well.  
26 I don't know how effective that's going to be.

27

28 CHAIRMAN LOHSE: I think what Tom is  
29 saying is that in the future we would like to see that  
30 kind of thing done. We're basically deferring the  
31 decision to the Eastern Interior. They have the choice  
32 what to demand and what not to demand. But that we, as  
33 a Council, feel that these requests should come from  
34 the users and that they should be supported by the  
35 users.

36

37 MR. CARPENTER: That was the intent.  
38 The intent was not that they would have to provide in  
39 the next seven days to be able to prove their ability.  
40 We would defer to the Interior and their motion would  
41 go forward. In the future, just being consistent with  
42 what we've said, the communities that want a C&T should  
43 come forward and they should be the ones requesting  
44 this.

45

46 MR. ENCELEWSKI: Second the motion.

47

48 CHAIRMAN LOHSE: Has the motion been  
49 presented good enough that we can write the motion up  
50 the way it is or do I need to go through and restate

1 the motion and make sure I've got the approval of the  
2 first and second. We're basically deferring to the  
3 decision of the Eastern Interior, but we request that  
4 in the future the users themselves request the C&T and  
5 present information or testimony supporting their  
6 request. Does that sound good to both of you that made  
7 the motion?

8

9 MR. CARPENTER: Yes.

10

11 MR. ENCELEWSKI: Yes.

12

13 MR. WILSON: Question.

14

15 CHAIRMAN LOHSE: Okay. The question  
16 has been called. All in favor signify by saying aye.

17

18 IN UNISON: Aye.

19

20 CHAIRMAN LOHSE: All opposed signify by  
21 saying nay.

22

23 (No opposing votes)

24

25 CHAIRMAN LOHSE: Motion carries. Okay.

26 With that, we're going to take a five-minute break and  
27 then Bill is going to present.

28

29 (Off record)

30

31 (On record)

32

33 CHAIRMAN LOHSE: Okay. At this point  
34 in time we'll call the meeting of the Southcentral  
35 Regional Subsistence Advisory Council back in session.  
36 Bill Knauer is going to give us an update on the  
37 closure policy. Am I correct, Bill?

38

39 MR. KNAUER: Thank you, Mr. Chairman.  
40 Yes. But, before I do, I've been asked by Mr. Probasco  
41 to relay one bit of information and that relates to  
42 some of the comments that have been heard here at this  
43 Council meeting relative to proposals, who makes them,  
44 whether the proposals are made by Office of Subsistence  
45 Management or others.

46

47 I am pleased this Council and most  
48 Councils evaluate proposals on their merits. We are  
49 appalled that anyone, whether a Council Member or a  
50 member of the audience, would oppose a proposal

1 strictly on the basis of who makes the proposal. In  
2 the case of OSM, we deal with the data and information  
3 from subsistence users on a daily basis. We are aware  
4 of situations that arise statewide or multi-regional  
5 and we are tasked by ANILCA with providing reasonable  
6 regulation to provide for a subsistence opportunity on  
7 Federal public lands.

8

9                   When we are aware of a situation, we do  
10 try and work with Councils or individuals in having  
11 proposals come from other Councils or Council Members  
12 or other members of the public, but in some cases,  
13 particularly those dealing with multi-regional issues  
14 or statewide issues, or where there might be  
15 differences of opinion between regions and we wish to  
16 put it on the table for review by all regions, we will  
17 and have continued to make proposals for Regional  
18 Council comment.

19

20                   Again, our program is such that anyone  
21 can make a proposal on anything within the purview of  
22 the program. We have had a proposal come in from  
23 someone living in Hawaii. In fact, that came before  
24 this Council. I'm very pleased to say that this  
25 Council evaluated that proposal on its own merits,  
26 irrespective of the location of residency, as it should  
27 have done. Thank you on that.

28

29                   CHAIRMAN LOHSE: Thank you, Bill.

30

31                   MR. KNAUER: On the draft closure  
32 review policy, you'll find the draft on Page 173. Back  
33 in late 2004 or early 2005 the Office of Subsistence  
34 Management realized that there were some closures to  
35 users on Federal lands that had been in place since the  
36 early start of the program, in the early '90s and  
37 brought before the Councils, some of those, to  
38 highlight them last year. Then in January the  
39 Governor's Office identified in a letter to the  
40 Secretary of Interior several issues, one of which was  
41 the issue of closures, which the Federal Office of  
42 Subsistence Management had already been working on.

43

44                   In a letter to the Board, Deputy  
45 Secretary Lynn Scarlett, along with Under Secretary of  
46 Agriculture Mark Ray, responded to some of the  
47 governor's concerns and requested that the Board  
48 develop a policy on how they make closures, what they  
49 consider in closures and how they would propose to  
50 review closures that had been made previously.

1                   You'll see this draft policy on Page  
2 173 and there are a number of authorities that the  
3 Board uses when it's making a closure or not making a  
4 closure. Certainly the purpose is to provide for the  
5 conservation of healthy fish and wildlife populations  
6 for the continuance of subsistence uses. Also to avoid  
7 unnecessary closures on non-subsistence users where  
8 possible.  
9

10                   One of the things that has been of  
11 concern to Office of Subsistence Management staff and  
12 others around the state is the fact that some of the  
13 closures that are currently in place have been in place  
14 for, some of them, well over a decade. And we all know  
15 that both fish and wildlife populations fluctuate. So  
16 that while a closure might have been made out of  
17 concern for a resource in a particular area, it's very  
18 possible that that resource might have rebounded such  
19 that there is now a harvestable surplus for subsistence  
20 users and for non-subsistence users. Likewise it's  
21 possible that the population is still at an extremely  
22 low level.  
23

24                   What this policy does is identifies  
25 that in fact the Board, acting through OSM would review  
26 on a three-year basis or more frequently if a proposal  
27 or other information is presented on these closures.  
28

29                   The factors that the Board would use in  
30 this policy are shown on Page 175 and they're  
31 essentially a narration of the factors that the Board  
32 has used previously. The status and trend of fish and  
33 wildlife population stocks in question. That's always  
34 the first thing that the Councils and the Board looks  
35 at. The quantity of harvest that's needed by the  
36 communities. The current or contemporary harvest  
37 levels. So if you go down that list of roughly half a  
38 dozen items, those are things that the Board has used  
39 and the Councils have used in making their decisions on  
40 whether to recommend or not recommend a closure. Now  
41 they're just set out in writing so other people can  
42 understand what has been utilized.  
43

44                   In Appendix A we have identified where  
45 Federal lands or waters have been closed to non-  
46 Federally qualified users. You'll notice that there  
47 were two of them, Unit 6(D) goat and Unit 7, Kings Bay,  
48 that were brought before this Council last year and  
49 during this Council meeting on the subject of  
50 proposals. Those are all of the areas in this region

1 that were closed to non-subsistence users.

2

3 If you look in Appendix B, which is on  
4 Page 184, you'll notice that there is a list of  
5 closures and in this case these are closures to  
6 subsistence users. In this case, there are a number of  
7 these that are closures to subsistence users and they  
8 occur in this region. Now there may be cases in that  
9 particular unit or area maybe the species does not  
10 exist on Federal lands. It's possible that the species  
11 has been and continues to be at an extremely low level  
12 because it may be on the edge of its range. But those  
13 are areas that we would suggest would be maybe  
14 appropriate for re-examination. You'll notice many of  
15 those were instituted back in 1990 or 1991.

16

17 I know one of the questions that will  
18 come up is what have other Regional Councils done  
19 relative to this draft policy because one of the things  
20 we are asking is for Council comments and  
21 recommendations on it.

22

23 Southeast opposed a policy on having  
24 something set out in writing and a review.  
25 Southcentral has not acted yet. Kodiak-Aleutian meeting  
26 is next week. Bristol Bay felt that having a written  
27 policy was good, they supported it. They felt it  
28 provided clear understanding of both the public and all  
29 the agencies and associated persons as to how the Board  
30 operates. Yukon-Kuskokwim Delta took no action on it.  
31 They heard the presentation and they chose to take no  
32 action. The Western Interior supported the draft  
33 policy. Seward Peninsula and Northwest Arctic both  
34 took no action. They had no particular comments.  
35 Eastern Interior, as you've heard, has not met yet.  
36 And North Slope, although they took no action, Council  
37 Member comments were unanimously supportive of having a  
38 policy in this regard.

39

40 That's all I have, Mr. Chairman.

41

42 CHAIRMAN LOHSE: Bill, this is an  
43 action item on our part, isn't it?

44

45 MR. KNAUER: The Board would like to  
46 have the views of the Council, whether they support,  
47 oppose, no comments, whether they have specific  
48 comments on part or parcel of it.

49

50 CHAIRMAN LOHSE: Thank you. Pete.

1 MR. KOMPKOFF: Thank you, Mr. Chairman.  
2 Bill, I'm kind of confused. Why have these closures  
3 been so -- like there's some that are back in 1990 and  
4 they haven't been changed. Why is that?

5  
6 MR. KNAUER: For the very reason we're  
7 trying to do this, because, for one thing, we've been  
8 so busy that something like this has just slipped our  
9 mind. A closure went in, we didn't get a proposal on  
10 it, nobody thought to go back and look to see if the  
11 closure was still appropriate. We know in a lot of  
12 places they still are. Councils are saying, yes, this  
13 closure is still appropriate. Other times a moose  
14 population or caribou population has done well and it  
15 now provides opportunity. Some of the early closures  
16 you'll notice were carry-overs from the State program  
17 when we adopted regulations that were in place in 1989.

18  
19 CHAIRMAN LOHSE: And in some of those  
20 cases the State has changed their mind but we haven't.

21  
22 MR. KNAUER: That is correct. You'll  
23 notice that there are cases in that list on closures to  
24 Federally qualified users where there is a State season  
25 in the area but not a Federal season. A real good  
26 example is a situation with goat in Unit 8 where the  
27 users and the Regional Council felt that the harvest  
28 regime under the existing State regulation provided the  
29 best opportunity and met the needs of the subsistence  
30 user and the Council wished to retain that as opposed  
31 to having a separate Federal system. So there are  
32 different ways that the Council have gone.

33  
34 CHAIRMAN LOHSE: Tom.

35  
36 MR. CARPENTER: I was just going to say  
37 that's similar to what we did yesterday with the RG245  
38 where we opened the Federal lands, but we felt that the  
39 State permit system allowed the subsistence user to  
40 meet its needs at least currently. I guess the only  
41 question I had about this, Bill, obviously this is just  
42 a tool and it basically puts it out formally. Is there  
43 going to be any specific time frame that this is used  
44 by Staff to review these? Is it supposed to be every  
45 five years, 10 years? That's the first part.

46  
47 The other part is, when you use this  
48 tool, is it only to review areas that were closed?  
49 There was originally a season or a bag limit, but they  
50 were closed. Or is this to also review -- there's been

1 no determination yet for a specific species or bag  
2 limit. Is it for both of those?

3

4 CHAIRMAN LOHSE: Bill.

5

6 MR. KNAUER: First off, this is  
7 primarily to govern the review of closures of Federal  
8 public lands to harvest of fish and wildlife. It's not  
9 designed, although it could point out situations where  
10 there is either a no determination or no Federal  
11 subsistence priority, but that's not part of this.

12

13 Second part. The Board anticipates  
14 either adopting or taking some action on this in May or  
15 June. Then part of it would be for the regular review  
16 of closures either on a three or five year basis.

17

18 CHAIRMAN LOHSE: Thank you, Bill. I  
19 think what I got out of that was that while it's a  
20 review of the closure it doesn't automatically mean  
21 setting a season or making a C&T determination. It's  
22 just a review as to whether the reason for that closure  
23 that closed that land is still in existence.

24

25 MR. KNAUER: That is correct. And the  
26 results of those reviews will be presented to the  
27 Regional Councils as they did at your fall meeting.  
28 I'm not sure who appeared, maybe Dan LaPlant came  
29 before you and said we've reviewed these, here's what  
30 we found on these particular areas and at that time  
31 preliminary information might have indicated that we  
32 recommend the closure remain in effect at status quo,  
33 we recommend a proposal to remove the closure or  
34 whatever the case may be. Before any proposal is  
35 submitted, if a proposal is submitted, we'll come  
36 before the Council with a recommendation.

37

38 I was showing you earlier that some of  
39 the other Councils have proposals that they have  
40 submitted and that, in some cases, is why that very  
41 information was presented to those other Councils in  
42 closures in their areas last fall and they chose as a  
43 Council to make a proposal to remove the closure.

44

45 CHAIRMAN LOHSE: Can I ask a question  
46 on this, Bill. These are not necessarily closures of  
47 land. They could also be closures of seasons, couldn't  
48 they? Let's take a look on Page 186 just to use that  
49 for an example right there. We look at 14(A) and these  
50 species beaver trapping, coyote trapping, red fox

1 trapping, lynx trapping, marten trapping, mink and  
2 weasel trapping, muskrat trapping, river otter  
3 trapping, wolf trapping, wolverine trapping. There's  
4 no determination. They were closed in anywhere from  
5 '90 to '98. There is a State season in the area for  
6 most of that, but does that mean there's a State season  
7 on the Federal land or does it mean that there is a  
8 State season on State land adjacent to the Federal  
9 land, but the Federal land is closed?

10

11 MR. KNAUER: In that particular case,  
12 in all those, there is a State season on Federal land,  
13 but.....

14

15 CHAIRMAN LOHSE: So the land is not  
16 closed, the Federal season is closed.

17

18 MR. KNAUER: In this particular case,  
19 one of the reasons there is no Federal season is  
20 because if you look in your regulations booklet for  
21 14(A), there is essentially no Federal land in Unit  
22 14(A). There is a very small spit of BLM land in the  
23 Knik Arm. So, in some cases, this is a little bit  
24 misleading. We've said that there may be no animals on  
25 Federal land. In this case, there may be animals but  
26 there may be no Federal land for them to be on.

27

28 CHAIRMAN LOHSE: Okay. But let's take  
29 this case then. If this is a closure, that little spit  
30 of Federal land is then closed?

31

32 MR. KNAUER: No. That spit of Federal  
33 land would be open to harvest under State seasons and  
34 State regulations.

35

36 CHAIRMAN LOHSE: So these closures are  
37 not necessarily land closures. If we go back over here  
38 to 6(D), RG245 goat. In that case there was a closure  
39 and the Federal land there was an adjacent State season  
40 on that but the Federal land that was in that unit was  
41 closed to State hunters.

42

43 MR. KNAUER: That's correct.

44

45 CHAIRMAN LOHSE: But in this case the  
46 Federal land is not closed to State hunters, so the  
47 closure is on the -- that's what's confusing to me a  
48 little bit because I was looking at some of the  
49 closures in areas that I knew, like Unit 11 goat.  
50 There's a State season in the area but Unit 11 goat is

1 closed on the Federal season. I know, because I live  
2 there, if you're going to hunt goat in Unit 11 you get  
3 a State permit, not a Federal permit.

4

5 MR. KNAUER: That's correct.

6

7 CHAIRMAN LOHSE: But the land is not  
8 closed to Federal or State hunters.

9

10 MR. KNAUER: Right. In this case,  
11 these are closures of Federal seasons.

12

13 CHAIRMAN LOHSE: Okay. So they can be  
14 either a season or land.

15

16 MR. KNAUER: Now, on the non-Federal in  
17 Appendix A, those are all land closures and those are  
18 situations if you look in the regulations book it will  
19 say something like Federal public lands are closed in  
20 this unit to the taking of moose except by Federally  
21 qualified users hunting under these regulations. So  
22 Appendix A is a land closure and Appendix B are season  
23 closures.

24

25 CHAIRMAN LOHSE: Thank you, Bill. My  
26 comment on this is I think it's tremendously helpful  
27 just to have this chart because we can look through  
28 this chart every so often and see what's going on in  
29 our area and possibly pick up things like closures that  
30 aren't necessary at this point in time anymore. I do  
31 like the written policy. I mean I don't know if I  
32 agree with everything in the written policy, but from  
33 what I've read I like the fact it's down in writing so  
34 that we can look at it and make sure that it is.

35

36 I really think it's necessary to have  
37 periodic review. Otherwise it just slips through the  
38 cracks. Let's take for example this RG245 goat.  
39 Probably most of the State hunters that hunted in that  
40 area never realized that it was a Federal closure in  
41 the center of that area on Federal land and they  
42 probably hunted in both areas all the time. And it was  
43 an unnecessary Federal closure. So, technically  
44 speaking, there were probably people that could have  
45 legally got in trouble there, but since it wasn't an  
46 issue to anybody, nobody bothered to keep track on  
47 whether they were in Federal or State land.

48

49 So we can take action to support, we  
50 can say this was a good idea, we could say we think it

1 stinks, you know, or we could take action that spells  
2 out the things that we particular like or dislike about  
3 it. And we can take no action, right?

4  
5 MR. KNAUER: You described very well, I  
6 think, the full range of options that you have. Like  
7 the North Slope, they took no action but all the  
8 Council Members expressed an opinion and comments on  
9 the record. You're expressing your individual comments  
10 and we appreciate them. Everybody can do the same or  
11 you can take action as a Council likewise.

12  
13 CHAIRMAN LOHSE: Would anybody as a  
14 member of the Council like to put it on the table and  
15 discuss it as a Council and take action that way?

16  
17 MR. WILSON: I have a question for  
18 Bill.

19  
20 CHAIRMAN LOHSE: Dean.

21  
22 MR. WILSON: Bill, the present method  
23 without this policy in place, could you explain the  
24 present method right now. If this wasn't in place, how  
25 are things going to be re-opened?

26  
27 MR. KNAUER: Up until now, although  
28 there has not been a written policy in place, the  
29 practices that are described in this draft policy, I  
30 would say for 95 percent of the situations the way the  
31 Councils and the Boards have operated over the past 16  
32 years of the program. The only thing that has not been  
33 in place was a regular review of closures. As you  
34 said, it essentially slipped through the cracks. Last  
35 year, even before we got the letter from Deputy  
36 Secretary Scarlett and before the State expressed their  
37 concerns, all of a sudden a light went on and we  
38 realized we needed to have a regular review. So we've  
39 already instituted a process where we'll regularly  
40 review. This just now puts it in writing that says,  
41 yes, we will.

42  
43 CHAIRMAN LOHSE: Dean.

44  
45 MR. WILSON: So, without the actual  
46 user groups coming forth, I think this is something  
47 we've been talking about the last couple days, and  
48 saying we want this area opened up, we think it's got  
49 enough, we have a proposal we're going to put in, this  
50 would actually have you guys do a periodic review and

1 go through some of these closures and say, hey, we can  
2 start opening up some of this area because it can  
3 support it now.

4  
5 MR. KNAUER: We would go through and do  
6 a preliminary review and make a recommendation to a  
7 Regional Council that a proposal be submitted because  
8 we believe that in this particular area a population  
9 can support the additional harvest. We are bound by  
10 Title VIII of ANILCA both to conserve fish and wildlife  
11 populations and provide for the subsistence  
12 opportunities consistent with that. But we're also  
13 obligated to not unnecessarily restrict non-subsistence  
14 users. Section 815 lays that burden on us also. So  
15 it's a two-edged sword that we work under.

16  
17 We feel that this does both; it lays  
18 out in writing for all to see the processes and  
19 procedures that the Council and the Board could use and  
20 then it just puts it out in front of everybody.

21  
22 CHAIRMAN LOHSE: Dean.

23  
24 MR. WILSON: Okay. I'm just trying to  
25 get a grasp of this thing. Is this driven for  
26 subsistence needs or is this more driven for opening it  
27 up for non-subsistence needs?

28  
29 MR. KNAUER: I don't know that I can  
30 say one over the other because you'll notice that  
31 Appendix B is a much larger list of season closures  
32 than is Appendix A, the list of land closures to non-  
33 subsistence users. So I think it benefits both and it  
34 also provides the information that the Board would use  
35 to protect the resource upon which both depend.

36  
37 CHAIRMAN LOHSE: Thank you. Bill, can  
38 I ask you a question.

39  
40 MR. KNAUER: No.

41  
42 (Laughter)

43  
44 CHAIRMAN LOHSE: I can't. Well, I'll  
45 ask it anyhow. Then I'll make a statement instead of  
46 asking a question. Basically we're being given the  
47 opportunity to comment on how we think you're doing on  
48 this right here, but our decision has nothing to do as  
49 to whether this goes forward or doesn't go forward  
50 because you were instructed to do this by the Under

1 Secretary of the Interior to come up with this kind of  
2 policy. We can comment on how the policy is, but you  
3 will be coming up with a written policy on how you're  
4 going to review closures and you will be reviewing  
5 closures in the future.

6  
7 MR. KNAUER: That is correct, Mr.  
8 Chairman. The Board was instructed to develop a  
9 written policy on how they would institute closures or  
10 not and for the regular review. The fine details, the  
11 mechanics of it, are what we are presenting to the  
12 Councils as to how we would work from there. That's  
13 likewise the same situation with the C&T determination  
14 policy. The Secretary asked the Board to develop a  
15 written policy. She did not say what had to be in it  
16 or anything in that regard. It was left wide open.

17  
18 CHAIRMAN LOHSE: Thank you, Bill.  
19 Gloria.

20  
21 MS. STICKWAN: I was wondering why this  
22 policy was written. Why can't they come forward with a  
23 yearly look at these closures as a proposal and do it  
24 that way through a public process? Why does the Board  
25 want to do it every three years? Why was three years  
26 chose? Why couldn't it be every year?

27  
28 MR. KNAUER: Mr. Chairman, Ms.  
29 Stickwan. The Board and the Councils will always look  
30 at an area if there's a proposal; annually, every two  
31 years, however often. We're also aware that some  
32 things just go off the radar and need to be looked at.  
33 In many of the areas and for many species the  
34 information is not necessarily available on an annual  
35 basis. A survey might not be flown every year or  
36 weather conditions are such that a different area is  
37 flown and they don't get a good count. So trying to do  
38 it on an annual basis would probably not be feasible  
39 from an administrative standpoint. The Staff that we  
40 have and the field staff just wouldn't have time to  
41 devote to other proposals and other things.

42  
43 A three-year basis is usually enough  
44 that you can see a trend in a population growth or  
45 decline or stability in a fish or wildlife population.  
46 Sometimes it takes a little longer than that.

47  
48 CHAIRMAN LOHSE: Bill, I think what you  
49 were telling her was that if there was a proposal, if  
50 there's a request on any closure, it will be

1 considered. Not on cycle, but it will be considered in  
2 the year the proposal comes in.

3 MR. KNAUER: That is correct.

4  
5 CHAIRMAN LOHSE: If the public asks for  
6 a closure to be reviewed, whether it's a season or an  
7 area and puts it in as a proposal, it will be reviewed  
8 in that cycle.

9  
10 MR. KNAUER: That's correct. And folks  
11 on the ground may be much more aware of what the  
12 population cycle is doing. We see that very commonly  
13 with furbearers in some areas where some of the survey  
14 timing is very sporadic but the on-the-ground trappers  
15 in an area can tell very clearly whether a marten  
16 population is really booming or really crashing.

17  
18 CHAIRMAN LOHSE: So it does go in the  
19 reverse, too. At any time a proposal can be put in for  
20 a closure.

21  
22 MR. KNAUER: That's correct, Mr.  
23 Chairman.

24  
25 CHAIRMAN LOHSE: Tom.

26  
27 MR. CARPENTER: I just have one  
28 question. I was reading something that Greg had here.  
29 The reason the Southeast Regional Advisory Council  
30 opposed the policy and it's kind of an interesting  
31 point. They believed that this policy that is written  
32 here should emphasize ANILCA findings in Section 801-3  
33 which identifies a continuation of opportunity for  
34 subsistence uses of resources on public and other lands  
35 in Alaska is threatened by the increasing population in  
36 Alaska with results and pressures on subsistence  
37 resources.

38  
39 I don't know, maybe you could just  
40 comment on that, Bill, why that's not maybe emphasized.

41  
42 MR. KNAUER: I believe that statement  
43 was taken not directly out of ANILCA but out of some  
44 litigation material relative to the court case. I  
45 don't believe that's an exact quote, but I'm not sure.  
46 I don't have a copy of ANILCA right in front of me. Do  
47 you have one in the Council Operations Manual. There  
48 is a section that talks about threatened with  
49 increasing population of Alaska. It's 801.3. Congress  
50 finds and declares that continuation of the opportunity

1 for subsistence uses of resources on public and other  
2 lands is threatened by increasing population of Alaska  
3 with resultant pressure by sudden decline in  
4 populations of some wildlife species which are crucial,  
5 by increased accessibility of remote areas containing  
6 subsistence resources and by taking of fish and  
7 wildlife in a manner inconsistent.

8

9 The policy specifically talks about the  
10 conservation of healthy populations of fish and  
11 wildlife and to continue subsistence uses of such  
12 populations. So that is the emphasis of the policy.

13

14 MR. CARPENTER: I was just curious if  
15 there was discussion when you guys were drafting this  
16 in regards to some of the concerns that the Southeast  
17 RAC had. Obviously you feel that the criteria you just  
18 talked about handles their concerns effectively.

19

20 MR. KNAUER: We believe it does because  
21 even if you go over to factors to consider, the top  
22 factors are the known status and trend of fish and  
23 wildlife populations, the quantity of harvest needed by  
24 communities identified in C&T determinations. Those  
25 are the top ones right up there. Current and  
26 contemporary harvest levels by those communities.

27

28 MR. CARPENTER: Mr. Chair. I'll just  
29 make one more comment. In my opinion, I would move  
30 that this Council take no action and the reason I would  
31 say that is it's been pointed out that this is a  
32 directive from the Department of the Interior and that  
33 the Board come up with this. I think the record should  
34 show that there are questions and this Council does  
35 have them and that the Federal Board consider them  
36 before fully adopting this. But I think this is a moot  
37 point.

38

39 CHAIRMAN LOHSE: Do I hear a second.

40

41 MR. ENCELEWSKI: I second the motion.

42

43 CHAIRMAN LOHSE: It's been moved and  
44 seconded. Gloria.

45

46 MS. STICKWAN: I guess I didn't  
47 understand what he said. If he could say it again.

48

49 MR. CARPENTER: The motion is to take  
50 no action because I feel this was a directive from the

1 Secretary of the Interior's Office that the Federal  
2 Board in Alaska develop this policy and that this  
3 Council and other Councils have had the ability to  
4 relay our concerns to Bill and the people that drafted  
5 this proposal and the record will show to the Federal  
6 Board before they adopt this exact language to appease  
7 the Secretary's Office -- you know, the Federal Board  
8 will have the opportunity to take some of the concerns  
9 that the Regional Advisory Committees along with this  
10 one has in regards to that.

11

12 CHAIRMAN LOHSE: Tom, are you going to  
13 put out some of those concerns then so that they have  
14 something to take. Doug.

15

16 MR. BLOSSOM: Mr. Chairman. I believe  
17 this is the letter that you referred to in your action.  
18 Could we have the author maybe put those concerns  
19 before us.

20

21 CHAIRMAN LOHSE: Doug, is the author  
22 here?

23

24 MR. BLOSSOM: I believe she is here.  
25 Heather Kendall-Miller.

26

27 MS. MILLER: I'm not sure what letter  
28 you're referring to.

29

30 MR. BLOSSOM: It's a letter to Gloria  
31 Stickwan.

32

33 MS. MILLER: On this particular one?

34

35 MR. BLOSSOM: Yes.

36

37 CHAIRMAN LOHSE: Heather, can you come  
38 up to the mike so we can hear you. I wasn't able with  
39 my ears to copy what you said right there.

40

41 MS. MILLER: I thank you for the  
42 opportunity testify and answer questions. I am  
43 prepared to give testimony on behalf of Gulkana  
44 primarily on the subsistence use protocol. I don't  
45 like this closure policy because I think it's being  
46 driven by the State of Alaska. Nonetheless, I do think  
47 that the RAC's are split about the merits of this, that  
48 there are still some checks and balances within the  
49 protocol that has been suggested.

50

1                   What I feel is important for the RAC to  
2 appreciate and understand -- and, Tom, this goes to a  
3 comment that you made, that you feel this is a  
4 directive that's coming down from the department heads  
5 that you have to follow these directives. Some of the  
6 directives that are coming down to you are being framed  
7 as policies when they, in fact, are more than policies.  
8 They are fundamental changes to the way the Federal  
9 subsistence management system has been functioning.

10  
11                   Whenever change is suggested that has  
12 impact upon subsistence users, that typically requires  
13 a formal rule-making process to take place. This  
14 closure policy is a little marginal. It may or may not  
15 meet the requirements that would suggest that it go  
16 through a formal process. As long as this body, as  
17 well as the other RAC's have opportunity to consider  
18 proposals that deal with closures, then you have  
19 retained your authority to act.

20  
21                   If, however, something like the next  
22 protocol that will be discussed and which I will offer  
23 testimony on is being categorized or characterized as a  
24 mere policy, then I would strongly disagree with that  
25 because it is a fundamental change in the way that the  
26 Federal system has been functioning and that should go  
27 through the proper rule-making process.

28  
29                   I didn't mean to confuse you with  
30 respect to my comments to Gloria. I was flagging these  
31 two protocols as important for the RAC to look at for  
32 purposes of recognizing are these actual policies or  
33 are they fundamental changes to the way the system has  
34 been working and, if so, then I do feel strongly that  
35 the RAC's, like the Southeast RAC Council speak out on  
36 the record that you would like to take these up more  
37 formally and have the opportunity to address them more  
38 formally in a rule-making process.

39  
40                   CHAIRMAN LOHSE: Thank you, Heather.  
41 Tom.

42  
43                   MR. CARPENTER: I guess my question  
44 would be do you not feel if this policy was implemented  
45 and adopted by the Board as it stands right now, do you  
46 not feel that the RAC's still have control or advisory  
47 controls to the Federal Board on whether a proposal  
48 from OSM or somebody else regarding closed seasons, bag  
49 limits or lands, we would still ultimately have the  
50 advisory control to the Boards even though this policy

1 was enacted.

2

3 MS. MILLER: I do. I think so with  
4 respect to this one.

5

6 MR. CARPENTER: This policy.

7

8 MS. MILLER: Yes.

9

10 MR. CARPENTER: And I think that was my  
11 point in regard to this Board taking no action because  
12 I still feel that we have -- ultimately everything will  
13 come before us in regards to recommendations to the  
14 Federal Board. But thanks for your comments.

15

16 CHAIRMAN LOHSE: Thank you, Heather. I  
17 think Tom pretty well covered the two questions I was  
18 going to ask you. Pete.

19

20 MR. KOMPKOFF: Mr. Chairman, Bill. I  
21 have another question. When you develop the policy,  
22 will you specify how many years that you'll review  
23 closures.

24

25 MR. KNAUER: Three. And I would point  
26 out that this particular document would be a policy of  
27 the Federal Subsistence Board, totally different  
28 situation with the subsistence use amounts, which is a  
29 protocol between the Federal Subsistence Board and the  
30 State of Alaska. Two different things. This is just a  
31 policy that would explain how the Federal Subsistence  
32 Board operates. As Ms. Kendall-Miller and Mr.  
33 Carpenter pointed out, the Councils still retain all  
34 their advisory reviews of all proposals either for or  
35 against closures or in regard to seasons and harvest  
36 limits.

37

38 CHAIRMAN LOHSE: That's what I was  
39 going to ask you, Bill. I thought Heather had pretty  
40 well covered that, but I wasn't sure. With these  
41 reviews, it still all comes before the normal process.  
42 You can't review something and say, hey, this needs to  
43 be opened and open it. You can review something and  
44 say this needs to be considered and then it's  
45 considered by the Advisory Councils and then by the  
46 Board itself.

47

48 MR. KNAUER: That is correct. In any  
49 case, the OSM Staff believe an area should be opened.  
50 Even if they don't believe it should be opened, that

1 information comes before the Councils and at that point  
2 a proposal may or may not be generated to open the area  
3 and it goes through the normal public review process  
4 appearing in the proposal booklet that goes out for  
5 comment by the public and other entities. It's  
6 analyzed fully by Staff. It comes back before the  
7 Councils for their recommendations, for their review,  
8 consideration, deliberation and recommendation and then  
9 goes before the Board, just like any other proposal.  
10 Just like the ones you've dealt with here on 6(D) goat  
11 and Kings Bay.

12

13 CHAIRMAN LOHSE: Dean.

14

15 MR. WILSON: I think the concern is on  
16 this policy is that the normal means of putting in  
17 changes are going to be somebody puts in a proposal for  
18 a closed area and it's brought to you guys, you guys do  
19 your whole background check and the review of the  
20 proposal, bring it in to the Councils and they make a  
21 decision on it. This thing has been generated from the  
22 high levels of the government. It's been pushed on  
23 down through and that's a concern I think. It just  
24 seems like a deviation from the norm.

25

26 CHAIRMAN LOHSE: Thank you, Dean.

27 Bill.

28

29 MR. KNAUER: Mr. Chairman, Mr. Wilson.  
30 The only thing that came down from on high was a  
31 request to the Board to develop the policy. This  
32 policy was drafted by those four people that you see  
33 named at the top. Three of them sat out at Wasilla at  
34 a kitchen table one day, all day, and worked on a  
35 computer drafting this out. Then others of that group  
36 came back and went through the regulations book to  
37 create these charts, this Appendix A and Appendix B  
38 that you have before you. None of this was done beyond  
39 the Office of Subsistence Management. The material you  
40 see, I believe it did go out for review, a preliminary  
41 review to the Staff Committee, but it was all done at  
42 the local level.

43

44 CHAIRMAN LOHSE: Just directed.

45

46 MR. KNAUER: Exactly, just directed.

47

48 CHAIRMAN LOHSE: Okay, we have a motion  
49 on the table, did we have a second on that motion?

50

1 MR. CARPENTER: Uh-huh.

2

3 CHAIRMAN LOHSE: We have a second on  
4 the motion. Do we have any more discussion on the  
5 motion.

6

7 MR. CARPENTER: Mr. Chairman. I'll  
8 just -- I think, at least, I don't hear any strong  
9 opposition from this Council in regards to this policy.  
10 I think we've had public comment that pointed out the  
11 fact that this Council still has the ability to, when  
12 these proposals for closures of land or seasons or  
13 changes in bag limits, this Council still has the  
14 ability to either say, no, we don't recommend this or  
15 yes we do recommend that this change be made, and that  
16 that recommendation will still go. So I think the  
17 public process is still intact. I think all this does  
18 is basically give the Staff clear direction as to how  
19 they are to implement and review these closures so that  
20 if they do see a population trend that has dramatically  
21 increased or decreased or they do receive a proposal,  
22 that there's just a consistent review so that, you  
23 know, subsistence opportunities could be met to the  
24 highest level.

25

26 So in that regard my opinion is that I  
27 still think we should take no action, but similar to  
28 one of the other Councils, that we do show our support,  
29 but that these few concerns that Dean had be noted for  
30 the record.

31

32 CHAIRMAN LOHSE: Thank you. Any other  
33 comment. Greg.

34

35 MR. ENCELEWSKI: Thank you, Mr.  
36 Chairman. I just wanted to note on record I don't have  
37 any strong concerns, but I would like the opportunity,  
38 you know, for Council and Ninilchik and others that  
39 represent areas to review some of these policies, so  
40 that's all.

41

42 CHAIRMAN LOHSE: Thank you, Greg. Any  
43 other comments.

44

45 (No comments)

46

47 MR. CARPENTER: Question.

48

49 CHAIRMAN LOHSE: Okay, I was going to  
50 make a comment, but.....

1 MR. CARPENTER: Go ahead.  
2  
3 CHAIRMAN LOHSE: Okay. That's right, I  
4 haven't called the question, you called it.  
5  
6 (Laughter)  
7  
8 CHAIRMAN LOHSE: I'd just like to say  
9 that I really appreciate having, just being able to  
10 look at the chart and seeing what's been closed and so  
11 that you can actually question something otherwise I  
12 think some of it would slip through the cracks.  
13  
14 I feel like it's been fairly well  
15 written and I don't see any loss of public process in  
16 this one right here because basically all it does is  
17 make sure that things are looked at, you know, on a  
18 regular basis, and then it's brought through the  
19 regular channels.  
20  
21 I probably would have voted to  
22 supported the policy but I'll be very happy to go along  
23 with the rest of the Council and defer and just leave  
24 it up to our comments that we've made -- or not defer,  
25 but what was the word that you used, was it defer.  
26  
27 MR. CARPENTER: Take no action.  
28  
29 CHAIRMAN LOHSE: Take no action. So  
30 with that, the question's been called. All in favor  
31 signify by saying aye.  
32  
33 IN UNISON: Aye.  
34  
35 CHAIRMAN LOHSE: All opposed, signify  
36 by saying nay.  
37  
38 (No opposing votes)  
39  
40 CHAIRMAN LOHSE: Motion carries.  
41  
42 MR. KNAUER: Thank you, Mr. Chairman.  
43 I apologize for missing the rest of your meeting. I  
44 will be proceeding this afternoon to Washington, D.C.,  
45 making a short stop over the weekend in Indiana to  
46 visit family, but I'll be at that time in D.C.,  
47 processing the publication of the fisheries regulations  
48 for 2006/2007 and we anticipate those to appear in the  
49 Federal Register about the 27th to 29th of March, and  
50 then those will become effective 1 April. Those are

1 the results of the proposals that you examined back in  
2 your fall meeting and that the Board acted on in  
3 January.

4  
5 CHAIRMAN LOHSE: Thank you. Have a  
6 good trip, Bill, take care of yourself.

7  
8 Okay, we have in front of us another  
9 three proposals, all of which deal with our Eastern  
10 Interior neighbors.

11  
12 MR. CARPENTER: Isn't there five?

13  
14 CHAIRMAN LOHSE: There are five of  
15 them.

16  
17 MR. CARPENTER: Uh-huh.

18  
19 CHAIRMAN LOHSE: Well.....

20  
21 MR. CARPENTER: Mr. Chairman. Maybe  
22 just a point of order, we basically, on the last  
23 Eastern Interior proposal after much debate we decided  
24 to defer to the home region. My suggestion would be,  
25 and I'm curious to see how the rest of the Council  
26 feels, is that we defer the rest of these proposals, in  
27 order, but to the home region but allow, if there are  
28 people in the audience or if there are Council  
29 comments, that they be allowed to be presented.

30  
31 CHAIRMAN LOHSE: Point of order, do we  
32 have somebody out there that can advise us in that  
33 department, is that proper technique.

34  
35 MR. KNAUER: (Nods affirmatively)

36  
37 Thank you, Tom. I've looked through  
38 these myself and I didn't see where I -- I felt the  
39 impact was on the people from the Eastern Interior to  
40 the large extent and it's in their area, I would  
41 probably go along with you.

42  
43 Gloria.

44  
45 MS. STICKWAN: I thought the process  
46 was that we go through the process, is it different for  
47 this because they're all Eastern Interior proposals  
48 because my understanding is publicly we have to go  
49 through every proposal and do the process. I guess I'm  
50 kind of confused, but if it's the Eastern RAC we can do

1 that, I guess.

2

3 CHAIRMAN LOHSE: If.....

4

5 MS. STICKWAN: Do you understand what  
6 I'm trying to say?

7

8 CHAIRMAN LOHSE: Uh-huh. If anybody on  
9 this Council wants to take these proposals  
10 individually.....

11

12 MS. STICKWAN: No, I just want to know  
13 about this.

14

15 CHAIRMAN LOHSE: I don't think we have  
16 to and that's what we just asked Bill.

17

18 MS. STICKWAN: But what's the  
19 difference between -- I don't know how to put this.

20

21 CHAIRMAN LOHSE: Well, I.....

22

23 MS. STICKWAN: They said we had to go  
24 through every proposal, my understanding is that we  
25 have to. But is it different -- my question is, is it  
26 different because it's from Eastern Interior proposals,  
27 so we can defer, is that the reason why we can defer  
28 it?

29

30 CHAIRMAN LOHSE: Yeah, I would think  
31 that's why we can defer it because they're the ones  
32 that are going to ultimately have the biggest decision  
33 on it and the biggest effect, but if anybody on.....

34

35 MS. STICKWAN: No, I wasn't -- I  
36 wasn't.....

37

38 CHAIRMAN LOHSE: .....this Council is  
39 uncomfortable with doing it that way we will take  
40 individual proposal up.

41

42 MS. STICKWAN: I was not asking -- I'm  
43 not uncomfortable with that process, I'm just asking  
44 why was it different, you know, my understanding was  
45 that we had to go through every proposal and it has to  
46 be done through a public process for people to comment  
47 on these proposals, and I was just wondering why it was  
48 different and you just answered me and said it was  
49 Eastern Interior, all of their proposals, that's why we  
50 can do that.

1 CHAIRMAN LOHSE: I would think that's  
2 true. But, again, just the fact that you're  
3 questioning, and my way of thinking means that we have  
4 some questions on this, so maybe we should just go  
5 through the proposals and.....

6  
7 MS. STICKWAN: No.

8  
9 (Laughter)

10  
11 CHAIRMAN LOHSE: Chuck, what.....

12  
13 MR. CARPENTER: One more comment.

14  
15 CHAIRMAN LOHSE: Okay, Tom.

16  
17 MR. CARPENTER: Just one more comment,  
18 my intent was to bring each of these five proposals up  
19 independently and allow people in the audience or  
20 comments that the Council may have, but the ultimate  
21 result would be maybe we'd speed the process up a  
22 little bit because I -- at least my intention would be  
23 to defer these to the Eastern Interior. So I still  
24 believe that the public will have the ability to  
25 participate.

26  
27 That was my idea.

28  
29 CHAIRMAN LOHSE: Okay. So we'll bring  
30 them up individually and get the comments and  
31 everything on them and then go from there.

32  
33 Chuck.

34  
35 MR. ARDIZZONE: Mr. Chair. That was  
36 going to be my suggestion, that we go individually. I  
37 could just read the issue paragraph maybe and the Staff  
38 recommendation and then we could take your other  
39 comments, if that would be the wish of the Council.

40  
41 CHAIRMAN LOHSE: That sounds good. And  
42 then if anybody on this Council sees a proposal that  
43 they feel that there's a need to address and not defer,  
44 call for that to be done.

45  
46 Donald.

47  
48 MR. MIKE: Yeah, thank you, Mr. Chair.  
49 Just to help answer Gloria's -- Ms. Stickwan's question  
50 about deferring proposals. The Southeast -- when the

1 Regional Councils defer -- excuse me address crossover  
2 proposals, and Southcentral crossovers to the Eastern  
3 Interior, they usually just defer to the home region  
4 because the Council has more knowledge or more  
5 information on the particular issue.

6

7 Thank you, Mr. Chair.

8

9 CHAIRMAN LOHSE: Yeah, because they are  
10 crossover proposals. Okay, we'll just go through them  
11 one by one and then see if anyone has any concern or  
12 anything that they would like to put on the record and  
13 if they don't then a motion to defer to the Eastern  
14 Interior Council is in order.

15

16 Chuck.

17

18 MR. ARDIZZONE: So, Mr. Chair, if I  
19 understand just read the issue and then the preliminary  
20 conclusion.

21

22 CHAIRMAN LOHSE: Read the issue and the  
23 proposal so everybody understands the proposal and what  
24 the issue is.

25

26 MR. ARDIZZONE: Okay.

27

28 CHAIRMAN LOHSE: And, you know, give  
29 your recommendations. And then we'll let the Fish and  
30 Game their recommendations and we'll ask for public  
31 comment and go from there.

32

33 MR. ARDIZZONE: Okay.

34

35 CHAIRMAN LOHSE: And, again, like I  
36 said, if anybody sees an issue that they feel that we  
37 need to address, then the process goes into regular  
38 points.

39

40 So, Chuck.

41

42 MR. ARDIZZONE: Mr. Chair. Proposal  
43 WP06-59 was submitted by the Eastern Interior Alaska  
44 Subsistence Regional Advisory Council and requests that  
45 the Unit 12 moose regulations be changed to make them  
46 easier to understand and thereby reduce the potential  
47 for confusion.

48

49 The proponent states that no  
50 substantive change is intended in seasons, harvest

1 limits or customary and traditional use determinations.  
2 For this proposal there's a little bit of confusion  
3 between the customary and traditional use determination  
4 descriptions and then I believe the hunt area  
5 descriptions.

6  
7                   And the preliminary conclusion after  
8 analyzing this for the Staff was to oppose the proposal  
9 because they feel things can be done administratively  
10 to the descriptive language of the C&T and the hunt  
11 areas to fix the problem.

12  
13                   CHAIRMAN LOHSE: So this proposal  
14 basically deals with making language so that people can  
15 understand where they're at?

16  
17                   MR. ARDIZZONE: That's correct.

18  
19                   CHAIRMAN LOHSE: And the Staff feels  
20 like they can do it administratively and they would  
21 like to put it forward as a proposal?

22  
23                   MR. ARDIZZONE: I believe it would just  
24 be tweaking the language in the reg book without -- and  
25 there's no changes in harvest limits or customary and  
26 traditional use determinations is what the plan is.

27  
28                   CHAIRMAN LOHSE: Right. Alaska  
29 Department of Fish and Game.

30  
31                   MR. HAYNES: Thank you, Mr. Chairman.  
32 The Department's comments on Proposal 59 are on Page  
33 138 of your book.

34  
35                   The Department is neutral on this  
36 proposal. We support in concept the  
37 objectives of the proposal but we're  
38 unclear just what steps the Office of  
39 Subsistence Management will take to  
40 clarify the hunt areas and make it --  
41 we haven't seen the product.

42  
43                   CHAIRMAN LOHSE: Uh-huh.

44  
45                   MR. HAYNES: And we agree that in this  
46 case customary and traditional use findings and hunt  
47 areas that don't match up are confusing and it would be  
48 helpful to see just how this will be addressed to  
49 clarify the situation to hunters without doing what's  
50 requested in the proposal.

1 CHAIRMAN LOHSE: And this would be done  
2 probably in the Eastern Interior's Council meeting, is  
3 where you'd probably see the final product.

4  
5 MR. HAYNES: It would have been nice to  
6 have seen it at this meeting and I don't know if the  
7 plan is to present a specific product at that meeting  
8 or wait for testimony at that meeting.

9  
10 CHAIRMAN LOHSE: Thank you. Dean.

11  
12 MR. WILSON: I'm a little confused as  
13 far as, they've got a proposed Federal regulation in  
14 here to try to make it more understanding, is that not  
15 the final.

16  
17 CHAIRMAN LOHSE: Dean, that's the  
18 proposal from Eastern Interior, the reason the Staff  
19 opposed it was because they thought they could do it  
20 through administrative instead of through the proposal  
21 process.

22  
23 MR. WILSON: Okay.

24  
25 CHAIRMAN LOHSE: And I'm sure that that  
26 will be brought before the Eastern Interior, because if  
27 you're not going to want theirs you're going to have  
28 something else to suggest.

29  
30 Okay, written public comment or anybody  
31 else wish to testify on this proposal.

32  
33 Justin, good. Roy, good.

34  
35 MR. WILSON: Thank you, Mr. Chairman.  
36 Council members. Wilson Justin again. This has always  
37 been a great source of confusion and a lot of issues  
38 are related to the C&T determination. We support the  
39 proposed changes because anything that will lessen the  
40 confusion is, in our estimation is good, the methods  
41 and means don't really matter much to us as long as the  
42 issues get straightened out. I have never been able to  
43 adequately explain to the elders in our area what all  
44 this means.

45  
46 (Laughter)

47  
48 MR. WILSON: I've gotten myself  
49 confused on the designation and the seasons in trying  
50 to explain this thing, and it creates a lot of side

1 issues that normally are not a part of management of  
2 game. What we have now in the area is a high  
3 resentment rate for outsiders who come in like from  
4 Fairbanks that very clear sport season, they know  
5 exactly what they can do, where they can go and when,  
6 but you can't get that clarity for subsistence users.  
7 And people have a tendency to take that model and say  
8 well it's the same stuff so why do we even try to work  
9 with Fish and Game and the Federals because that's all  
10 you get when you work with them is more confusion for  
11 the subsistence users and lots of clarity for the  
12 sports users.

13  
14 So there's side issues related to this  
15 issue that need to be looked at in terms of impact, so  
16 we support anything that will help make this thing  
17 work in our favor and it's explainable.

18  
19 I do have one, I guess it's an issue or  
20 maybe it's not, on the map on Page 132, there's a  
21 shaded area between the Tetlin National Wildlife Refuge  
22 and this designation that's A and goes over into B.  
23 There's a line that runs from Noise Mountain, which is  
24 up Trail Creek straight across the top of the  
25 mountains, actually it will be a little south of the  
26 mountain peaks, all the way down to the mouth of what  
27 we refer to as Tashoona Creek, and sometimes referred  
28 to as Taylor Creek. That stretch of mountains in there  
29 is all of our, basically our old sheep hunting range so  
30 I'm very familiar with that area. The only time you'll  
31 find moose in there is during the fall time when moose  
32 comes over from Tetlin Wildlife over the Tetlin Pass  
33 into the Big Grayling Lake area where I have a hunting  
34 camp. There's also moose come up the Nabesna and  
35 through the drainage that's right there next to the  
36 Tashoona designation, there's another drainage there  
37 that comes out of Tetlin Pass, they will come up that  
38 drainage from down the Nabesna River. There's no real  
39 resident moose population in the area outside of where  
40 I'm at on the Big Grayling Lake area. Very small year-  
41 round bull moose population, and if you go down to the  
42 end of the solid line across the Nabesna River to where  
43 it swings north, we have an old trapping cabin down  
44 there. In that area along Jimmy Brown Lake and to the  
45 borders of the Tetlin Wildlife Refuge, there's almost  
46 no moose population in that area, occasionally cow --  
47 there's a lot of birch and there's a lot of foliage in  
48 there but the moose is down north of Pickerel Lakes or  
49 south up towards the pass into Chishana.

50

1                   So those areas, I'm not sure why  
2 they're shaded. There's moose that comes through those  
3 area very specifically during the rutting season but as  
4 far as resident moose population, it'd be hard for me  
5 to understand, what's the point of making this area why  
6 do you look at it -- what's their.....

7  
8                   CHAIRMAN LOHSE: Well, that is the  
9 current regulations there on that page right there.  
10 That's where the current status is, right?

11  
12                  MR. WILSON: Well, I guess my point is  
13 what's the point?

14  
15                  CHAIRMAN LOHSE: Well, that's a good  
16 question, Wilson. And I think that that's what's  
17 trying to be addressed in the proposed regulations.

18  
19                  Barbara, maybe you could shed some  
20 light on that.

21  
22                  MS. CELLARIUS: Mr. Chair. I think  
23 maybe I can help with this. I provided some technical  
24 assistance to Eastern Interior in drafting this  
25 proposal so I am very familiar with it. And basically  
26 what the proposal would do is, the Unit is divided into  
27 three areas for the purposes of C&T and into three  
28 areas for the purposes of harvest areas, and those are  
29 Maps 1 and 2. And they are -- you can see from the  
30 maps they're different areas and one of the sources of  
31 confusion, and so the idea of the proposal is to come  
32 up with a way of dividing the unit up so that the same  
33 boundaries will work for both C&T and harvest areas.

34  
35                  That requires a small change in a  
36 boundary. And that's what's indicated by that shaded  
37 area.

38  
39                  The current C&T boundary is this  
40 imaginary line or the straight line from Noise Mountain  
41 to the mouth of Tashanda Creek. The proposal would  
42 move that line essentially to the crest of the  
43 Mentastas which also corresponds to the Wrangell-St.  
44 Elias National Park boundary, and so that shaded area  
45 then is where there would be a small change in C&T with  
46 the result, the intended result is that the regulation  
47 is less confusing.

48  
49                  CHAIRMAN LOHSE: So the whole change of  
50 this whole proposal is just that little shaded area?

1 MS. CELLARIUS: Essentially, yes. The  
2 unit ends up being divided into four areas because  
3 that's the way we can do it with making the least  
4 changes but the only substantive change and, you know,  
5 Wilson talked about the moose population in that area,  
6 is moving that line from that straight line that's  
7 currently there up to the crest of the Mentastas.

8  
9 CHAIRMAN LOHSE: Thank you, Barb.  
10 Justin.

11  
12 MR. WILSON: Yeah, if I could. I  
13 support the proposal, as I said at the start, I think  
14 it's a good idea. What I'm saying basically is there  
15 should be no real issue here because I know where the  
16 crest of the Mentasta is and it's pretty close to  
17 what's outlined in the shaded area. I think that the  
18 proposal should have just said we're going to extend  
19 this imaginary line to include the actual geographic  
20 features that have always been assumed to be a part of  
21 this hunting area, which is in my mind very clear.  
22 Because we work that area extensively and we know the  
23 area very well, we know where the boundary lines are.  
24 This big solid line that runs across to the south and  
25 west is really an imaginary line that some -- almost a  
26 mile and a half from the crest of the Mentastas were,  
27 the geographical features would say that you would have  
28 to run the line.

29  
30 CHAIRMAN LOHSE: Uh-huh. So what  
31 you're saying, though, basically is this change puts it  
32 more in the case of reality.

33  
34 MR. WILSON: It makes it the way it's  
35 supposed to be and I just -- my underlying point is  
36 that it should be really clear in the explanation what  
37 occurred. Because we hunted this area along the lines  
38 of what the geographical features were, not according  
39 to what the lines are on the map.

40  
41 CHAIRMAN LOHSE: Uh-huh. Chuck.

42  
43 MR. ARDIZZONE: Mr. Chair. Let me read  
44 this one paragraph which explains the cross-hatching  
45 and maybe it will help clear things up. If we change  
46 the boundaries as proposed, the C&T for the cross-  
47 hatched area would change, specifically the proposed  
48 change will add residents of Unit 11, north of the 62nd  
49 parallel, all residents of Unit 13(A), 13(B) and 13(C)  
50 and 13(D) in addition to Chistochina and Mentasta lake

1 and residents of Chickaloon to the cross-hatched area  
2 described above. So that's what it would do, it would  
3 all -- all those people to the C&T for that small area.

4  
5 CHAIRMAN LOHSE: For that area right  
6 there.

7  
8 MR. WILSON: And, again, if I would,  
9 again, I think the point that is being utilized in  
10 terms of the development of this proposal is fine and  
11 dandy but most of the people who go in there are from  
12 Fairbanks or Delta. They use ATVs and they know the  
13 trails very well. I'm one of the few who goes that far  
14 back. I have never seen anybody from Unit 11 or  
15 Chickaloon or anybody up in that area, and we're in the  
16 gateway, the trail runs right past my yard. So to me  
17 the designation, the geographic designation and the use  
18 pattern isn't being followed here, it's what somebody  
19 thinks might happen or might not happen.

20  
21 CHAIRMAN LOHSE: Okay. Do you see any  
22 adverse impact with this proposal?

23  
24 MR. WILSON: There's no way to have an  
25 adverse impact unless you're going to camp in the area  
26 when the moose are coming through during the rut season  
27 and most people are up there for sheep.

28  
29 CHAIRMAN LOHSE: Okay. Any questions  
30 for Wilson.

31  
32 MS. STICKWAN: So you're not really  
33 opposed to the proposal, are you?

34  
35 MR. WILSON: I support the proposal.

36  
37 MS. STICKWAN: Okay.

38  
39 MR. WILSON: But I just want to make  
40 very clear on this designated here that the arguments  
41 in support or against of it are off the mark. The  
42 argument should be very clearly, is there going to be  
43 impact on the moose, well, moose don't live there, that  
44 takes care of the arguments.

45  
46 CHAIRMAN LOHSE: Okay. Any other  
47 questions for Wilson.

48  
49 (No comments)

50

1 CHAIRMAN LOHSE: Thank you. Roy. Roy,  
2 have you put in a green card, yet, can you do that  
3 before the end, not now, but before you leave can you  
4 put one of these in so we'll have a record.

5  
6 MR. EWAN: I sure will Mr. Chairman.  
7 Thank you, again. Just a brief comment on this. We  
8 considered this at our meeting and we support it. I  
9 think there's enough confusion from the subsistence  
10 users standpoint about the areas to hunt and so forth.  
11 But the C&T determination is a different issue in my  
12 opinion and that can be dealt with it in a different  
13 way, deferred or whatever you want to do with that.

14  
15 But we support clarifying, you know,  
16 areas of use or possible use and so forth. I think  
17 aligning the hunt area and C&T areas would be  
18 beneficial for users and for the Federal and State  
19 agencies.

20  
21 That's about all I want to say about  
22 that.

23  
24 Thanks.

25  
26 CHAIRMAN LOHSE: Thank you. Well,  
27 that's good because see now we have that on the record,  
28 your support's on record, Wilson's support's on record,  
29 even if we defer to the wishes of the Eastern Interior,  
30 your comments go along with our deferral.

31  
32 MR. EWAN: Could I add one other thing.

33  
34 CHAIRMAN LOHSE: Yes.

35  
36 MR. EWAN: I support that Wilson was  
37 saying about that particular use area. I think he's  
38 very knowledgeable about that area, I know that for a  
39 fact.

40  
41 CHAIRMAN LOHSE: Thank you, Roy.

42  
43 Barbara.

44  
45 MS. CELLARIUS: Mr. Chair. Barbara  
46 Cellarius, subsistence coordinator for Wrangell-St.  
47 Elias National Park and Preserve and this time I want  
48 to speak on behalf of the Park. And just say that we  
49 concur with the recommendation of the Wrangell-St.  
50 Elias SRC, which I can present to you either now or

1 later, and the recommendation of Tetlin National  
2 Wildlife, which I believe Donald has to support the  
3 proposal as written. I understand from our Staff that  
4 there's a lot of confusion over this and they have made  
5 some efforts on educational, you know, kind of  
6 educational things that wouldn't require a change and  
7 those haven't been particularly effective.

8  
9 CHAIRMAN LOHSE: So the Park, SRC and  
10 the Tetlin Wildlife Refuge support this proposal also.

11  
12 MS. CELLARIUS: Yeah, you know, and I  
13 can read it -- the SRC recommendation now or I could  
14 wait until later.

15  
16 CHAIRMAN LOHSE: I think you're going  
17 to be reading it into the Eastern Interior anyway.

18  
19 MS. CELLARIUS: I will be doing that.

20  
21 CHAIRMAN LOHSE: And basically you  
22 stated to our Council that you do support.....

23  
24 MS. CELLARIUS: Yes.

25  
26 CHAIRMAN LOHSE: .....that all three of  
27 those organizations support it. I think that's  
28 probably sufficient for what we're going to do.

29  
30 MS. CELLARIUS: Okay.

31  
32 CHAIRMAN LOHSE: Thank you, Barbara.  
33 Is there anybody else out there that would like to  
34 comment on this proposal. Then I think your motion's  
35 in order, Tom.

36  
37 MR. CARPENTER: Mr. Chairman. I move  
38 we defer Proposal 06-59 to the Eastern Interior  
39 Advisory Council.

40  
41 CHAIRMAN LOHSE: Do I hear a second.

42  
43 MR. KOMPKOFF: Second.

44  
45 CHAIRMAN LOHSE: It's been moved and  
46 seconded that we defer to the decision of the Eastern  
47 Interior Council on this proposal. Greg.

48  
49 MR. ENCELEWSKI: Mr. Chairman. You got  
50 a motion and second to defer. My opinion, after

1 hearing all the testimony I would like to support this  
2 proposal just to be on record of supporting it. But, I  
3 mean if we defer to them with a support recommendation  
4 I think would be a way to go on this.

5  
6 CHAIRMAN LOHSE: If we vote this  
7 deferral down then everybody can make a statement if  
8 they wish or we can not vote the deferral down and vote  
9 for a motion to support.

10  
11 Pete.

12  
13 MR. KOMPKOFF: Mr. Chairman. Yeah, I'd  
14 like to go on record that I support the proposal as  
15 well, and I'd like that to be included. And the people  
16 that testified on behalf of this proposal, I'd like to  
17 have that sent along to Eastern Interior.

18  
19 CHAIRMAN LOHSE: Okay. Doug.

20  
21 MR. BLOSSOM: That's what I want to do.

22  
23 CHAIRMAN LOHSE: That's the same  
24 comment you were going to make.

25  
26 Gloria.

27  
28 MS. STICKWAN: Support.

29  
30 CHAIRMAN LOHSE: You support this  
31 proposal and you'd like the information that we had  
32 presented forwarded to the Eastern Interior.

33  
34 MS. STICKWAN: Yes.

35  
36 CHAIRMAN LOHSE: But we're going to  
37 defer to their decision.

38  
39 MR. KOMPKOFF: Question.

40  
41 CHAIRMAN LOHSE: Question's been  
42 called. All in favor signify by saying aye.

43  
44 IN UNISON: Aye.

45  
46 CHAIRMAN LOHSE: All opposed, signify  
47 by saying nay.

48  
49 (No opposing votes)

50

1 CHAIRMAN LOHSE: Motion carries. Okay,  
2 we have deferred to the decision of the Eastern  
3 Interior but we've given them our support.

4  
5 Okay, with that it is lunchtime, in  
6 fact, it is after lunchtime and my stomach's chewing a  
7 hole in my backbone so I'm going to say that we will  
8 adjourn until 1:30. That gives us an 1:15 minutes.

9  
10 (Off record)

11  
12 (On record)

13  
14 CHAIRMAN LOHSE: I'd like to call the  
15 spring meeting of the Southcentral Regional Advisory  
16 Council back into session after lunch. I've been  
17 looking at these proposals, Council, and the next four  
18 proposals are all dealing with outside of our area and  
19 basically deal with -- they basically deal with  
20 restrictions on antlers or portions of moose closures  
21 or wolf hunting or baiting, which are all just methods  
22 and means in those areas. And I'm looking at what's  
23 left to be done today and I've had requests that we try  
24 to get right on to the subsistence amount protocol  
25 briefing because we have people who have to leave that  
26 are pretty important to that.

27  
28 And so if it's the wish of the rest of  
29 the Council we could make a motion to defer these to  
30 their home region and ask for comment on these  
31 proposals by anybody in the audience that would like to  
32 comment on them and we will forward that comment along  
33 with our motion to defer these to the home region since  
34 they don't directly affect any of us as far as the  
35 ability to hunt or fish in those areas if that's  
36 okay.....

37  
38 MR. CARPENTER: So moved.

39  
40 CHAIRMAN LOHSE: So moved.

41  
42 MR. WILSON: Second.

43  
44 CHAIRMAN LOHSE: Seconded. Okay, with  
45 that we have a motion to defer Proposal 60, 61, 63 and  
46 64 to the home region. And at this point in time I  
47 would like to open this to any public comment on any of  
48 these four proposals, 60, 61, 63 or 64 with the promise  
49 that any comment that we receive in this meeting will  
50 be forwarded to the Eastern Interior. Do I have any

1 wish to comment from any tribal agency, any department,  
2 any Federal agencies, any individuals, Alaska  
3 Department of Fish and Game. If you wish to comment  
4 we'll open this up for a comment period right now and  
5 then we'll discuss our motion.

6

7

Terry.

8

9

MR. HAYNES: Thank you, Mr. Chairman.  
10 Regarding Proposal 06-60, I would bring this one to  
11 your attention simply because the Department not  
12 supporting this proposal and we have our reasoning for  
13 that on Page 144.

14

15 This is a proposal that would expand  
16 opportunity for Federally-qualified subsistence users  
17 in Unit 12, the remainder of Unit 12 by removing spike-  
18 fork antler restrictions in the early season.

19

20 The Department has concerns about that  
21 proposal simply because spike-fork regulations are an  
22 important management tools in areas in Unit 12. And  
23 the Federal regulations currently, even though they're  
24 more restrictive in terms of the antler requirements in  
25 the early season, the Federal regulations provide many  
26 more days of hunting opportunity. So if the spike-fork  
27 antler requirement was removed, we would be concerned  
28 about providing even more opportunity.

29

30 Now, however, our main concern is with  
31 the preliminary conclusion on Page 142, which proposes  
32 some modifications to the proposal. And you can see  
33 that the modified proposed regulation would remove the  
34 spike-fork antler requirement for the August 24/28  
35 portion of the season so that -- and I don't want to  
36 confuse you here, but under the current regulation  
37 there is a three day gap between when the spike-fork  
38 season ends and the antlered bull season begins. Under  
39 this proposed change the spike-fork antler restriction  
40 would expire August 23rd and the antlered bull  
41 requirement kick in August 24th, and we don't believe  
42 that's sufficient time between the two seasons, if you  
43 will. That it creates a potential problem for hunters  
44 in the field who may have taken a moose -- a spike-fork  
45 moose but they're not coming out until later, you know,  
46 there needs to be more of a -- there needs to be some  
47 break between those two seasons in our judgment.

48

49

50 So we will be talking to the Eastern  
Interior Council about this. But I just wanted to

1 bring it to your attention because this does ultimately  
2 have some affect on hunters in your area who might be  
3 hunting moose on Unit 12.

4

5 CHAIRMAN LOHSE: Okay, can I ask for  
6 some clarification on that Terry then, currently then  
7 there is no August 24th through 28th season, right?

8

9 MR. HAYNES: Yes, there is. If you  
10 look at Page 140 of your book, the Federal regulations  
11 in Unit 12 remainder have a spike-fork requirement  
12 August 15 to August 28, but then you see there's a  
13 three day gap before the next season begins for  
14 antlered bull.

15

16 CHAIRMAN LOHSE: Okay. Where this  
17 would make it where there was no gap between the spike-  
18 fork and the antlered season.

19

20 MR. HAYNES: Right.

21

22 CHAIRMAN LOHSE: Yeah, I'm sure that  
23 you'll probably bring that to their attention and that  
24 may have just been an oversight too. Because it looks  
25 to me like that would -- somebody lost sight of what  
26 that closure was for.

27

28 So thank you Terry.

29

30 MR. HAYNES: Thank you.

31

32 CHAIRMAN LOHSE: And you will be  
33 presenting the same thing at the Eastern Interior,  
34 won't you?

35

36 MR. HAYNES: Yes, Mr. Chairman.

37

38 CHAIRMAN LOHSE: Thank you. Are there  
39 any other people who would wish to testify on 60, 61,  
40 63 or 64 in Unit 12, 20(C), 25.

41

42 (No comments)

43

44 CHAIRMAN LOHSE: Okay, hearing none,  
45 we'll go on to the motion that we have on the table  
46 which is to defer this to the decision of the home  
47 region.

48

49 Council, any discussion on that motion.

50

1 (No comments)  
2  
3 CHAIRMAN LOHSE: If there's no  
4 discussion the question is in order.  
5  
6 MR. CARPENTER: Question.  
7  
8 CHAIRMAN LOHSE: Question's been  
9 called. And this is for Proposal 60, 61, 63 and 64,  
10 that we will defer to the decision of the Eastern  
11 Interior. All in favor signify by saying aye.  
12  
13 IN UNISON: Aye.  
14  
15 CHAIRMAN LOHSE: All opposed, signify  
16 by saying nay.  
17  
18 (No opposing votes)  
19  
20 CHAIRMAN LOHSE: Motion carries. Okay,  
21 with that we are going to go -- I don't even think  
22 Erica is here, is she, Erica McCall, no, so she's not  
23 here.  
24  
25 MR. MIKE: Mr. Chair.  
26  
27 CHAIRMAN LOHSE: Uh?  
28  
29 MR. MIKE: Erica McCall couldn't be  
30 here today. She left a brief report for the Council's  
31 record, so if you can just review it individually or on  
32 your own time that will be fine.  
33  
34 CHAIRMAN LOHSE: Okay, so you can hand  
35 it out and we can read it at our.....  
36  
37 MR. MIKE: Correct.  
38  
39 CHAIRMAN LOHSE: Okay. And we have a  
40 status of monitoring projects handout also. We've had  
41 our Native Village of Eyak report. And I'm going to  
42 ask the Bureau of Land Management if they would be  
43 willing to let us skip them at this point in time and  
44 go right on to the subsistence use amount protocol  
45 briefing that probably is of more importance to all of  
46 the people that are here at this point in time -- I  
47 shouldn't say more important, that's not a nice thing  
48 to say.  
49  
50 (Laughter)

1 CHAIRMAN LOHSE: More -- of greater  
2 interest at this point in time -- well, that's not good  
3 either.

4  
5 (Laughter)

6  
7 CHAIRMAN LOHSE: Anyhow, I think we're  
8 going to go on to the subsistence use amount protocol  
9 and then we will come back to the BLM, if that's okay  
10 with the BLM because we have some people here who this  
11 is fairly important to that have to leave at an earlier  
12 date this afternoon and so we'd like to go into it.

13  
14 And Pete and Terry, I think, are going  
15 to present this to us, right?

16  
17 MR. KESSLER: Yes, I'm Pete.

18  
19 CHAIRMAN LOHSE: You're Pete. Your  
20 hair color changed.

21  
22 MR. KESSLER: What's that -- I know.

23  
24 CHAIRMAN LOHSE: Which is not unnormal  
25 in this day and age.

26  
27 Donald.

28  
29 MR. MIKE: Yes, SUA presentation in  
30 your blue folder on the left-hand pocket there's a  
31 yellow document that you can use as reference during  
32 the presentation.

33  
34 CHAIRMAN LOHSE: Blue folder, left-hand  
35 pocket. That's only if you lift your folder up in the  
36 right direction.

37  
38 (Laughter)

39  
40 CHAIRMAN LOHSE: Okay. I don't know  
41 how you wish to start but we'll leave it up to you.

42  
43 MR. KESSLER: Mr. Chairman and Council  
44 members. I'm Steve Kessler on the InterAgency Staff  
45 Committee with -- I work for the Forest Service and  
46 Pete Probasco was not able to be here today, I think he  
47 took a quick trip up to Fairbanks today so he asked me  
48 whether I could review -- be presenting this on behalf  
49 of the Federal agencies. And Terry is here on behalf  
50 of the State. It's a joint protocol so we're both

1 presenting this together.

2

3                   The write up starts on Page 195 of your  
4 book, and let me just walk you through what's in the  
5 write up here.

6

7                   First of all there's a briefing on Page  
8 195. On 197 and 198 there are a series of questions  
9 and answered. And then starting on Page 199 is this  
10 draft protocol and that goes through Page 202. So what  
11 I'm going to do is I'm going to give you a presentation  
12 that will hopefully, fairly briefly talk about where  
13 this came from, what the purpose of it is, look at the  
14 definitions on the page, 195, we have a chart which  
15 I'll go through with you that was in your handout on  
16 the yellow page that you received. And then what I'd  
17 like to do is just to go to a portion of the protocol,  
18 directly into the protocol so that you can actually  
19 read some of the nuts and bolts of how the subsistence  
20 use amounts would work on the Federal side.

21

22                   So between the Federal and State  
23 agencies we have what we call at the moment, the  
24 Interim Memorandum of Agreement, and the agencies,  
25 through that, agreed to coordinate responsibilities for  
26 subsistence management. The MOA identifies a number of  
27 protocols to be developed for improved cooperation and  
28 coordination between programs. This protocol would  
29 establish guidelines for how subsistence use amounts  
30 would be incorporated into the Federal Subsistence  
31 Program to help ensure that subsistence receives  
32 priority in harvest allocations.

33

34                   The purpose of the protocol is to  
35 develop a process for considering what portion of the  
36 harvestable surplus is necessary for subsistence uses  
37 for fish and wildlife in the Federal Subsistence  
38 Program.

39

40                   Now, I turn your attention to Page 195,  
41 the important terms that are in the block, so that we  
42 all can be talking about those terms in the same way.  
43 Subsistence use amounts would be used as a Federal  
44 term; amounts necessary for subsistence is a State  
45 term. And I believe that Terry will talk more about  
46 the ANS is used in the State process. SUA and ANS  
47 findings help implement the subsistence priority and  
48 they don't set a cap or a limit; they don't set a cap  
49 or a limit on the amount of harvest, nor do they  
50 establish minimum levels for subsistence harvest, they

1 are part of the harvestable surplus.

2

3 Subsistence use amounts refers to the  
4 amount of fish stock or wildlife population that  
5 Federally-qualified users harvest for all of the ANILCA  
6 defined uses, and Terry will get more into that in the  
7 State's use of ANS.

8

9 So I'd like to point out to you on this  
10 handout that you have in yellow, there's sort of a  
11 chart on the front and if you look at the second page --  
12 the first page helps with an understanding of how  
13 amounts necessary for subsistence is used in the State  
14 system and then the one that says Federal Subsistence  
15 Board at the top you can follow through and see how  
16 subsistence use amounts would be used in the Federal  
17 system. And for those in the audience, I believe there  
18 are a number of extra copies of these on the back  
19 table.

20

21 So the first question for you to  
22 consider would be has a fish or wildlife resource been  
23 customarily and traditionally used and which  
24 communities and areas have customary and traditional  
25 use of that resource. If there are areas that have  
26 been -- and species that have been customarily and  
27 traditionally used the answer would be, yes, otherwise  
28 the answer is no, there's no Federal subsistence  
29 priority. If the answer is yes the next question is,  
30 can a harvest take place consistent with a conservation  
31 of a healthy population or within National Park and  
32 Monuments natural and healthy populations. These are  
33 questions that come directly out of ANILCA. If the  
34 answer is no so that you can't maintain a healthy  
35 population, then there'd be no subsistence or non-  
36 subsistence harvest permitted. If the answer is yes  
37 and there is a harvestable surplus and the question is,  
38 is that harvestable surplus sufficient to provide  
39 harvest opportunity and continued subsistence uses for  
40 all Federally-qualified subsistence users and others.  
41 If the answer is no, then you could go over to the  
42 lower right side where it says consider restricting  
43 non-subsistence uses, and if necessary allocating among  
44 subsistence. If the answer is yes, then subsistence  
45 harvests are permitted, State regulations provide for  
46 harvest by non-subsistence users.

47

48 So the question that was sort of in the  
49 middle of the page, is the harvestable surplus  
50 sufficient to provide harvest opportunity and continued

1 subsistence for all Federally-qualified subsistence  
2 user. That question is where the amounts necessary for  
3 subsistence is useful.

4  
5                   There are a number of questions and  
6 answers, which I won't go through all of those. But  
7 what I would like to point out to you is on Page 201 in  
8 the protocol. And if you look on Page 201, there's a  
9 typo in here, if you look at where it has the second  
10 bullet in there and the words, start recognition and  
11 use of amounts necessary for subsistence findings and  
12 development of subsistence use amounts in Federal  
13 management. That actually should be moved to the left  
14 and have been put in italics, so I'd be a heading just  
15 like you see near the bottom of the previous page where  
16 it says amounts necessary for subsistence in State  
17 management. So this section, that would be in italics  
18 and it would describe then, how subsistence use amounts  
19 would be used in Federal management. And let's just go  
20 through those items.

21  
22                   Subsistence use amount findings will be  
23 used if the Federal program makes an assessment that  
24 the amounts necessary for subsistence finding in the  
25 State is not an accurate representation of contemporary  
26 subsistence harvest for a particular fish stock or  
27 wildlife population used by Federally-qualified  
28 subsistence users. When developing SUAs, subsistence  
29 use amounts, the Federal program will consider the ANS  
30 findings, recommendations of the Regional Advisory  
31 Councils and any additional subsistence harvest  
32 information. ANS will not be adopted into Federal  
33 subsistence regulations. As appropriate and applicable  
34 to specific regulatory proposals ANS findings will be  
35 presented and evaluated in proposal analysis. So,  
36 again, these would all come to you through our regular  
37 debriefings on proposals. And through discussions,  
38 at meetings and input with Staff, Councils and the  
39 public, the Federal Subsistence Board will discuss,  
40 consider and exercise their independent judgment on the  
41 technical validity of the ANS finding in relation to  
42 specific proposals. Whether or not the Federal Board  
43 makes the assessment that an ANS finding is an accurate  
44 representation of contemporary harvest ANS will be  
45 considered as a factor in its decision on the proposal.  
46 If the ANS is considered not to be an accurate  
47 representation of harvest, the Federal Board will  
48 discuss on the record the reasons for differing from  
49 that ANS finding and then we'll have that subsistence  
50 use amount finding.

1                   Now, I know that there will probably be  
2 a lot of questions, which hopefully we'll be able to  
3 answer on this, but then I do want to point you to Page  
4 202 of the protocol, the section developing research  
5 priorities for subsistence harvest information. And we  
6 recognize that in order to implement the subsistence  
7 use amounts, amounts necessary for subsistence under  
8 the State system that there is a tremendous amount of  
9 information that needs to be gathered and so an  
10 important part of this protocol is also these research  
11 priorities.

12  
13                   And with that, Terry, do you want to  
14 continue on.

15  
16                   MR. HAYNES: Mr. Chairman.

17  
18                   CHAIRMAN LOHSE: Terry.

19  
20                   MR. HAYNES: I would like to refer you  
21 to the yellow handout again and if you look at the back  
22 side of the first page you see a letter that some of  
23 you have probably seen before and this was signed by  
24 the, then Commissioner of the Department of Fish and  
25 Game, and Tom Boyd, the subsistence regional director  
26 for the Office of Subsistence Management and it lays  
27 out the reasoning for this protocol being developed,  
28 and actually it -- work had started on this protocol  
29 several years ago but it became a priority interest for  
30 the State and -- which prompted this letter to  
31 emphasize the importance of this protocol from our  
32 prospective and there was agreement from the then  
33 Commissioner and Mr. Boyd that the protocol work group  
34 should place emphasis on this, getting work done on  
35 this protocol.

36  
37                   If we turn back to the other side of  
38 that page, this flow chart lays out the process that  
39 the Board of Fisheries and the Board of Game used to  
40 evaluate subsistence proposals. And this process is  
41 different from the Federal process, in that, the State  
42 regulations, the State subsistence statute requires not  
43 only that there be customary and traditional use  
44 determinations made but that the amount reasonably  
45 necessary to provide for subsistence uses be  
46 established, and the purpose of that is to ensure that  
47 there's a clear understanding of how much is needed to  
48 provide for subsistence uses versus how much of that  
49 particular fish stock or wildlife population can be  
50 harvested to determine whether or not non-subsistence

1 uses can be provided for. Because the Board of  
2 Fisheries and Board of Game provide for the whole range  
3 of uses.

4  
5                   So I'd like to just walk you through  
6 this chart. The top box, it says, is the fish stock or  
7 game population in a non-subsistence area, and if we're  
8 talking about a moose population near Anchorage the  
9 answer would be no. If the answer is yes -- I'm sorry,  
10 I've got that turned around. If it is in a non-  
11 subsistence area, yes, then subsistence regulations,  
12 subsistence procedures do not apply. But if that fish  
13 stock or game population is outside of a non-  
14 subsistence area then we go to the second box and ask  
15 is there a customary and traditional use of that fish  
16 stock or game population. If the answer is, no,  
17 subsistence regulations don't apply, if the answer is  
18 yes, then we go to the third box, is there a  
19 harvestable surplus, if not there cannot be a harvest  
20 and subsistence regulations don't apply. If the answer  
21 is yes then we'd need to know what portion of that  
22 harvestable surplus or what portion is needed to  
23 provide for subsistence uses. And so when you compare  
24 those two numbers, go down to one of the three boxes at  
25 the bottoms, if the harvestable surplus would allow for  
26 all or some uses then you can implement a subsistence  
27 season and some or all other potential uses, which  
28 could include non-resident uses, in fisheries it could  
29 include sportfishing, commercial fishing. If the  
30 harvestable surplus is only sufficient to allow for  
31 subsistence uses based on knowing what the amount  
32 necessary for subsistence is then the regulations can  
33 only accommodate subsistence uses, no other users can  
34 harvest from that stock or population. If the  
35 harvestable surplus is below the amount necessary for  
36 subsistence uses, then the Tier II regulations kick in  
37 and harvest is limited to some sub set of subsistence  
38 users based on the Tier II criteria.

39  
40                   Now, I realize we're throwing a lot of  
41 information at you and some of this is confusing and  
42 you're going to have a lot of questions so I don't want  
43 to go too much farther. But I do want to point out, on  
44 the question and answer information on 197 and 198, you  
45 will find questions that have frequently arisen as work  
46 on this protocol has proceeded, is there's a perception  
47 among some people that the State is interested in the  
48 Federal system using subsistence use amounts so that we  
49 can cap, so that we can put a limit on how much there  
50 is available for subsistence use, and that's simply not

1 true. The amounts necessary for subsistence in the  
2 regulations do not impose a cap on harvest, do not say  
3 that you can only have this many. If the amounts  
4 necessary for subsistence is a range of 75 to 100 moose  
5 in a particular area, that does not mean that  
6 subsistence users are limited to harvesting 100 moose,  
7 what it says is that based on what we know about  
8 subsistence uses of moose in that area, that is the  
9 amount we need to provide the opportunity for  
10 subsistence users to harvest.

11

12                   So again there's not a cap.

13

14                   And these numbers can change as well  
15 and they often have in the State regulations.

16

17                   So I think the information you have  
18 here, if you do have time to read it I think it will  
19 help to answer some of your questions but I also know  
20 it's going to raise a lot more. And so one reason  
21 we're here today is to try to answer what questions we  
22 can but also to go back to our working group and based  
23 on what information we're hearing at all the Council  
24 meetings, be able to say, we're getting a wide range of  
25 questions from Council members or most of the Councils  
26 are asking the same three questions, so we have some  
27 work to do to get additional information out to you so  
28 you can understand the intent of this protocol and feel  
29 comfortable that it should move forward.

30

31                   So this is by no means the last you'll  
32 be hearing about this protocol and we want to do what  
33 we can answer your questions today and hopefully give  
34 you some level of comfort with what's on the table.

35

36                   Thank you, Mr. Chairman.

37

38                   CHAIRMAN LOHSE: Thank you, Terry.  
39 Terry, I have a question for you to start things off  
40 and maybe it just shows my ignorance, but a Tier I hunt  
41 basically is just a hunt for all Alaskans without any  
42 non-residents, right?

43

44                   MR. HAYNES: That's correct.

45

46                   CHAIRMAN LOHSE: Okay. And a Tier II  
47 hunt would be Alaskans rated against each other by  
48 their prior use or their, you know, whatever you end up  
49 deciding on Tier II?

50

1 MR. HAYNES: That's correct. As you  
2 know people would apply for a Tier II permit.....  
3  
4 CHAIRMAN LOHSE: Uh-huh.  
5  
6 MR. HAYNES: .....and those individuals  
7 who score highest would receive the permits based on  
8 the criteria used in the application.  
9  
10 CHAIRMAN LOHSE: So if you used this in  
11 comparison with a -- if you took those three on the  
12 bottom right there and you compared that to the Federal  
13 system, the Tier II would be an .804 hunt, the Tier I  
14 would be a subsistence hunt only, Federal subsistence  
15 hunt only and the first box would be Federal  
16 subsistence hunt plus State hunt, I mean that would be  
17 the equivalent type of hunts, right?  
18  
19 MR. HAYNES: Yes, those three cate --  
20 although, you know, the Federal regulations don't  
21 provide for non-subsistence hunting.  
22  
23 CHAIRMAN LOHSE: No.  
24  
25 MR. HAYNES: They would allow.....  
26  
27 CHAIRMAN LOHSE: They would allow it.  
28  
29 MR. HAYNES: They would allow it.  
30  
31 CHAIRMAN LOHSE: The same as this would  
32 allow.....  
33  
34 MR. HAYNES: Right.  
35  
36 CHAIRMAN LOHSE: .....subsistence and  
37 other hunting.  
38  
39 MR. HAYNES: Yes, you're correct there.  
40  
41 CHAIRMAN LOHSE: Tom.  
42  
43 MR. CARPENTER: Yeah, I got a couple  
44 questions. That was a good point that the Chairman  
45 just made. But I have a question about the Tier II  
46 hunt versus the .804 hunt. Is the Tier II hunt more  
47 restrictive than an .804 hunt in the way it's  
48 determined who would qualify?  
49  
50 MR. HAYNES: Mr. Chairman. Tom. I

1 can't answer that directly. What I can tell you is  
2 that .804 hunts that have been implemented by the  
3 Federal Subsistence Board have not used the same  
4 specific criteria as the State Boards have in creating  
5 Tier II hunts and fisheries. That the intent is  
6 similar in that both Tier II and .804 hunts you have to  
7 select between otherwise qualified subsistence users.  
8 But the process by which those people have been  
9 selected has been different. And Steve may want to add  
10 something to that.

11

12 CHAIRMAN LOHSE: Steve.

13

14 MR. KESSLER: Thanks, Mr. Chairman.  
15 Mr. Carpenter. If I'm not mistaken and there may be  
16 somebody who can correct me, but I believe the only  
17 guidance that we have in the Federal system for .804 is  
18 what is in ANILCA, those criteria in ANILCA. We don't  
19 have regulations that have been developed to implement  
20 those. So there have been relatively few .804  
21 situations around the state and most of those have been  
22 fairly clear, I believe, on how to deal with those.

23

24 I haven't been in the program a real  
25 long time, but the ones that I have been associated  
26 with have been fairly clear. So for instance on the  
27 North Slope which is a huge area, it was fairly easy to  
28 say that this one community, I think it was Nuiqsut, if  
29 I remember correctly, had -- should be given the  
30 priority use in a certain area that was close to them,  
31 and the same thing, I think, was done for Kaktovik for  
32 another situation.

33

34 So I think a lot of these have been  
35 fairly clear but the State has developed the Tier II  
36 regs over a considerable amount of time.

37

38 CHAIRMAN LOHSE: Steve, can I ask you a  
39 question.

40

41 MR. KESSLER: Yes.

42

43 CHAIRMAN LOHSE: Haven't the .804 hunts  
44 that have been put in place, haven't they gone through  
45 the local -- I mean gone through the Regional Advisory  
46 Councils and the Board process more than just  
47 administrative process?

48

49 MR. KESSLER: Yes, Mr. Chairman. They  
50 go through exactly the same regulatory review process

1 as any other regulation that we deal with.

2

3 CHAIRMAN LOHSE: Like any other  
4 proposal.

5

6 MR. KESSLER: Yes, it comes as a  
7 proposal.

8

9 CHAIRMAN LOHSE: Okay.

10

11 MR. KESSLER: And then it's dealt with.

12

13 CHAIRMAN LOHSE: Where the State one,  
14 it's an administrative process that's been set up, that  
15 the Tier II is handled consistently through that same  
16 administrative process, the same application time.

17

18 MR. HAYNES: Yes, and that's after one  
19 of the Boards determines that a Tier II or fishery is  
20 necessary.

21

22 CHAIRMAN LOHSE: Okay. Pete.

23

24 MR. KOMPKOFF: Yes, Mr. Chairman.  
25 Terry. I think you had answered my question but I'm  
26 going to ask it anyway again because I was wondering  
27 what tool is used to make the selection on Tier II  
28 permits? Who pick -- let's say you get 250  
29 applications for a Tier II hunt, how do you determine  
30 who is going to be picked and how many do you pick for  
31 certain areas?

32

33 MR. HAYNES: Mr. Chairman. Pete.  
34 There's an application process whereby if you're  
35 interested in participating in a Tier II hunt or  
36 fishery, you apply for the hunt of fishery and there  
37 are several questions that ask about your use of that  
38 particular fish stock or wildlife population,  
39 information about where you live, what other resources  
40 you have available and there are a certain number of  
41 points assigned to each of those questions. And so you  
42 will get a score on your application and if 250 applied  
43 for a Tier II hunt and only 50 permits were available,  
44 the highest 50 scores would get the permits.

45

46 MR. KOMPKOFF: Okay, thank you.

47

48 CHAIRMAN LOHSE: Any other questions  
49 for Terry or Steve.

50

1 MR. CARPENTER: I just had one more --  
2 Gloria go ahead.

3  
4 CHAIRMAN LOHSE: Tom -- Gloria go  
5 ahead.

6  
7 MS. STICKWAN: For the Federal, you  
8 would use a C&T process to, is that how you figure out,  
9 go through the eight criteria, or the .804, and I've  
10 always been confused about this but the C&T  
11 determinations that are made right now that are on  
12 these books, you will go through and decide which one  
13 of those communities is a criteria for .804, if there's  
14 ever a shortage of moose or caribou or whatever it is,  
15 you will base it on the .804 section; am I right, I  
16 don't know?

17  
18 CHAIRMAN LOHSE: Steve.

19  
20 MR. KESSLER: Mr. Chair. Ms. Stickwan.  
21 It might be helpful again to look at this chart right  
22 here. And if you look at this chart here, the first  
23 item is there a customary and traditional use, is there  
24 a customary and traditional use determination, so that  
25 customary and traditional use determination is sort of  
26 the first step of the process, and even if you have to  
27 to .804, you don't need to go back to that customary  
28 and traditional use determination, you've made that  
29 already. Now, there are items in the customary and  
30 traditional use determination which may be of bearing  
31 when you actually start going through the .804  
32 criteria. But they aren't directly linked in any way.  
33 The customarily and traditional use determination isn't  
34 going to change, that is what it is until a proposal  
35 comes forward to change the customary and traditional  
36 use determination; the .804 process is separate.

37  
38 But I'm sure that some similar data  
39 would be used.

40  
41 Does that help.

42  
43 MS. STICKWAN: As long as it's .804  
44 based on whatever data you use, I guess, uh?

45  
46 CHAIRMAN LOHSE: I think I understand  
47 what Gloria was asking right there is, okay, now that  
48 we're -- we're going into an .804 situation, we can use  
49 examples up on the North Slope if we wish, but first  
50 through the Council and the Board, an .804 situation

1 has to be identified and usually from the Federal  
2 standpoint that's going to be a community based .804  
3 decision. I suppose we could get to the point where  
4 you would just have to make decision inside of a  
5 community, and at that point in time then you're going  
6 to have to have stricter criteria and come up with  
7 something more similar to what the State has. But up  
8 to this point in time haven't almost .804 decisions  
9 have been based on communities, not individuals, right?

10

11 MS. PETRIVELLI: Mr. Chairman. Yes,  
12 and for the record my name is Pat Petrivelli, and I'm an  
13 anthropologist. But generally with an .804 situation  
14 they use the three criteria in ANILCA. Now, you can  
15 make an .804 determination whether or not there's a C&T  
16 determination, you know, because we can allow  
17 subsistence use of a resources with no C&T  
18 determination and just have all rural residents be  
19 eligible.

20

21 But for a concrete example, though, in  
22 Unit 22, all rural residents of 22 have C&T for moose,  
23 but in all the subunits because there's a severe  
24 shortage there in Tier II's, but like in 22(B), Federal  
25 public lands are closed to the taking of moose except  
26 for by Federally-qualified users and they limit it to  
27 certain villages, the villages closest to that subunit.  
28 So in 22(B) it's residents of White Mountain and  
29 Golovin. Now, the C&T for Unit 22 moose is still  
30 there, but for 22(B), just residents of White Mountain  
31 and Golovin. Now, the way that decision was arrived  
32 at, an analysis was done and they looked at those three  
33 criteria, customary and direct dependence upon the  
34 resource; the nearness to it; and then availability of  
35 alternative resources. So those are the three criteria  
36 identified in ANILCA, and so the people from that area  
37 proposed the closure and then Staff people at OSM made  
38 the analysis and I think they did it for Unit 12,  
39 caribou, at one time and I think they limited it to  
40 eight villages, and then it was up to the villages to  
41 determine who got the opportunity to hunt.

42

43 And the program hasn't made  
44 determinations by an individual basis at this time,  
45 we've just done it by community and allowed the  
46 communities to determine who would be allowed to hunt.

47

48 CHAIRMAN LOHSE: That's what I was  
49 going to say. I think that currently that's the  
50 biggest difference between the State .804 and the

1 Federal Tier II [sic], the State Tier II recognizes all  
2 people in the state as having equal subsistence  
3 opportunity and so then they have to go down on an  
4 individual bases where most of our C&T's have been on  
5 an area or a community basis. And so there could come  
6 a time, that's not saying that under Federal  
7 regulations, if I understand right Steve, and you'll  
8 correct me if I'm wrong on this, there could come a  
9 time where there was insufficient subsistence resources  
10 for a community and it would have to go down to  
11 individuals in that community but the odds are pretty  
12 good that that wouldn't happen because of the way the  
13 communities work, but I mean technically speaking you  
14 could get to the point where you'd have to do .804 on  
15 -- well, I don't know if you could even ever get to  
16 where you had to do it on an individual basis.

17

18                                    Could you Pat

19

20                                    MS. PETRIVELLI: Well, Terry was  
21 pointing out like 6(C) you could say with a moose in  
22 6(C) because we have a drawing.

23

24                                    CHAIRMAN LOHSE: Okay.

25

26                                    MS. PETRIVELLI: You know, technically  
27 that's an .804.

28

29                                    CHAIRMAN LOHSE: But that's  
30 actually.....

31

32                                    MS. PETRIVELLI: But I mean that was  
33 based upon an existing system and because it was an  
34 introduced species, as how people participated in that  
35 hunt, you know, that was the way everyone participated  
36 to begin with.

37

38                                    The individual basis we haven't been  
39 faced with, but it could be, I mean if the shortage was  
40 that severe but hopefully that would never happen, but  
41 I'm sure we would look to the Council to however they  
42 would decide how to -- you know, recommend and consult  
43 with people about the best way to approach it. But I  
44 think we consulted with -- I mean when the Cordova  
45 situation was put before the Board, the Advisory  
46 Committee, the Council, everyone reviewed that lottery  
47 system and determined that that was the best way.

48

49                                    CHAIRMAN LOHSE: Terry.

50

1 MR. HAYNES: The reference to the  
2 Mentasta caribou hunt, that's an example where a small  
3 number of individuals, the needs of the eligible  
4 communities were given the opportunity. But that was  
5 -- If I recall, Gloria, didn't the communities make  
6 that recommendation as to the elders should get the  
7 highest priority.

8  
9 MS. STICKWAN: Yeah, it went to the (no  
10 microphone on) priority and then (no microphone on)

11  
12 CHAIRMAN LOHSE: Yeah. Tom.

13  
14 MR. CARPENTER: I just have two  
15 questions for Terry. The non-subsistence areas  
16 identified by the joint Board are those the same as the  
17 non-subsistence areas recognized by the Federal Board?

18  
19 MR. HAYNES: Similar but not the same.

20  
21 MR. CARPENTER: Okay. And then one  
22 other question, and it's in regard to the State Tier II  
23 system, at least in my opinion, the Tier II formula for  
24 counting, I mean there's much debate about how the  
25 questions and the way you go about giving a Tier II  
26 permit, how come the State doesn't take every Tier II  
27 system and instead of trying to differentiate between  
28 me and you and Gloria and o see who determines who has  
29 the most point to go hunt, why don't they make all Tier  
30 systems a drawing, wouldn't you give everybody that  
31 qualifies for the Tier II permit exactly the same  
32 opportunity. The only reason I say that is because if  
33 you were a new resident to an area that's a qualified  
34 community or you're a very young person, you have a  
35 very, very low chance of ever getting a Tier II permit,  
36 but if it was a drawing permit for a Tier II hunt, you  
37 would have the exact same chance of getting one of  
38 those permits, wouldn't that be a more fair way to do  
39 it on the State side?

40  
41 MR. HAYNES: Mr. Chairman. Tom. That  
42 question has been raised by a number of people  
43 especially in the context of the Nelchina Caribou hunt  
44 where some people are fearful that they will never have  
45 the opportunity to hunt Nelchina caribou because of the  
46 Tier II system that weighs.....

47  
48 CHAIRMAN LOHSE: Age.

49  
50 MR. HAYNES: .....age and experience,

1 literally, and -- but those are the cards we were dealt  
2 with the criteria that the State must use to  
3 distinguish between otherwise qualified individuals.  
4 And every year -- nearly every year that the Tier II  
5 system has been in place, at least, for wildlife, the  
6 Board of Game has tinkered with the application process  
7 and the point system, s it's a very controversial  
8 system and I don't think very many people are happy  
9 with it and primarily those who have to participate  
10 because that's where their primary hunting takes place.

11  
12 I don't know what the future may hold,  
13 if at some point in time there might be something like  
14 the Cordova moose hunt where there's some conclusions  
15 made that we're all similarly situated because we live  
16 in this area or we all hunt the same population and  
17 let's put our name in the hat and draw out so many.  
18 Whether that could become a possibility some day, I  
19 don't know, but I don't believe we could do that right  
20 now on the State side.

21  
22 CHAIRMAN LOHSE: Any other questions  
23 for Terry or Steve.

24  
25 (No comments)

26  
27 CHAIRMAN LOHSE: Anybody in the  
28 audience have any questions for Terry or Steve that you  
29 would like to make comments on it.

30  
31 Heather, you'd like to give public  
32 testimony on it, we can allow that then.

33  
34 Okay, this is not an action item by our  
35 board, or by our Council, this is an informational item  
36 if I understand correctly, am I correct on that Donald?

37  
38 (No comments)

39  
40 CHAIRMAN LOHSE: Steve.

41  
42 MR. KESSLER: Mr. Chairman. I don't  
43 believe that is correct, I think we are asking for  
44 comments from the Councils that the full text of the  
45 draft protocol is provided for Regional Council review  
46 and comment.

47  
48 CHAIRMAN LOHSE: For comment, right.

49  
50 MR. KESSLER: It's another one of these

1 protocols or the policies where the Board wants to hear  
2 from the Councils before taking any final actions on  
3 these.

4  
5 CHAIRMAN LOHSE: But it's a comment,  
6 not an action item like we vote it up or vote it down.

7  
8 MR. KESSLER: That depends on how you  
9 want to handle it.

10  
11 CHAIRMAN LOHSE: Okay.

12  
13 MR. KESSLER: Some other Councils have  
14 done that, the most useful, of course, would be  
15 specific comments of areas within the protocol that  
16 could be improved in certain ways, areas that you think  
17 that it might perhaps be wrong, et cetera. But of  
18 course to really get into that sort of detail takes a  
19 considerable amount of time, but that would be the most  
20 useful for us to move forward with.

21  
22 Thank you.

23  
24 CHAIRMAN LOHSE: Thank you, Steve.  
25 Thank you, Terry. And don't run away because you're  
26 probably going -- another question Pete.

27  
28 MR. KOMPKOFF: Well, I was just going  
29 to ask, Mr. Chairman, if the comments that we've made  
30 already would suffice as comments needed for this?

31  
32 MS. STICKWAN: No.

33  
34 CHAIRMAN LOHSE: The comments are part  
35 of the record but I don't think it would suffice  
36 because they're not official.

37  
38 MR. KESSLER: Mr. Chairman. I guess  
39 when just comments are sort of coming, we don't know if  
40 that represents one person's thoughts or represents the  
41 thoughts of the Council.

42  
43 CHAIRMAN LOHSE: Right.

44  
45 MR. KESSLER: So I think it's much  
46 better if we know what the Council's are concerned  
47 about.

48  
49 CHAIRMAN LOHSE: Right. That's what I  
50 was going to say, we can each make individual comments,

1 but if we're going to comment as a Council we need to  
2 comment through a motion.

3

4 Okay, at this point in time I'd like to  
5 take some public testimony if it's okay with the rest  
6 of the Council.

7

8 MR. CARPENTER: Sounds good.

9

10 CHAIRMAN LOHSE: Uh?

11

12 MR. CARPENTER: Sounds good.

13

14 CHAIRMAN LOHSE: And I don't know,  
15 Heather, is there anybody other than Heather that  
16 wishes to testify on this one?

17

18 (No comments)

19

20 CHAIRMAN LOHSE: Heather.

21

22 MS. KENDALL-MILLER: Thank you, Council  
23 members. I'm actually going to offer my testimony on  
24 behalf of Roy Ewan's tribe so that it's on record, that  
25 I'm not here in my individual capacity but that I'm  
26 reflecting the views of Gulkana.

27

28 Now, I want to -- I think each of you  
29 have received maybe a copy of the Southeastern Regional  
30 Advisory Council's actions on policy and protocols.  
31 And I actually want to go down -- I agree with each of  
32 their recommendations or the reasons and I'd like to  
33 elaborate upon each of those. So to give a greater  
34 understanding of why I believe this is an action item  
35 and not just one, that the RAC should make comment  
36 about, earlier I made reference to the fact that  
37 changes, substantial changes that take place within the  
38 Federal Subsistence Management System are changes, if  
39 they are changes that impact upon people, those changes  
40 have to go -- are lawfully -- must go through a  
41 procedure, they must go through the rule-making  
42 procedure where the public can be involved in asking  
43 questions that things are put into regulation form and  
44 they go out for comment and they come back.

45

46 However, in recent years we have seen  
47 that the Federal Subsistence Board, at the direction of  
48 the Department of the Interior, has been characterizing  
49 certain things as mere policy rather than substantive  
50 issues that require formal rule-making. This took

1 place a number of years ago with respect to the  
2 decision to expand the Regional Advisory Councils to  
3 have designated seats for sport and commercial  
4 interests. That was deemed an internal policy within  
5 the authority of the Secretary to make. That was  
6 challenged and the court held that, no, that just  
7 wasn't a mere policy that was an issue that affected  
8 the rights of subsistence users, so, therefore, it had  
9 to go back down and go through the proper  
10 administrative procedure, it had to go through rule-  
11 making and such.

12  
13                   So I'm here to tell you that what you  
14 are seeing in this protocol is actually another one of  
15 these major changes that the Secretary has Federal  
16 Subsistence Board to make and, yet, it is of an extreme  
17 substantive nature, it is going to change the way that  
18 decisions are being made now.

19  
20                   I want to, again, reiterate, now, most  
21 of you know that you are here today because we have a  
22 dual system of management. The State of Alaska has  
23 been unable or refused to bring its laws into  
24 compliance with ANILCA, and as a consequence of that  
25 the Federal system has had to adopt this administrative  
26 system to carry out the mandates of ANILCA and provide,  
27 ensure that subsistence users will have the priority  
28 that they are entitled to under Title VIII. This has  
29 been the case for over a decade now. And over the  
30 course of this past 10, 12 years there have been  
31 differing decisions made by both the State courts and  
32 the Federal courts that have had the responsibility of  
33 interpreting State law versus Federal law. Now, what  
34 the protocol proposes to do is to utilize essentially a  
35 device that the State has come up with, the subsistence  
36 use amounts necessary, this is a standard that you will  
37 not find in Federal law, you will not find it in  
38 ANILCA, it is strictly a term of art that is used  
39 within the State system, and it is much more limited  
40 than what we have under Federal law.

41  
42                   Under the State system, the State  
43 subsistence statute merely requires that the State  
44 identify that part of a fish or wildlife population  
45 that is used for subsistence so long as the subsistence  
46 users are given a reasonable opportunity to meet their  
47 subsistence needs, the State priority is satisfied.

48  
49                   In contrast, the Federal subsistence  
50 protections under ANILCA are much more extensive.

1 ANILCA broadly protects a customary and traditional  
2 subsistence way of life, not just some reasonable  
3 opportunity to meet amounts needed for subsistence.  
4 ANILCA protects things as customary and traditional  
5 timing, patterns, duration of subsistence activity, as  
6 well as the customary and traditional methods and means  
7 and seasons of harvest. As one Federal judge has  
8 ruled, need is not the standard under ANILCA, ANILCA  
9 protects much, much more than needs.

10

11                   With that I wanted to focus your  
12 attention if you will bear with me, on the Southeast  
13 RAC's actions and policies on protocols. And I'll  
14 mention to you that I have great respect for that  
15 particular RAC and for its former Committee Chair, John  
16 Littlefield, who, unfortunately just stepped down after  
17 losing his mother, he decided that he was going to  
18 devote himself to the remainder of his time, to his  
19 activities. But John Littlefield was a brilliant man  
20 in my consideration and put down for the record the  
21 reasons why they rejected the policies and protocols  
22 here. Now, before I jump into this, I want to, again,  
23 state, for those of you who know me, I practice law and  
24 what you say around this table is important, it forms  
25 the record of decision that a court will look at. So  
26 if you feel strongly that the Board is instructing you  
27 to do something that takes away your authority then  
28 it's important for you to put that down in the record,  
29 that your authority, as you understand it, under  
30 ANILCA, is being taken away under some guise as policy.  
31 And that is what the Southeast RAC attempted to do in  
32 issuing this letter or these reasons, actions on  
33 policies and protocols.

34

35                   It attempted to articulate the reasons  
36 why they felt that adoption of the subsistence use  
37 amounts was improper and should go through a formal  
38 rule-making process instead.

39

40                   Their first reason that they offered.

41

42                   A. Adoption of use of the State of  
43 Alaska amounts reasonably necessary for  
44 subsistence uses would be a major  
45 change to the way the Federal  
46 Subsistence Management Program has been  
47 implementing ANILCA and it would have  
48 potentially a substantial affect on the  
49 subsistence users the Federal law is  
50 attempting to protect. For this reason

1 SERAC requests a formal rule-making  
2 procedure to be followed, to consider  
3 the substantial change. Such a rule-  
4 making may be required under the  
5 Administrative Procedures Act.  
6

7 I would add to that that I, as an  
8 attorney, believe that it would be absolutely required  
9 under the Administrative Procedures Act for any such  
10 change such as this to be put forth and to go before  
11 the Board, before the RACs, for their advice and  
12 recommendation.  
13

14 Again, under ANILCA, you have been  
15 vested with statutory authority to develop  
16 recommendations on subsistence uses of the fish and  
17 wildlife, and that includes issues such as this.  
18

19 B. No further action on this protocol  
20 shall take place without a statewide  
21 meeting of Council Chairs and Council  
22 members and perhaps other subsistence  
23 representatives to discuss this  
24 protocol from a Council perspective.  
25

26 Again, you have the statutory authority  
27 under ANILCA, the Secretary -- you are more than just  
28 an Advisory Council, the Secretary has a statutory  
29 obligation to accept your recommendations unless they  
30 fail for three reasons. This is a mandate under  
31 ANILCA, and, yet, the Council, the Council of Chairs  
32 have left out of this process. They are calling this a  
33 protocol as between the Federal and State system, but,  
34 again, I state it is more than that.  
35

36 C. Use of the State of Alaska amounts  
37 reasonably necessary for subsistence  
38 uses is not required under ANILCA and  
39 may contradict the clear intention of  
40 ANILCA.  
41

42 The materials that you have plainly  
43 state that, that there is nothing in ANILCA that  
44 requires the Federal Management System to adopt or  
45 quantify subsistence uses in the nature that the State  
46 has suggested. There is no mandate in ANILCA. You  
47 would be adopting again -- or the Federal Subsistence  
48 Management System would be adopting something that has  
49 been invented under State law.  
50

1 D. The amounts presently in the  
2 administrative code appear to be very  
3 low and highly inaccurate. These  
4 numbers do not reflect the known actual  
5 subsistence use in the Southeast  
6 region. For many species in Southeast  
7 Alaska there are no State of Alaska  
8 amounts reasonably necessary for  
9 subsistence uses in the code. The  
10 Council and Federal Subsistence Program  
11 should not defer to future actions of  
12 the State Board of Game and Board of  
13 Fisheries in establishing use  
14 guidelines.  
15

16 Now, this is a point that I have heard  
17 repeatedly from people, subsistence users up and down  
18 the Yukon, the Kuskokwim, the Copper River. As was  
19 mentioned by Terry, this is not a new idea, it's an  
20 idea that's been circulating around for a couple of  
21 years, and many people were very concerned about this  
22 for that very reason. The State's way of coming up  
23 with numbers, often times starts from the bottom. It  
24 does not take into consideration the variations that  
25 occur over time. It is not an accurate method of  
26 determining the actual amounts of subsistence uses that  
27 users rely upon.  
28

29 E. Subsistence uses are subject to  
30 natural variation, times of abundance,  
31 and of scarcity which cannot be  
32 reflected in State of Alaska amounts  
33 reasonably necessary for subsistence  
34 uses.  
35

36 F. Councils have been excluded from  
37 the development of this protocol. In  
38 the case of the Southeast Council,  
39 Council members Garza and Kookesh were  
40 invited to participate, they were then  
41 removed from the working group before  
42 they had an opportunity to participate.  
43 Development of major program decisions  
44 should include participation of Council  
45 members and other subsistence users.  
46 Decisions of this level of importance  
47 cannot be left to the State of Alaska  
48 and Federal Staff.  
49

50 G. Tribal consultation needs to take

1 place on this protocol.

2

3 H. The Council notes that the Board of  
4 Game does not support the Memorandum of  
5 Agreement calling for cooperation with  
6 the Federal program. A recent  
7 development.

8

9 I read their comments into the record  
10 and wanted to elaborate upon them because I would like  
11 to recommend to you as Council, that you do likewise.

12

13 It's important for the record that you  
14 give your views. And this is an issue that will  
15 ultimately result in litigation if the Federal  
16 Subsistence Board decides to adopt this protocol and  
17 implement the State system for determining what are  
18 subsistence use amounts.

19

20 CHAIRMAN LOHSE: Heather, can I ask you  
21 a question.

22

23 MS. KENDALL-MILLER: Yes.

24

25 CHAIRMAN LOHSE: I was trying to go  
26 through this a little bit while you were talking and is  
27 the Federal government adopting the ANS -- I mean the  
28 SUAs haven't been decided, so I mean are they adopting  
29 or are they recognizing that the State has -- that  
30 under the current State system there are amounts  
31 necessary for subsistence for subsistence that the  
32 State has adopted, but in this policy was the Federal  
33 government saying that they were going to recognize and  
34 adopt these amounts?

35

36 MS. KENDALL-MILLER: My understanding  
37 of the protocol is that those amounts will be the  
38 starting point. That, yes, they will adopt those  
39 amounts. On Page 195, you seen the specific steps  
40 outlined in the protocol the Federal Program will  
41 recognize and use State ANS findings in the development  
42 and implementation of subsistence harvest regulations.

43

44 Now, the State's findings and ANS are  
45 put into regulations. But what is being proposed by  
46 this protocol is although the Federal system will adopt  
47 these ANS findings as it's starting point and maybe  
48 adjust them here or there, based upon proposals that  
49 become before them, they will not be put into  
50 regulation form.

1 CHAIRMAN LOHSE: Uh-huh.

2

3 MR. HAYNES: Mr. Chairman.

4

5 CHAIRMAN LOHSE: Yeah, I mean I guess  
6 it depends on how you read that. I guess I read that  
7 different, that they would recognize them and use them,  
8 but I looked at them as they would recognize that  
9 somebody's done that work but that doesn't mean that  
10 they use them and adopt them. But from the way you see  
11 it that would be adopting them and then starting from  
12 there?

13

14 MS. KENDALL-MILLER: That's correct.  
15 They would be using as their primary starting point for  
16 making decisions and then those, if a proposal was  
17 brought before a Council, saying this does not  
18 accurately reflect our uses, then additional  
19 information could be brought before the Board for a  
20 decision to up or lower or whatever, but that would be  
21 the starting point.

22

23 CHAIRMAN LOHSE: Terry, did you have a  
24 comment on that.

25

26 MR. HAYNES: Yes, Mr. Chairman, I'd  
27 like to clarify something.

28

29 This question was discussed by the  
30 protocol work group and the State has no interest in  
31 having the Federal system adopt into regulation the  
32 State's amounts necessary for subsistence findings.  
33 This is a point perhaps we should have discussed more  
34 when Steve and I made our presentation.

35

36 The State's amounts necessary for  
37 subsistence findings apply to all lands, harvest on all  
38 lands. If the Federal Board was to adopt those  
39 findings into Federal regulation, they could only apply  
40 to Federal lands because the Federal Board has no  
41 authority on State and private lands, so it would not  
42 be an accurate representation of Federal harvests or  
43 harvests -- or amounts necessary for subsistence taken  
44 from Federal lands. So that was one reason that we  
45 have absolutely no interest in having the State system  
46 adopt formally into regulation the State's findings.  
47 The State was interested in having the Federal system  
48 utilize the State's findings as one tool in its tool  
49 kit.

50

1                   So I want to make clear, and what the  
2 Federal Board may do at some point is adopt specific  
3 Federal subsistence use amounts findings that would  
4 apply only to Federal lands.  
5

6                   CHAIRMAN LOHSE: Steve, you had  
7 something you wished to add to that. That's an  
8 important question to me. Because, you know, like I  
9 said I was recognizing it from a different standpoint  
10 and it was interesting that Heather brought it out from  
11 the other way and I can see where that fear could be.  
12 I can also see what Terry said that if you had an area --  
13 if you had a unit that had or an area that had very  
14 little Federal land and you had a State finding for  
15 that unit that covered the whole unit, you know, if you  
16 adopted it you could have a real high finding for the  
17 small amount of Federal land. But Pat.  
18

19                   MS. PETRIVELLI: Well, and I guess -- I  
20 got to be on that little work group, too.  
21

22                   But on Page 201, we have the protocol  
23 in the book for you. But on Page 201, in some of those  
24 bullets, I guess it's the fourth bullet, it does say  
25 that ANS findings will not be adopted into these  
26 Federal subsistence regulations but when you go down  
27 one, two, three, three bullets there, it says Federal  
28 managers and delegated officials will recognize and use  
29 ANS findings in planning in-season decisions and post-  
30 season evaluations unless the Board has determined. So  
31 like Heather was saying, this protocol says that the  
32 program will make their decisions, use the ANS findings  
33 as a starting point. So this is your opportunity to  
34 comment upon aspects of this protocol and how you feel  
35 that would affect your use.  
36

37                   But it says right there, Federal  
38 managers and delegated officials will recognize and use  
39 ANS findings. So I mean, of course, theoretically they  
40 would, you know, make them applicable to the lands in  
41 question and the communities in question but those  
42 would be the starting points.  
43

44                   And of course then the State said that  
45 if we do -- if the Federal program does change them  
46 then we have to create the record, or the basis for  
47 changing them, which is later in there, too.  
48

49                   That's all I had to say.  
50

1 Thank you.

2

3 CHAIRMAN LOHSE: Thank you.

4

5 MS. KENDALL-MILLER: Thank you. And  
6 can I build off on -- thank you very much, and much  
7 more articulated explained that.

8

9 CHAIRMAN LOHSE: Thank you, Pat. And  
10 if you look at the next two down there, they're even  
11 stronger.

12

13 MS. KENDALL-MILLER: That's right.  
14 That's right. And that's my point, being, is that,  
15 this protocol is suggesting a starting point that is  
16 basically illegal when it comes to the Federal system  
17 because it's must more restrictive, and if that's the  
18 starting point from which you base -- the burden shifts  
19 to the subsistence users to come before you and put a  
20 proposal before you that may not be acted upon in time  
21 for the next season or the next season after that, but  
22 the burden falls on their shoulders to show you or  
23 present more additional information or evidence that  
24 they should have a greater subsistence use amounts than  
25 what the State has determined.

26

27 So it substantially changes the current  
28 way of determining.

29

30 CHAIRMAN LOHSE: Dean.

31

32 MR. WILSON: Could you, Heather, shed a  
33 little light on the normal rule-making process through  
34 the Administrative Procedures Act?

35

36 MS. KENDALL-MILLER: Yes. That law  
37 pertains to rule-making, and it requires that bodies  
38 such as yourselves, that accept proposals and such,  
39 give the public an opportunity through notice and  
40 comment. That means that whenever a regulation is  
41 going to be adopted that defines the rights and  
42 responsibilities of individuals, that the public be  
43 notified, that consideration of this proposal is taking  
44 place, that they can then come forward and put on  
45 record like we are doing here, their opposition or  
46 support, to such proposals. Then it goes back to the  
47 administrative agency for their consideration, they  
48 examine the public comment and then they give their  
49 reasons, their justifications in writing for why they  
50 are either rejecting or accepting the public comments

1 in their rule-making. And that is then published  
2 through what's called the Federal Register, and that  
3 becomes the formal record, the Administrative Record,  
4 that any court then would review if a particular  
5 individual or community or tribe elects to challenge  
6 that regulation as being inconsistent with ANILCA or  
7 State law.

8

9 MR. WILSON: Just as a follow up to  
10 that.

11

12 CHAIRMAN LOHSE: Dean.

13

14 MR. WILSON: And your feeling is if  
15 this protocol went through that rule-making procedure,  
16 it wouldn't pass?

17

18 CHAIRMAN LOHSE: Heather.

19

20 MS. KENDALL-MILLER: I feel strongly --  
21 well, you know, it depends on the public support or  
22 objection to this. I believe that what takes place at  
23 the administrative level is very important because  
24 courts will typically defer to agencies that have  
25 expertise in these areas, and administrative bodies  
26 such as yourself, but it will also look to see whether  
27 or not the regulation in question is legal. Does it  
28 fulfill the obligations, or whatever, statutory-wise.  
29 And so I, personally, would -- am of the view that it  
30 may very -- it may or may not, you know, depending on  
31 the RACs, depending on what you, as RACs choose to do  
32 with this, and the public that comes forward, whether  
33 or not it would gain support. At that point then,  
34 whatever decision that would be made, whether it was  
35 for or against, would then be subject to judicial  
36 review.

37

38 But I guess the point, Dean, if I might  
39 add, is that because this is of such of a substantive  
40 nature, because it does change the way management has  
41 taken place over the past 12 years, it is more than  
42 just a policy, it is something that really should go  
43 through the rule-making requirements.

44

45 CHAIRMAN LOHSE: Tom.

46

47 MR. CARPENTER: Yeah, Heather, thanks a  
48 lot. Like the Chairman said, myself, when I read this,  
49 I actually came up with a little bit of a different  
50 interpretation then I think that I'm getting now, and I

1 appreciate you coming forward.

2

3

4 You know, reading some of these  
5 concerns that the Southeast RAC had, I mean a couple of  
6 them particularly, A, D, and they -- they seem a little  
7 bit questionable to me. But just to be clear on this  
8 rule-making, you're not opposed to this idea or this  
9 concept of idea taking place as long as the protocol is  
10 followed and the general public has the ability to  
11 comment on this; is that correct?

11

12

13 MS. KENDALL-MILLER: No, that's not  
14 correct, I am opposed to it. I believe that what is  
15 being proposed is lifting a term, a legal term of art  
16 that has been developed through the State system and  
17 imposing that into the Federal Subsistence Management  
18 System where it is unauthorized by ANILCA, has no  
19 place, does not belong there.

19

20

21 I am suggesting that even if it goes  
22 through the proper administrative process, which it  
23 should, it still, nonetheless, in my view would be  
24 illegal, inconsistent with ANILCA.

24

25

26 MR. CARPENTER: So I guess just to  
27 follow up. You know, in regards to the levels that the  
28 State has set, the numerical figures, how would you be  
29 more comfortable with the Federal Subsistence Board  
30 setting those levels, do you think that ought to be a  
31 complete public process in itself?

31

32

33 MS. KENDALL-MILLER: I think that the  
34 current system has been, one, that has worked in the  
35 sense, that it has taken into consideration, as I said,  
36 all those aspects of customary and traditional uses  
37 that are not taken into consideration in the State  
38 determinations because under State law taking a  
39 resource is just that, it's just going out and hunting  
40 or killing something, it does not encompass the  
41 customary and traditional methods and means, of bag  
42 limits, approaches, seasons, any of that. The two  
43 systems are so far apart at this point in time that  
44 they are not capable of being brought together again  
45 without a Constitutional amendment and implementing  
46 State law.

46

47

48 MR. CARPENTER: I guess, just excuse me  
49 for belaboring this issue, but I guess in my opinion, I  
50 mean agree with you that all of those things, timing,  
51 pattern, durations, means, methods, all those things

1 need to be taken into consideration, but I would hope  
2 that we would agree that there has to be some limit,  
3 some, you know, each village is going to be a little  
4 different than the next village, each one is going to  
5 need -- but each village also has to recognize that  
6 there is a -- there has to be a limit to what that is  
7 and I guess I'm not sure how we're going to get to that  
8 point.

9

10 MS. KENDALL-MILLER: I think that most  
11 villages, and Gloria correct me if I'm wrong, do have a  
12 very clear idea of what is and has been their historic  
13 customary and traditional uses and amounts, amounts  
14 that they have, you know, taken in past years.

15

16 I remember Katie John talking about,  
17 you know, the amount of fish that would run up the  
18 rivers in Batzulnetas, you know, 60 years ago when she  
19 was a child and her understanding of the amounts that  
20 their communities relied upon at the time. I don't  
21 think that those numbers are unquantifiable at all.  
22 I'm just suggesting that the Federal system should not  
23 be adopting a State system that is legally inconsistent  
24 with the Federal mandate.

25

26 MR. CARPENTER: Thanks.

27

28 CHAIRMAN LOHSE: Rod.

29

30 MR. CAMPBELL: Thanks. For the record,  
31 Rod Campbell, OSM. There may be a little bit of  
32 confusion somewhere, maybe I'm the one that's confused  
33 but we're not -- my intention, anyway, when we -- I was  
34 originally on this committee but I haven't been on it  
35 since it was put up as a priority but I do get updates  
36 on that. Just for Mr. Carpenter's note there and it  
37 was mentioned before, this is not a cap, this is in no  
38 way any kind of a cap for the State system or with the  
39 Federal Staff or OSM or anyone, agree to having a cap  
40 set. I mean that was one of the big misunderstandings,  
41 especially along the Yukon River, there was a lot of  
42 mistrust there that this was some kind of cap, and if  
43 they put in a range of harvest and you exceeded that  
44 upper end say using the State's ANS, that, in somehow  
45 they would limit their harvest, and that's not the  
46 case, that's not the case at all.

47

48 Terry had mentioned the way the State  
49 looks at that, it's part of their -- one tool in their  
50 tool box, and you eloquently presented that, there's a

1 lot more to subsistence than just reasonable  
2 opportunity that the State uses, certainly on the  
3 Federal side, there's a lot of other things involved.  
4 And all the Federal managers will still be looking at  
5 that.

6  
7                   What happens is, is when the State and  
8 the Federal managers, and I'm using the Yukon as an  
9 example, when they meet pre-season, in-season, post-  
10 season to try to look at these things, they are still  
11 managers and they're looking at numbers. We do have  
12 weekly teleconferences with everybody along the Yukon  
13 River and the questions are, you know, are your needs  
14 being met, how is the fishing going and we try to get a  
15 representation of everybody but you don't always do  
16 that. You find out post-season, maybe not everybody  
17 got their needs or what they wanted for different  
18 reasons. But the Federal managers, still, as they work  
19 with the State to see when the openings are going to be  
20 and the duration and making sure they're providing for  
21 the Federal-qualified users, as a manager you really  
22 can't get away from numbers. I mean they're looking  
23 for something to at least part of their  
24 responsibilities as a gage or to a benchmark is what  
25 kind of numbers do we need to get to these places to  
26 help, you know, ensure that they are getting those fish  
27 and these are no guarantees and we're certainly very  
28 adamant that these were not going to be adopted into  
29 regulation as Terry Haynes said because Federally-  
30 qualified users are a subset of that larger unit that  
31 ANS has.

32  
33                   And a lot of Federal Staff have looked  
34 at these ANS and there's certainly more information and  
35 better numbers than in other places, you know, they all  
36 need to be improved. But we weren't going to adopt  
37 this, it was going to try to be, again, one other tool  
38 to help both Federal managers to try to see where  
39 they're at in the run and to try to provide for these  
40 needs.

41  
42                   You know, so thank you, Mr. Chair.

43  
44                   CHAIRMAN LOHSE: Thank you, Rod. Any  
45 questions. Dean.

46  
47                   MR. WILSON: Looking through the  
48 purpose of the protocol, it talks about that it's a  
49 process for considering a portion of the harvestable  
50 surplus necessary for subsistence use. And then after

1 that, and the reason it says, to allow for other  
2 beneficial uses of fish and wildlife. I see in the  
3 SERAC, they didn't have folks that were involved with  
4 the development of this protocol and I understand that  
5 there was a couple of folks that were excluded that  
6 were initially in there. I'm trying to get this  
7 figured out as to why this was even originated. Why it  
8 was even originated and not to be passed through is  
9 just an idea, initially, because it sounds like this is  
10 something that's being proposed.

11

12 CHAIRMAN LOHSE: Rod.

13

14 MR. CAMPBELL: Mr. Chair. Maybe  
15 someone else in the room with a little better  
16 knowledge, my understanding was this was part of the  
17 original interim Memorandum of Agreement, and somebody  
18 can correct me if I'm wrong, where they did say that  
19 they would establish certain protocols for different  
20 things, and I believe that was one of those that was  
21 listed in there, among other protocols, to work with  
22 the State and Federal people on. And there was an  
23 active MOA group between State and Federal  
24 representatives to try to work through all these  
25 things, and just recently and it was in the letter that  
26 was provided in that yellow handout, was where the  
27 State had moved that up to a priority, to try to get  
28 done, before they were working and finishing up these  
29 other protocols that were in the works.

30

31 And originally there were Council  
32 representatives on there and I believe because of the  
33 FACA requirements that they were no longer able to  
34 participate on those, and so that was why. And I know  
35 initially when I was on there that we did have  
36 representation from the Council members and that was,  
37 you know, they were greatly disappointed when they were  
38 off there, but they did have initial input in these  
39 groups as they were just starting to form.

40

41 I don't know if that answered your  
42 question or not.

43

44 CHAIRMAN LOHSE: Dean.

45

46 MR. WILSON: Well, yeah, part of it.  
47 So this protocol was actually originated through a  
48 Memorandum of Agreement between the State and OSM, you  
49 were mandated to do it -- or not mandated but you were  
50 directed to get together and come up with an amount

1 that -- portion for harvestable surplus necessary for  
2 subsistence uses, and I'm still trying to grasp this  
3 portion here to allow for other beneficial uses of fish  
4 and wildlife when harvestable -- so they're trying to  
5 find out how much the subsistence need is so they can  
6 get the remainder of it and do something with it, is  
7 that what this is for?

8

9 MR. CAMPBELL: I can't speak for the  
10 State, but the way you have your priorities for  
11 fisheries, obviously you have to have what your  
12 escapement needs are, first, no matter what, before  
13 subsistence or any other uses, and then once you get  
14 that, that's one of the reasons that -- you know, if  
15 you have escapement goals set up and then you have, at  
16 least, as a manager have some kind of number or range  
17 of numbers that are needed to provide for subsistence  
18 uses and if you put that on top of what your escapement  
19 goals are, that, at least, gives you some kind of  
20 benchmark of where you're at if you can provide for any  
21 of these other uses which may be on the State side  
22 could be commercial uses.

23

24 So that's my understanding of the way  
25 that it set up.

26

27 Once you -- you have to get your  
28 escapements first and you certainly have to provide for  
29 subsistence and to me, the State's here -- as far as  
30 ANS would be to provide that amount that -- that range  
31 for the subsistence uses, and then you can consider  
32 commercial or sport or any other uses after this. So I  
33 think that's what this is, other uses.

34

35 But -- no, I'll just leave it at that.

36

37 MS. KENDALL-MILLER: Can I just ask  
38 then, then you think -- the way I read it, it is  
39 something that's going to impact allocations, it's a  
40 management tool for purposes of assisting in  
41 allocations.

42

43 MR. CAMPBELL: My understanding, even  
44 on the State side, subsistence isn't an allocation.  
45 When you do allocations it's between commercial, sport  
46 and personal use interests on the State side. What it  
47 does, I guess anything, any time you have more than one  
48 use, there's allocation -- there would be implications  
49 in there. Again, after you get your escapement and  
50 then you have subsistence, you have to be able to not

1 unduly restrict other uses if you are providing for the  
2 subsistence. And we don't want to use the State ANS,  
3 we don't want to have the reasonable opportunity thing,  
4 you said there's a lot more to it than that, but I  
5 think what we're looking at here is to give the  
6 managers some kind of indication, quantitatively to  
7 help guide them, anyway, to make sure they're getting  
8 enough fish up there. They would still be having input  
9 from the users, whether it be in the Yukon, like the  
10 teleconferences or any other way to get out to see if  
11 the people are actually meeting their needs, but much  
12 more to it than straight allocation for us -- you know,  
13 we don't open up the commercial fisheries, but we're  
14 just trying to make sure that the subsistence people  
15 get their needs met but to have some kind of numbers to  
16 assist the Federal managers to make sure that they're  
17 not signing off on the State commercial fishery if they  
18 feel that these needs aren't being met.

19

20 CHAIRMAN LOHSE: Heather.

21

22 MS. KENDALL-MILLER: Well, I'd like to  
23 just add that I agree that numbers are part and parcel  
24 of managing and the point that I want to come back to  
25 is the starting point for those numbers cannot be a  
26 system that is inconsistent with ANILCA.

27

28 CHAIRMAN LOHSE: Thank you, Heather.

29 Any other questions.

30

31 MR. WILSON: One more.

32

33 CHAIRMAN LOHSE: Dean.

34

35 MR. WILSON: You mentioned up at the  
36 Yukon you guys go and the meetings that you guys have  
37 had up there, that you've come up with good information  
38 as to the amounts that people are using, their use, I  
39 believe you referred to that, so the present system for  
40 right now for finding out how much is used up there  
41 isn't sufficient?

42

43 MR. CAMPBELL: Mr. Chair. What I said  
44 is we have a weekly teleconference that Yukon River  
45 Drainage Fisheries Association facilitates and they get  
46 people on line all the way up and down the Yukon, all  
47 the way up into Canada and they go -- as the fish come  
48 in and they follow them up there. And they have  
49 different technicians and representatives in villages  
50 along the way to kind of take a poll of the subsistence

1 users and to see how they're doing.

2

3                   Some post-season analysis, we have  
4 received letters from different groups to say that the  
5 needs weren't being met, however, every -- and the  
6 Federal and State managers and everyone else are  
7 listening to the teleconferences and everybody says  
8 everything was going fine, so I don't know if I want to  
9 use, good, I think we have good information, we're  
10 getting a lot of input but it certainly doesn't cover  
11 100 percent of the subsistence users. It can be  
12 improved, and they're working to try to do that, to try  
13 to get as much information as they can, but there still  
14 has been some criticism that some needs haven't been  
15 met but the managers have to hear that and that was the  
16 forum for this teleconference, at least in the Yukon  
17 was at least to provide everybody an opportunity to  
18 give them the input, if they're not getting their fish  
19 they need to let somebody know, you can't help them if  
20 you don't know and that's kind of a frustrating point.

21

22                   CHAIRMAN LOHSE: Rod, can I ask you a  
23 question and maybe somebody else would need to answer  
24 that. Just going through SERAC's thing and in E, where  
25 it says it's subject to natural variation, and one of  
26 the things you were talking about on the Yukon is  
27 trying to see if everybody's subsistence needs are  
28 being met, and yet we know through natural variation  
29 that no matter how hard you try to meet everybody's  
30 subsistence needs, the caribou can go through a  
31 different pass, they can go at a different timing,  
32 rivers change courses, channels change courses, things  
33 like that. Even if sufficient resources were there to  
34 meet these needs, individuals needs may not be met from  
35 everything from the fact that the rivers on the other  
36 bank or they were sick right during the time that the  
37 fish came through or the caribou went on the other side  
38 of the mountain so you can't hardly set up a program  
39 that's going to meet everybody's needs. And I guess to  
40 a certain extent, and I don't like to use that word,  
41 but, you know, what you can do is you can provide  
42 opportunity and that's what the State's talking about  
43 and still not have needs met simply because either  
44 people don't take advantage of what's there or  
45 conditions change, natural variations come, or that  
46 individual group of caribou or that run of fish is  
47 there for the year.

48

49

Rod.

50

1 MR. CAMPBELL: Yes, Mr. Chairman.  
2 That's absolutely true. In other parts of the state,  
3 Kodiak, for one, the preferred species isn't king  
4 salmon for subsistence but it's sockeye salmon, and  
5 that becomes a real problem with over escapement in  
6 some cases. You can provide a lot of fish and if  
7 people, for some reason, if it's raining and it's not  
8 proper weather to put them up or people are gone or  
9 their outboards are broken down or things like that,  
10 there's only so much fish that you can provide without,  
11 at least, in sockeye having a concern with  
12 overescapement so there's a balance there, they don't  
13 really have that in the Yukon, but there are places  
14 where you can not allow any other uses whatsoever,  
15 plenty of fish, overescapement -- or I don't want to  
16 say overescapement, above the upper end of the  
17 escapement goal and still some people would not meet  
18 their needs, that's right, for a variety of a number of  
19 reasons, it may be a big fire season, they may be all  
20 fighting fires somewhere, too.

21  
22 CHAIRMAN LOHSE: Yeah. And I think  
23 that was some of the things that were brought out in  
24 here. But one of the things that has been brought out  
25 is there are a lot of questions on both how this is  
26 going to be studied, how it's going to come down to a  
27 thing and some of the questions that have come out from  
28 Dean and a few of the others as to the way it would be  
29 applied. It's enough to show that the Council has  
30 questions on this. So maybe we want to take that into  
31 account as a we make a motion or if we decide what  
32 we're going to do at this point in time.

33  
34 Gloria.

35  
36 MS. STICKWAN: I just want to go on  
37 record stating that I think we need to go through a  
38 formal rule-making process. I think that the people in  
39 the villages, if they're consulted, can come up with a  
40 number for amounts, uses, for subsistence.

41  
42 CHAIRMAN LOHSE: You would like.....

43  
44 MS. STICKWAN: And it would still be  
45 the public process, if it is that way then maybe it  
46 will come to us and we will decide, well, are they  
47 being unreasonable -- are they being reasonable and  
48 that will hopefully give us a chance to say, because  
49 we're mandated by conservation, we have to look out for  
50 the resources. I'm certainly not going to say we need

1 10,000 fish, I mean to me that would be unreasonable.  
2 I would look at it and think about, yeah, I know these  
3 people and the numbers of communities and, yes, I think  
4 numbers are important but I think we need to go through  
5 this -- I'm not an articulate person but I do think  
6 that what I see right here, I think we should make a  
7 motion to pass this, if that's.....

8  
9 CHAIRMAN LOHSE: That you would make a  
10 motion to do what?

11  
12 MS. STICKWAN: What's written here, I  
13 don't know how to say it.

14  
15 CHAIRMAN LOHSE: You'd make a motion to  
16 support SERAC's questions?

17  
18 MS. STICKWAN: Yes.

19  
20 CHAIRMAN LOHSE: Would you also like to  
21 make a motion that you felt that this protocol should  
22 go through a formal rule-making process?

23  
24 MS. STICKWAN: Yes, that's what I said.

25  
26 CHAIRMAN LOHSE: That's what I was  
27 under the impression. You would like to make the  
28 motion that you feel that this protocol should go  
29 through a normal rule-making process, and that you  
30 support some of the questions that SERAC has brought up  
31 right here.

32  
33 MS. STICKWAN: I support all of  
34 their.....

35  
36 CHAIRMAN LOHSE: All of the questions  
37 that SERAC has brought up.

38  
39 Do I hear a second to that motion.

40  
41 MR. ENCELEWSKI: Second that motion.

42  
43 CHAIRMAN LOHSE: I hear a second to the  
44 motion. Okay, we have a motion on the table. Doug,  
45 would you.....

46  
47 MR. BLOSSOM: I wanted to ask  
48 Heather.....

49  
50 CHAIRMAN LOHSE: Heather.

1 MR. BLOSSOM: Mr. Chairman. I wanted  
2 to ask Heather another question before she left.

3  
4 CHAIRMAN LOHSE: We always.....  
5

6 MR. BLOSSOM: If in this subsistence  
7 use amount protocol, the wording was changed like ANS  
8 may be looked at and used as direction but the SUA will  
9 be the final decision and the way to proceed, would  
10 that make this a lot more palatable.

11  
12 MS. KENDALL-MILLER: No. I still would  
13 not find this particular protocol palatable.

14  
15 MR. BLOSSOM: Okay.

16  
17 MS. KENDALL-MILLER: Again, I want to  
18 thank the Board and the Council for giving me the  
19 ability to testify.

20  
21 Thank you.

22  
23 CHAIRMAN LOHSE: Thank you, Heather.  
24 Okay, we have a motion on the table, Dean are you going  
25 to speak to it.

26  
27 MR. WILSON: Yeah, I want to speak to  
28 that. I don't think that this Memorandum of Agreement  
29 between the State and the OSM, I don't think there was  
30 any ill-will that they brought it up towards the  
31 subsistence users. I do think that it's off-track.  
32 And I think it's looked at, I think, by them as more of  
33 a management type tool, but the one thing that I keep  
34 coming back to is it's not required by ANILCA. And  
35 when it has the potential to regulate the subsistence  
36 users then that, in my view, is enough for opposing it.

37  
38 So I'll support the SERAC actions as  
39 well.

40  
41 CHAIRMAN LOHSE: Greg.

42  
43 MR. ENCELEWSKI: Yeah, I'll just speak  
44 a little bit to my reasoning for feeling we should  
45 support SERAC.

46  
47 I also feel that it needs to go through  
48 a formal rule-making process, and I feel very strongly  
49 that I don't want to diminish any protection under  
50 ANILCA and I don't want to any shape or formed to be

1 construed to be pushed into the State regulations. I  
2 do see that the numbers and other things, and I see no  
3 reason they couldn't use numbers for management without  
4 having to go this route.

5  
6 Also I strongly feel that, and it was  
7 noted in the plan here the Council reviews, and I think  
8 that needs to go to the villages and others and that  
9 needs to come from that direction.

10  
11 Thanks.

12  
13 CHAIRMAN LOHSE: Thank you, Greg. Any  
14 other comments. Pete.

15  
16 MR. KOMPKOFF: Yes, I feel the same  
17 way. I support SERAC's decision. And I also feel that  
18 it should go through a formal rule-making process, and  
19 I would like to bring this before my Council as well.

20  
21 CHAIRMAN LOHSE: Any other comments.

22  
23 (No comments)

24  
25 MR. WILSON: Question.

26  
27 CHAIRMAN LOHSE: Question's been  
28 called. We have a motion before us, you have that  
29 motion clear enough, I don't have to repeat it, do I?

30  
31 (Council nods affirmatively)

32  
33 CHAIRMAN LOHSE: Okay. All in favor  
34 signify by saying aye.

35  
36 IN UNISON: Aye.

37  
38 CHAIRMAN LOHSE: All opposed, signify  
39 by saying nay.

40  
41 (No opposing votes)

42  
43 CHAIRMAN LOHSE: Motion carries  
44 unanimously. So Steve you'll be taking that back to  
45 Pete and everybody.

46  
47 MR. KESSLER: We got it.

48  
49 CHAIRMAN LOHSE: Wilson.

50

1 MR. JUSTIN: May I?

2

3 CHAIRMAN LOHSE: You may.

4

5 MR. JUSTIN: Thank you. Wilson Justin,  
6 Cheesh-Na Tribal Council and Mt. Sanford Tribal  
7 Consortium. Thank you, Gloria and Heather. We easily  
8 support all of the points brought up by Heather. It's  
9 a very good overview and we agree with the fundamental  
10 points.

11

12 I wanted to add for the record that  
13 Cheesh-Na very strongly supports your motion. And we  
14 feel that in all of these cases where there are  
15 deviations or variations in terms of impact, that the  
16 substantial -- or substantially activities of this  
17 Council should reflect upon subsistence users.

18

19 One of the things that we looked at in  
20 the protocol was the word, protocol. Now, earlier this  
21 morning and yesterday I spoke about community templates  
22 and activities, which is just another variation of what  
23 you would call protocol. And I used those terms  
24 deliberately as kind of a prefix to the discussion on  
25 this particular subject. Because we don't believe in  
26 allocation and we don't believe in allotment driven  
27 policies in terms of subsistence because harvest is  
28 what we really base our definition of subsistence on,  
29 not how many fish are taken or how many moose there  
30 are.

31

32 We feel that any time you deal with  
33 ANILCA, you're dealing with templates and protocols in  
34 terms of harvest by communities and harvest on species.  
35 And any time you look at allocation of numbers, that's  
36 reactive, you have to wait until you get the numbers  
37 before you can react to a situation. That makes  
38 subsistence a non-priority use, but if you have harvest  
39 protocols in place, like we're trying to develop that's  
40 proactive and you don't wait to get numbers before you  
41 actuate policies.

42

43 And I just wanted to put that on the  
44 table for your edification, that's been a long time  
45 Cheesh-Na's stance, that protocols and allocation  
46 methodology has to be proactive and not reactive.

47

48 Thank you.

49

50 CHAIRMAN LOHSE: Thank you, Wilson.

1 Okay, with that we were going to go on to the Bureau of  
2 Land Management if we may.

3  
4 Donald.

5  
6 MR. MIKE: Mr. Chair.

7  
8 CHAIRMAN LOHSE: Rather than taking a  
9 five minute break at this point in time, I'm just going  
10 to say that if anybody needs to take a break, you can  
11 be excused and come back on your own, just don't take  
12 five minutes, it doesn't take that long to go.

13  
14 (Laughter)

15  
16 MR. MIKE: Mr. Chair.

17  
18 (Laughter)

19  
20 CHAIRMAN LOHSE: I guess maybe we  
21 better -- since most of the Council just got up we'll  
22 take a break while they get set up.

23  
24 MR. MIKE: Mr. Chair. The Council has  
25 one more action item, it's the Council charter review,  
26 so it should be about five minutes.

27  
28 CHAIRMAN LOHSE: Which is the action  
29 item?

30  
31 MR. MIKE: The Southcentral Alaska  
32 Council charter review, it's on Page 19.

33  
34 CHAIRMAN LOHSE: Okay.

35  
36 MR. SAVEREIDE: Thank you, Mr. Chair.  
37 Members of the RAC. My name is James Savereide. I  
38 work with Alaska Department of Fish and Game, Sportfish  
39 Division out of Fairbanks.

40  
41 Since 1999 we've been radiotagging  
42 chinook coho -- or since 1999 through 2004 we  
43 radiotagged chinook salmon, and then in this last year  
44 in 2005 we did coho and steelhead. The coho funding  
45 sources is Federal aid sportfish dollars, but the  
46 steelhead in the last three years of the chinook came  
47 from OSM dollars and the first three years was a Fish  
48 and Game study. It's a cooperative project. The coho  
49 and steelhead and the last three years of the chinook  
50 was done with Fish and Game and the Native Village of

1 Eyak, an LGL, the first three years of the chinook was  
2 just Fish and Game.

3

4 My talk's not very long and I kept it  
5 really straight forward and didn't get into lots of  
6 numbers or statistics by any means. This is just an  
7 outline of the talk, just objectives, how we did the  
8 study, the methods involved, what we got from the study  
9 and how we feel. This is one of the Native Village of  
10 Eyak's technicians holding one of the coho.

11

12 So the objectives of all three studies  
13 basically, the chinook, coho and steelhead were to  
14 determine the spawning distribution of salmon, coho and  
15 steelhead in the upper Copper drainage and this  
16 includes all the tributaries basically of the wood  
17 stream of the dipnet area or Chitina.

18

19 The second one was to describe the  
20 stock specific migratory timing of the chinook, coho  
21 and steelhead in those same tributaries.

22

23 So I say described spawning  
24 distribution and run timing, well, how do we go about  
25 doing that, it's relatively simple. We capture and  
26 radiotag the chinook salmon, coho, and steelhead with  
27 these large fishwheels that the Native Village of Eyak  
28 had constructed. We put the radiotags in the fish from  
29 these fishwheels, we utilize a network of ground based  
30 radio stations and a series of aerial flights to track  
31 these fish throughout the drainage.

32

33 In all six years of the chinook study  
34 our sample size was 500 radiotags. Coho salmon was  
35 120. Steelhead was 130. We used a sofegel (ph)  
36 radiotags which is a fancy word for shoving the  
37 radiotag down their throat.

38

39 (Laughter)

40

41 MR. SAVEREIDE: And the antenna comes  
42 out through their mouth and it will hang out their  
43 mouth. They're implanted with just a little piece of  
44 PCV pipe, and you take a little measurement on the side  
45 of the fish to find where the radiotag goes, put it in  
46 and then pull the device out and the radiotag will stay  
47 inside. And there's some pictures that I'll show you  
48 of that.

49

50 So here's a picture of the Copper River

1 drainage except for the Delta. In the first three  
2 years of the chinook study we did all of our capture  
3 right below the dipnet fishery and then we moved down  
4 to the Native Village of Eyak fishwheels. This was  
5 just an easier way for us to catch the number of  
6 chinook we needed, before we were doing it dipnetting  
7 from a riverboat. In 2005 we did the coho and  
8 steelhead study, the Native Village of Eyak has a  
9 second group of wheels that are located below the  
10 dipnet fishery and that's where they do their recapture  
11 event of their mark/recapture project that Keith talked  
12 about a couple days ago, I think. So that's where the  
13 coho and steelhead tags went out.

14  
15                   There's a network of the radio towers.  
16 The first two towers are around the dipnet fishery and  
17 they're basically just used to enumerate the number of  
18 fish going in and out of this fishery. The second  
19 group of towers are located at the major tributaries,  
20 the Chitina, Tonsina, Klutina, Tazlina, Gulkana, then  
21 we have one here near the Gakona mouth that we use to  
22 enumerate all the upper Copper River fish we call them,  
23 so this tower enumerates all radiotagged fish that go  
24 up river north of Gulkana.

25  
26                   This last tower is on a chinook salmon  
27 escapement counting project that the Fish and Game has  
28 and since we have a crew there and we were doing  
29 chinook salmon initially we went ahead and put a tower  
30 up there with it.

31  
32                   And the last tower is just used to  
33 enumerate when we did chinook in Baird Canyon, how many  
34 successfully left the capture site. And this lower  
35 tower acts as that same thing, when we're radiotagging  
36 up in this area.

37  
38                   This is just a quick picture of a radio  
39 tower so you guys know what I'm talking about. This  
40 one is positioned on the Chitina River, 20 to 40 foot  
41 masts with two yaggi (ph) antennas, one antenna points  
42 down stream, one antenna points up stream. All this  
43 leads to a -- this is a Knack box, just a big giant  
44 tool box with two gel cell batteries, the data logger  
45 and the radio receiver and all this information can be  
46 downloaded to a lap top and we do that every seven to  
47 10 days.

48  
49                   So this is the nitty-gritty. This is  
50 the results of the study, and you can see the chinook

1 tags, a lot more were put out total just because we did  
2 it for six years, 500 each year, and the coho and  
3 steelhead we just started this last year.

4  
5                   Basically a fate (ph) is what I give  
6 the fish as its final destination. A fate of a spawner  
7 would be its furthest north location in a river,  
8 sometimes you'll fly and it be somewhere in the Tea  
9 Bay, the next time you fly it will be further up north,  
10 that would be its final spawning location.

11  
12                   Up stream migrants are fish that get  
13 radiotagged, leave the capture area, even swim through  
14 dipnet fisheries and even by a series of wheels but  
15 never end up going into a major tributary so we can  
16 never classify them as spawner or not spawner. And  
17 then you can see these personal use fishery, those are  
18 just chinook that were caught in the dipnet fishery,  
19 sportfishery and subsistence.

20  
21                   The biggest plus about radiotags is  
22 that you can deploy whatever number of radiotags and  
23 most of the time you can account for every single one  
24 of those radiotags. So if I put out 500 radiotags and  
25 I go out and fly, in between flying in the radio towers  
26 I can usually tell you what happened to every single  
27 one of those radiotags. If there were a few that I  
28 didn't see, most chances are those were unsuccessful,  
29 they were spit out or the fish didn't like the handling  
30 process and may have died.

31  
32                   Go ahead.

33  
34                   CHAIRMAN LOHSE: Well, didn't you lose  
35 count of some of them in that -- I mean in that  
36 personal use fishery didn't some of them disappear?

37  
38                   MR. SAVEREIDE: Well, for the sockeye  
39 stuff?

40  
41                   CHAIRMAN LOHSE: For the chinook.

42  
43                   MR. SAVEREIDE: Well, the chinook, what  
44 you would do -- we never had a fish that we completely  
45 lost. Like here's a fish that I tagged and then I  
46 never had it on a tower or -- and if I didn't you would  
47 find a lot of those tags below the capture site. There  
48 is where you would have this tag come into the dipnet  
49 fishery it would never reported as harvested, it never  
50 went up into an up river tributary but when you look at

1 the towers around the dipnet fishery, you would see a  
2 real high signal strength for that tag which means it  
3 was taken out of the water.

4

5 CHAIRMAN LOHSE: Uh-huh.

6

7 MR. SAVEREIDE: So in those cases we  
8 would infer that it was harvest and the highest that  
9 ever was was six year. In one year we inferred six  
10 were harvested without actually being turned in.

11

12 Most of the pictures are of steelhead  
13 because I've been working with kings and coho for so  
14 long that it was nice to have some steelhead

15

16 So this is the distribution of all the  
17 chinook stock, I'm only bringing in two in at a time  
18 here because if I throw them all up at once it gets  
19 kind of confusing. But we've got from '99 to 2004,  
20 this is just the percentage of the total escapement.  
21 So if you had 100 radiotags out there and 20 went to  
22 the Gulkana, 20 percent went to the Gulkana. So the  
23 upper Copper and the Gulkana are shown here. The next  
24 two are the Klutina and the Tonsina, and finally the  
25 Chitina and the Tazlina. And relatively speaking, the  
26 range of these is relatively stable. I know the bars  
27 are going all around but the five to 35 percent is  
28 where you see all the distribution estimates in all six  
29 years. The most variability is in these Chitina and  
30 the Gulkana stocks and the upper Copper also, and the  
31 Tazlina is the smallest is the most consistent.

32

33 This is just another way of looking at  
34 those maps and I know it's kind of hard to see but all  
35 these little colored dots are the actual fish that we  
36 found through the air and this is the upper Copper  
37 River drainage here and you can see all the water  
38 that's available here for fish to use. But right here,  
39 for example, you can see all those dots loaded into  
40 this section right here, that's the EastFork of the  
41 Chistochina River. The Slana River is running right  
42 here, here's Mentasta Lake, there's Kings and Bones  
43 Creek. These areas -- sometimes it's hard to tell  
44 exactly what creek it is but there's Drop Creek, Rufus  
45 Creek, there's a series, just a number of freshwater in  
46 here that the king salmon are utilizing. We get some  
47 down in the Sedona Creek and Gakona area and Spring  
48 Creek over here. This is just the Gulkana. Again, we  
49 see some of these mainstem that you would want to call  
50 Sourdough is right here in this area. We do get a

1 little -- some chinook salmon spawning in the mainstem  
2 around the Sourdough area and then the majority of it  
3 is above Sourdough and then also you get some up here  
4 in the WestFork.

5  
6 This is the Tazlina, again, a lot of  
7 water, but this one, only two creeks are being utilized  
8 essentially by the chinook. We have Kiana and  
9 Mendeltna. This is Klutina Lake, which hosts one of  
10 the two rivers that has an early and late run of king  
11 salmon. The early run tend to be tributary spawners,  
12 Anchor River, Maylow River and St. Anne Creek. The  
13 later returns trend to be mainstem spawners. And all  
14 these guys that fall out on the mainstem weren't  
15 necessarily actually spawning there, there's a lot of  
16 sportfishing that occurs on this stretch of the Klutina  
17 River and they very likely could have caught a radiotag  
18 and in the fight when they brought it in that tag was  
19 spit, it still was going to spawn in the Klutina so I  
20 can designate it as a spawner but I can't say for sure  
21 that every single one of these dots is mainstem but I  
22 can say that these dots are tributaries. So there's no  
23 doubt that some of it is mainstem but not necessarily  
24 all of it, I guess.

25  
26 Go ahead.

27  
28 MR. KOMPKOFF: I have a question. Do  
29 you find any spawners in the smaller tributaries?

30  
31 MR. SAVEREIDE: Of the Klutina?

32  
33 MR. KOMPKOFF: Yeah.

34  
35 MR. SAVEREIDE: Yeah, we have -- and  
36 sometimes when you're flying in the air you're ability  
37 to pinpoint it right, you know, within 20 feet is kind  
38 of hard but you can get lower and turn your receiver  
39 down and we see a lot of these places where you have  
40 little freshwater creeks coming in. You'll see a lot  
41 of fish around that spot and they very well could be in  
42 there a little bit or right where the flow's coming  
43 out, it's hard to say. They're not way in there for  
44 sure but they're probably definitely utilizing those  
45 areas.

46  
47 For example, when you come to the  
48 Tonsina, a lot of these mainstem spawners that fall out  
49 where all these little freshwater no name streams are  
50 coming in.

1                   Here we have Grayling Creek and Quartz  
2 Creek up by Tonsina Lake and little Tonsina River,  
3 again, the Tonsina is a mainstem -- or an early and a  
4 late run component.

5  
6                   So now we can switch to -- oh, this is  
7 the Chitina, the Chitina the strongest run for chinook  
8 are in the Tea Bay. One year we had 45 radiotags in  
9 the Tea Bay itself. We also get a good run up the  
10 Tana, the WestFork Tana started showing fish and the  
11 Chakana.

12  
13                   The next one, we're switching to run  
14 timing and instead of going through all six years of  
15 the run timing, I'm just going to show you the first  
16 and the last, because the same general pattern existed  
17 in all six years. It's just when break up occurred  
18 will change when it starts and water conditions will  
19 change -- the run timing can be spread out or  
20 condensed. So for clarification it's kind of hard to  
21 see this black line and I always start out with just  
22 one line, if I throw six of them up there it gets to be  
23 a mess. But basically all this graph is saying and  
24 this is all the stocks combined. So 50 percent of all  
25 the chinook salmon stocks crossed the capture site and  
26 this year it would have been right below the dipnet  
27 fishery around June 20th. So as you can see the upper  
28 Copper and the Gulkana stocks tend to arrive earlier  
29 than the down river stocks of the Klutina and Tonsina.  
30 The exception to this is the Chitina and Tazlina, they  
31 fall out right in between. The Tazlina is actually  
32 further up in the drainage than Klutina and Tazlina,  
33 and the Chitina is further down in the drainage into  
34 the Klutina and Tonsina.

35  
36                   Then in 2004 you can see the same  
37 general pattern, and, again this existed in every  
38 single year, '99 through 2004 just this width of the  
39 run and when the run started would change. Again, you  
40 can see the upper Copper and the Gulkana fish arriving  
41 first. Chitina this is the one year where we had  
42 Tazlina showing a late run timing, and then the Klutina  
43 and Tonsina were later.

44  
45                   This is the coho a little bit simpler.  
46 I was hopping maybe to have some upper Copper River  
47 coho going up to Slana and I'm still not giving up hope  
48 but we sort of knew from local residents and the area  
49 manager that the three major rivers that we were going  
50 to see fish but they'd never really been officially

1 documented so we went ahead and got the money to get  
2 this study done and low and behold close to 70 percent  
3 of them went up the Chitina drainage. The next group  
4 went up the Tonsina and then the last was the Klutina.

5  
6 This is another way of looking at this  
7 pie chart. so the 68 percent that went up the Chitina,  
8 this is where they were located. These guys right  
9 here, we flew in early November and it's unlikely that  
10 coho are spawning in this lower mainstem. If we would  
11 have flown later again in December they might be up in  
12 the Long Lake area, it's hard to say. Next year we are  
13 going to do another later flight. But you can see  
14 there is no coho in the Tea Bay area here, we're using  
15 stretches of the mainstem river way up by Benard  
16 Glacier, the Nuzina gets a good run, this is in the  
17 area of Trumpeter Creek, this is near McCarthy.

18  
19 This is the Klutina, not near as much.  
20 We see coho using the area that chinook salmon don't  
21 use and sockeye salmon use a lot. This is the upper  
22 end of the Klutina River and the Howlat River. This  
23 is the Tonsina which is major coho run was on the  
24 Little Tonsina River, which the road does go by if  
25 anyone's looking for some fishing opportunity.

26  
27 (Laughter)

28  
29 MR. SAVEREIDE: We had one that came up  
30 near the lake. It was -- it looked like he was in the  
31 lake but it's hard to say and the rest were -- most of  
32 these fall out real near those freshwater inlets again.

33  
34 So the run timing for the coho, again,  
35 more straightforward, as with chinook there was  
36 overlap, you know, Gulkana fish aren't all going by the  
37 capture site by themselves, all the stocks are there,  
38 but more Gulkana fish are there than Klutina fish. In  
39 this sense the Chitina, Tonsina and Klutina coho are  
40 essentially passing the capture site at identically the  
41 same time. The mean date of passage between these  
42 three lines was three days, September 19th through the  
43 21st.

44  
45 Steelhead, which is the one that I'm  
46 the most excited about and I don't have a pie chart to  
47 show you yet because not all the steelhead have went  
48 into a tributary the last time we flew. We tagged 53  
49 steelhead, saw 54 and almost 25 of those fish had  
50 successfully left the capture area but hadn't picked a

1 tributary by the time we'd flown. The majority of  
2 those fish are above the Klutina mouth and below the  
3 Gulkana so I'm assuming that's where they're going,  
4 still holding out for an upper Copper River steelhead  
5 though.

6

7 (Laughter)

8

9 MR. SAVEREIDE: But these are the ones  
10 that have actually went into a drainage. The Chitina  
11 we didn't get any into the Hanegeta and we know that  
12 there's a run that goes there. These here look like  
13 they're more in the Nuzina are actually associated with  
14 Long Lake.

15

16 This is the Gulkana River here, you can  
17 see that they're, at the point in time when we flew in  
18 early November, they were basically in the mainstem  
19 from the mouth up to the Sourdough area.

20

21 And finally the Tazlina. We know that  
22 there might be some fish that go up to the Hudson. We  
23 know for sure Nickel Creek and I think possibly Durham,  
24 too. And so it's likely that some of these guys, you  
25 know, still haven't reached their final destination.  
26 I'll do flights again in a couple weeks and we'll call  
27 that an overwintering area, and then I'll do flights  
28 again at the end of May and early June and we'll call  
29 that the spawning area.

30

31 So there's Jake with another steelhead  
32 again.

33

34 The conclusions with chinook salmon and  
35 the coho are fairly the same, the radiotelemetry does  
36 provide accurate and precise estimates of the run  
37 timing. The chinook spawning distribution is fairly  
38 consistent. I know that we saw those levels of those  
39 bars change over the years, and most of that  
40 variability could be due to varying levels of  
41 exploitation in all the fisheries, in-river,  
42 commercial, subsistence, as fluctuations in rivers and  
43 I don't know much about commercial fishing but just  
44 conditions can change so catchability changes and if  
45 catchability is really good that can affect a stock one  
46 year and then the next year the catchability might not  
47 be as high when that stock's passing and you might see  
48 a better run that year.

49

50 And the estimates of the chinook run

1 timing, even though there's considerable overlap, has  
2 shown that consistent where we see up river kings first  
3 and lower river kings coming later. And finally with  
4 the coho, same thing, you can get accurate estimates of  
5 run timing and distribution. The majority of the coho  
6 run is supported by the Chitina River, and the run  
7 timing pattern are very consistent and lots of overlap  
8 and not much difference between stocks past the capture  
9 site.

10

11 And that's it.

12

13 CHAIRMAN LOHSE: Thank you. Any  
14 questions.

15

16 MR. BLOSSOM: Mr. Chairman. What's  
17 your total number of spawners for chinook?

18

19 MR. SAVEREIDE: The way we get at the  
20 escapement estimate for the spawners is the Native  
21 Village of Eyak conducts, I don't know if he talked  
22 about chinook, did he talk about chinook, the Native  
23 Village of Eyak conducts their mark/recapture estimate  
24 and they'll get an in-river abundance of chinook, we'll  
25 take that number and then subtract all of our estimates  
26 of in-river harvest and then that will be our estimate  
27 of escapement. So it's just sort of a back  
28 calculation.

29

30 So let's say there was -- let's say  
31 NVE's estimate was -- well, this last year it was  
32 30,000 king salmon roughly.

33

34 MR. BLOSSOM: For spawning.

35

36 MR. SAVEREIDE: If we harvested -- we  
37 took 2,000 from the dipnet fishery so that means 28,000  
38 are left.

39

40 MR. BLOSSOM: Oh, okay.

41

42 MR. SAVEREIDE: We took 3,500 from the  
43 subsistence fishery, so 24 or five are left, and then  
44 the sportfishery will come after that and that would be  
45 our escapement estimate.

46

47 In-river harvest is roughly between  
48 eight and 12,000 so that number gets subtracted from  
49 that in-river abundance and then that's our escapement.

50

1 MR. BLOSSOM: So you had about  
2 20,000.....  
3  
4 MR. SAVEREIDE: Roughly, 20, to 22,000.  
5  
6 MR. BLOSSOM: And what started.....  
7  
8 MR. SAVEREIDE: And our  
9 sustainables.....  
10  
11 MR. BLOSSOM: .....at the mouth?  
12  
13 MR. SAVEREIDE: Well, we don't really  
14 know what -- because the sonar doesn't count by  
15 species.  
16  
17 MR. BLOSSOM: Okay.  
18  
19 MR. SAVEREIDE: We know that it counted  
20 X number of salmon but we don't -- the first time we  
21 had an actual abundance is the lower wheels of the  
22 Native Village of Eyak, so those wheels that are  
23 located in Baird Canyon, that's where that estimate  
24 applies, so they had 30,000 kings at that point. So  
25 what came into the river, you know, past.....  
26  
27 MR. BLOSSOM: Okay.  
28  
29 MR. SAVEREIDE: .....they're saying is  
30 30,000.  
31  
32 MR. BLOSSOM: Okay.  
33  
34 MR. SAVEREIDE: That's what that  
35 estimate is.  
36  
37 MR. BLOSSOM: Has the spawning  
38 escapement been fairly stable?  
39  
40 MR. SAVEREIDE: Well, since '99 -- the  
41 '99 estimate was 16,000 escapement, we've seen the  
42 16,000 as the low and the high I think was 28.  
43  
44 MR. BLOSSOM: Okay.  
45  
46 MR. SAVEREIDE: So we've seen a range  
47 -- statistically that is fairly consistent, and in  
48 manager's sense you'd probably want to see it a little  
49 higher.  
50

1 MR. BLOSSOM: Okay, thanks.  
2  
3 MR. KOMPKOFF: Mr. Chairman.  
4  
5 CHAIRMAN LOHSE: Pete.  
6  
7 MR. KOMPKOFF: Do you get the catch  
8 from the commercial fishermen when you're doing  
9 escapement goals. I'm trying to figure out what goods  
10 are good -- what years were good and what years were  
11 bad for commercial fishing.  
12  
13 MR. SAVEREIDE: For commercial fishing?  
14  
15 MR. KOMPKOFF: Yeah.  
16  
17 MR. SAVEREIDE: In the sense of that it  
18 was a good year for the commercial fishermen?  
19  
20 MR. KOMPKOFF: Yeah.  
21  
22 MR. SAVEREIDE: Well, I think a lot of  
23 times I think they're probably going to gage that  
24 somewhat on run strength and what they harvest and what  
25 they get in-river because they're definitely not just  
26 going to look at the har -- I can't speak to that what  
27 they would gage as good or -- I'm going to -- they're  
28 going to look at those three things. They're going to  
29 look at what their harvest was, what the run was  
30 forecasted to be and then what they counted past the  
31 sonar. And they're going to gage those three things as  
32 how well their season is I would guess.  
33  
34 CHAIRMAN LOHSE: Any questions.  
35 Gloria.  
36  
37 MS. STICKWAN: Could I get a copy of  
38 your PowerPoint?  
39  
40 MR. SAVEREIDE: You bet.  
41  
42 MS. STICKWAN: The PowerPoint  
43 presentation.  
44  
45 CHAIRMAN LOHSE: It was a pretty nice  
46 PowerPoint presentation.  
47  
48 MS. STICKWAN: Yeah.  
49  
50 CHAIRMAN LOHSE: Of course ulterior

1 motives, now you know where to go catch the fish.

2

3 (Laughter)

4

5 CHAIRMAN LOHSE: Okay, with that I'd  
6 like to thank you for your presentation. And the next  
7 thing we're going to go on to is something that we  
8 skipped and we weren't supposed to have skipped it, we  
9 need to go back all the way to No. 9, administrative  
10 business, and look at our charter.

11

12 Donald.

13

14 MR. MIKE: Thank you, Mr. Chair. It's  
15 just a -- I clarified it with our office, it's the  
16 Southcentral Advisory Council charter review, it's just  
17 basically, you remember in the past we had to do an  
18 ethics disclosure. Now, we don't have to require that  
19 of the Council, so that language was taken out of the  
20 charter and it shows on this charter on Page 19.

21

22 But I just clarified with my office  
23 that there's no need for action right now but I just  
24 wanted to inform the Council that the ethic's  
25 disclosure language was taken out of the previous  
26 charter. But we do, as a Council, will be reviewing  
27 the charter this coming fall to make any changes to the  
28 existing charter.

29

30 Thank you, Mr. Chair.

31

32 CHAIRMAN LOHSE: Thank you, Donald.  
33 Then if I understand.....

34

35 MS. STICKWAN: I have a.....

36

37 CHAIRMAN LOHSE: .....right then we  
38 don't have to review it right now but what you wanted  
39 to bring to our attention is the only change that's  
40 been made in the charter has been the removal of the  
41 ethic's disclosure.

42

43 Gloria.

44

45 MS. STICKWAN: I have a question for --  
46 I don't know who to ask, but there's two vacant seats  
47 on this -- that are vacant right, now, I guess one of  
48 them is Harley McMahan's and the other one, I don't --  
49 it wasn't filled because nobody applied for it.

50

1 MR. MIKE: Mr. Chair.  
2  
3 CHAIRMAN LOHSE: Donald.  
4  
5 MR. MIKE: The two vacancies we  
6 currently have right now, those seats were held by Mr.  
7 Fred Elvsaas from Seldovia and Ms. Sylvia Lang from  
8 Cordova. And Sylvia Land did not reapply and Mr.  
9 Elvsaas missed the opportunity to submit his  
10 application. And I understand that the vacancies that  
11 are currently existing right now, we didn't enough  
12 applicants to fill those vacancies, therefore, it was  
13 left vacant. But on a third individual, Mr. Chuck  
14 McMahan from Gakona submitted his resignation and that  
15 will be vacant until the next cycle.  
16  
17 CHAIRMAN LOHSE: So Donald, do we have  
18 a call out then for applications?  
19  
20 MR. MIKE: The call ended in January so  
21 we're going through the panel review process to get  
22 those vacancies filled.  
23  
24 CHAIRMAN LOHSE: Okay. So there are  
25 applications in to fill these vacancies it's just that  
26 they're going through the review process right now?  
27  
28 MR. MIKE: That's correct,, Mr. Chair.  
29  
30 MS. STICKWAN: So they'll be filled  
31 this fall?  
32  
33 MR. MIKE: Well, by this fall. The  
34 process is pretty lengthy. We're going through a panel  
35 review process and it's going to have to go through the  
36 Federal Subsistence Board and the Board will recommend  
37 to the Secretary of Interior to get those appointments  
38 made so it should be in the fall or early January.  
39  
40 CHAIRMAN LOHSE: Donald, with the  
41 resignation of the current Secretary of Interior, do  
42 you look at that as holding up the filling of those  
43 vacancies?  
44  
45 MR. MIKE: I'm sorry, Mr. Chair.  
46  
47 CHAIRMAN LOHSE: With the resignation  
48 of the current -- or past Secretary of Interior, do you  
49 look at that as a possibility of holding up filling  
50 those seats?

1 MR. MIKE: Not at this point in time,  
2 Mr. Chair.  
3  
4 CHAIRMAN LOHSE: Okay. Does anybody  
5 else have any questions on the Council charter that  
6 they'd like to bring up at this time or can we.....  
7  
8 MS. STICKWAN: Yes.  
9  
10 CHAIRMAN LOHSE: Gloria.  
11  
12 MS. STICKWAN: I'm concerned about  
13 vacant seats being vacant. I know that it's a process  
14 we have to go through but I have a concern about the  
15 70/30 percent.  
16  
17 CHAIRMAN LOHSE: About what?  
18  
19 MS. STICKWAN: The 70/30 percent that's  
20 in our charter that we're supposed to have, it isn't  
21 like because -- people haven't applied, I guess, but it  
22 concerns me that we're not 70/30 percent, which is what  
23 I thought they agreed to do, I mean I know it's -- you  
24 know, it's because people haven't applied but I'm still  
25 concerned about the process, and I don't like the seats  
26 being vacant.  
27  
28 CHAIRMAN LOHSE: I think one of the  
29 vacancies was unexpected, so that's one of the things  
30 that shot it up, and the other two were in the process  
31 of being filled or reviewed. I, too, like you would  
32 like to see a whole full Council here.  
33  
34 Pete.  
35  
36 MR. KOMPKOFF: Mr. Chairman. My seat  
37 will be up in 2007 and I'm not going to run for  
38 reelection so. And I wanted to speak or have somebody  
39 speak on this ethics disclosure. It's different from  
40 what we have in our charter right now under ethics  
41 responsibility -- can you speak on that?  
42  
43 CHAIRMAN LOHSE: Pete, I can speak to  
44 you on it or Donald can speak on it. I think that's  
45 what was being brought out, is that we're no longer  
46 required to have the ethics disclosure.  
47  
48 MR. KOMPKOFF: Oh, I see, thank you.  
49  
50 CHAIRMAN LOHSE: Okay. With that we're

1 going to go on to our next thing. The next thing is an  
2 informational thing, if you'll look in you book on Page  
3 203. It's on the Bird Flu -- I guess I should use the  
4 right word, the Avian Flu update. And it's an  
5 informational piece of paper. I would recommend  
6 reading it yourself, if you've got somebody that you  
7 want to share it with, share it with. Donald also has  
8 a phone number that if any of you know somebody that's  
9 interested in getting more information on it, get in  
10 contact with Donald and he can get you in touch with  
11 the lady who's, basically from what I understand, is  
12 handling this in the state of Alaska.

13

14 MR. MIKE: Yes, that's correct, Mr.  
15 Chair. Fish and Wildlife Service Regional Office has  
16 an individual who does this, as an Avian Flu  
17 specialist. I don't know what her official title is  
18 but she will be keeping track of the Avian Flu in  
19 Alaska. I have her name and number if anybody's  
20 interested in getting in contact with her.

21

22 CHAIRMAN LOHSE: So if anybody would  
23 like to keep up with what's going on in that  
24 Department, they can call Donald and Donald can give  
25 you the name and number. But the piece of paper's  
26 worth reading.

27

28 At this point in time we're going to go  
29 o to the USDA Forest Service report -- oh, with the BLM  
30 that we skipped, sorry, did it again.

31

32 MR. ROGERS: That's all right, we're  
33 always last.

34

35 CHAIRMAN LOHSE: I'm not going to make  
36 you last this time, BLM.

37

38 MR. ROGERS: Good afternoon, Mr.  
39 Chairman and the Board. I'm wearing a couple different  
40 hats here today but my first hat and my position is, is  
41 a planner with the Glennallen Field Office in  
42 Glennallen with the BLM. So what I'm going to do  
43 fairly quickly here and the handout that you just got,  
44 I'm going to give you an update on where we are with  
45 the East Alaska Resource Management Plan.

46

47 And the reason, if you recall, that  
48 this thing is really -- Bruce Rogers with the Bureau of  
49 Land Management.

50

1                   The reason that this Resource  
2 Management is of great interest to this Board is that  
3 one of the things considered in the plan is the  
4 Pipeline Utility Corridor through this planning area  
5 and besides the obvious what that Pipeline Utility  
6 Corridor provides is Federal subsistence hunting for  
7 that area. As a matter of fact it provides -- the  
8 Pipeline Utility Corridor portion of what's available  
9 in the Federal subsistence hunt provides about 80  
10 percent of the harvest for those plans so it's an  
11 important part. The document considered several  
12 alternatives. We actually fielded a request from the  
13 Governor to modify the withdrawal that created that  
14 Pipeline Utility Corridor to allow State top filings to  
15 fall into place and convey to the State, so that was  
16 considered as an alternative in this document.

17  
18                   So if you look at the handout,  
19 basically the purpose of the plan is it provides real  
20 broad management direction for BLM managed lands in  
21 Southcentral and East Alaska and it includes the Delta  
22 and the Gulkana and Wild and Scenic River Corridors,  
23 the Denali Highway and of course portions of the  
24 Pipeline Utility Corridor and the Bering Glacier among  
25 other lands.

26  
27                   As far as a process and a timeline for  
28 this thing, as you know the draft plan came out last  
29 year about this time, about the end of April, and it  
30 was available for public comment. We got actually  
31 4,500 comments and so we've gone through those, we've  
32 made some changes from the draft to the final, and then  
33 basically the final is scheduled to go to the printer  
34 around the 15th of April and it will come out for  
35 public review around the 15th of May. And that's  
36 followed by a 30 day protest period. And also there's  
37 a 60 day Governor's consistency review with that and  
38 then the actual Record of Decision we're anticipating  
39 this summer for the whole thing and it will finish it  
40 up.

41  
42                   Okay, so that's where we're at.  
43 Basically as I kind of related before, Item C there,  
44 the subsistence issues associated with this, obviously  
45 the Pipeline Utility Corridor, and let me just say here  
46 that what's identified as the preferred alternative or  
47 the proposed RMP in the final, we're committed to  
48 maintaining a manageable and accessible Federal  
49 subsistence unit in this area. So our preferred  
50 alternative is not the alternative B that would lift

1 that or modify that withdrawal to allow State  
2 conveyance.

3  
4 Okay, obviously the State does still  
5 want that corridor, this is really becoming a hot issue  
6 and I expect it will stay hot all the way until the  
7 Record of Decision is signed.

8  
9 Okay, another subsistence related issue  
10 is off-highway vehicle management that's dealt with in  
11 this planning effort, and basically to sum it up what  
12 our preferred alternative does is it sets the stage for  
13 more proactive off-highway vehicle management area in  
14 this area, whereas right now it's a fairly wide open  
15 scenario on BLM lands. This would leave towards more  
16 designation of trails with routes being designated for  
17 vehicles to stay on.

18  
19 Okay, so that's what I have is a  
20 summary of where we're at with that planning effort if  
21 you have any questions.

22  
23 CHAIRMAN LOHSE: So basically even if a  
24 decision goes forward as to the preferred alternative  
25 and that goes to the printer, that doesn't mean that  
26 that's what the final outcome is?

27  
28 MR. ROGERS: That's correct.  
29 Potentially correct. That means BLM Alaska is  
30 committed to that but politically who knows what could  
31 happen.

32  
33 CHAIRMAN LOHSE: Tom.

34  
35 MR. CARPENTER: Yeah, I just have one  
36 question in regards to the management plan. Has it  
37 been determined that the Bering Glacier area, that it  
38 be considered a research natural area?

39  
40 MR. ROGERS: Yes. That's part of the  
41 preferred alternative.

42  
43 MR. CARPENTER: And would you not  
44 consider that an extremely broad management approach in  
45 regards to the concept that BLM has?

46  
47 MR. ROGERS: It doesn't exclude  
48 multiple use by any means. What that designation means  
49 for that area is that management would be targeted at  
50 protection of some of the unique ecological values

1 associated with that glacier and the receding glacier  
2 to make them available for further research that's  
3 going on there now. It does not restrict subsistence  
4 in any way shape or form. You know, it would restrict  
5 some development activities if they were targeted  
6 specifically within that glaciated area but I really  
7 don't see that happening. If you look at where the  
8 designation would occur, it's really a chunk of ice  
9 and a lot of the forelands there are State lands, and I  
10 think that's where a lot of the interest would be in  
11 forestry or oil and gas.

12

13 MR. CARPENTER: I was just curious  
14 about the impacts that that could have on subsistence  
15 because I think maybe BLM has a completely different  
16 definition of what restrictions a research natural area  
17 would have, say, compared to the Forest Service or the  
18 U.S. Fish and Wildlife Service, so I was just curious.

19

20 Thanks.

21

22 MR. ROGERS: Yep.

23

24 ACTING CHAIR CARPENTER: He just leaves  
25 me here. Does anybody else have any questions.

26

27 (No comments)

28

29 ACTING CHAIR CARPENTER: Anything else  
30 you want to add?

31

32 MR. ROGERS: Yeah, I'm going to put on  
33 another hat here and this is kind of the hat of  
34 Glennallen field manager, and just make a statement  
35 here kind of on behalf of BLM.

36

37 And that is during the public hearings  
38 that were held as part of this Resource  
39 Management Plan effort, during the  
40 public hearings and the call for  
41 comments on that plan, the BLM became  
42 keenly aware of local concern that the  
43 State's Tier II permitting process  
44 should adequately provide subsistence  
45 opportunities. And at that time we  
46 were aware of and commented on efforts  
47 that the State had engaged in with the  
48 local communities to address that  
49 concern.

50

1 Well, recently BLM has become aware of  
2 further efforts by the State of Alaska  
3 to address the local communities  
4 concerns with Tier II permitting  
5 process, and the BLM believes that the  
6 State is headed in the right direction  
7 for that system and we would encourage  
8 the Board to fully familiarize  
9 themselves with those efforts by the  
10 State and to participate to the extent  
11 possible in the effort to help the  
12 local communities and the State of  
13 Alaska resolve that issue. And that  
14 would have no impact on the Federal  
15 Subsistence Program.

16  
17 That's all I've got.

18  
19 MS. STICKWAN: What did you just say, I  
20 don't understand what you just said?

21  
22 MR. ROGERS: Explain what I just said?

23  
24 MS. STICKWAN: Yeah, that's what I  
25 asked.

26  
27 CHAIRMAN LOHSE: Go ahead Bruce.

28  
29 MR. ROGERS: Basically what we heard  
30 loud and clear in the testimony that was provided in  
31 our planning process was that the State's Tier II  
32 system in Unit 13 didn't provide a real accessible  
33 means of subsistence in that area and all we're saying  
34 is that we would encourage this Board to be aware of  
35 any efforts that the State is bringing forward in the  
36 future that would address those concerns.

37  
38 MS. STICKWAN: There were -- the Board  
39 was but then they're not looking at Tier II now.

40  
41 MR. ROGERS: Okay.

42  
43 CHAIRMAN LOHSE: Dean.

44  
45 MR. WILSON: We'll go back one step,  
46 the last hat you put on, could you explain that again.

47  
48 MR. ROGERS: Yeah, this is coming as a  
49 statement from Glennallen Field Office and it's  
50 strictly really in response to what we heard so

1 compellingly in the testimony that was provided to this  
2 planning effort.

3  
4 Just to go a step further, you know,  
5 the Federal Subsistence Unit out there, 80 percent of  
6 the harvest comes off of that thin ribbon of highway  
7 and Pipeline Utility Corridor, long-term I really  
8 question if that's an adequate way to fulfill the  
9 community's subsistence needs. I don't think long-term  
10 it is, and that's why we have a concern and we'd like  
11 to see whatever effort is needed to work in another  
12 direction. And that's not to say that we're not  
13 totally committed to maintaining that Federal  
14 subsistence presence there.

15  
16 CHAIRMAN LOHSE: Pete.

17  
18 MR. KOMPKOFF: Mr. Chairman. Are you  
19 saying that because of the Pipeline Utility Corridor  
20 hunt that too many moose are being taken?

21  
22 MR. ROGERS: No.

23  
24 MR. KOMPKOFF: I misunderstood you  
25 then, I'm sorry.

26  
27 CHAIRMAN LOHSE: I think if I  
28 understood you correct, what you were saying in that  
29 you feel that to adequately meet the subsistence needs  
30 it needs to spread out past just the Pipeline Corridor  
31 and the road corridor?

32  
33 MR. ROGERS: Yes. We'd like to see  
34 opportunities outside of that so that a subsistence  
35 hunt is more accessible to the average person in that  
36 community, through the State system.

37  
38 CHAIRMAN LOHSE: Tom.

39  
40 MR. CARPENTER: That sounds like some  
41 serious politics going on there.

42  
43 (Laughter)

44  
45 MR. CARPENTER: But I mean I went to  
46 that meeting last summer in Gakona and listened to  
47 everybody up there and their concerns.....

48  
49 MS. STICKWAN: Copper Center.

50

1 MR. CARPENTER: Or Copper Center. And  
2 it seemed pretty real to me. And in my opinion the  
3 people that live up there and use that Federal area are  
4 not satisfied at all with the State's Tier II system,  
5 and in my opinion, and I'm not sure where BLM's field  
6 office is getting this idea, the State hasn't done  
7 anything to change the way they do their Tier II system  
8 enough that's going to satisfy them.

9  
10 So it sounds to me like there's some  
11 kind of deal trying to be struck to open this Pipeline  
12 Utility Corridor to satisfy the State's needs, and I  
13 don't know to me it's just -- I'm not saying you're  
14 doing it but it seems a little -- I'd be a little  
15 cautious.

16  
17 CHAIRMAN LOHSE: I think that's what he  
18 was calling on us to do, is to be aware of what's --  
19 keep track of what's going on. Because like he pointed  
20 out, the Tier II system has not proven adequate for the  
21 residents up there and that we need to keep an eye on  
22 and follow what's going on.

23  
24 Dean.

25  
26 MR. WILSON: Yeah, I was kind of  
27 following the same thing. I don't think that -- I  
28 didn't get out of that meeting at all that people were  
29 going to be looking -- I felt they felt stranded as far  
30 as the opportunities that they had now, and I think  
31 that's kind of what you got -- I think the wording,  
32 what you initially said was a little bit different than  
33 what I understood it to be. And the last chance for  
34 caribou and moose to be gotten right now as subsistence  
35 priority is in the Tecal in the BLM drainage, and, so,  
36 yeah, I am a little concerned by the verbiage as well.

37  
38 MR. ROGERS: And I would reemphasize  
39 that we are committed to maintaining that part of the  
40 corridor that provides the bulk of that harvest,  
41 definitely. And, you know, Ralph you asked the  
42 question about that changing, I don't see that part of  
43 it changing. I don't. I know it's already been  
44 through the -- well, now that the Secretary's gone, I  
45 don't know, because it did go through her and she was  
46 committed to that, so I think we're fairly stable  
47 there.

48  
49 CHAIRMAN LOHSE: Okay. That's the part  
50 that I was worried about, changing between the time it

1 was published and the time the Record of Decision went  
2 in.

3  
4 MR. ROGERS: Right.

5  
6 CHAIRMAN LOHSE: So thank you for that  
7 indication.

8  
9 Any other questions for the BLM.

10  
11 (No comments)

12  
13 CHAIRMAN LOHSE: Thank you.

14  
15 MR. ROGERS: Yep.

16  
17 CHAIRMAN LOHSE: Okay. USDA Forest  
18 Service. Am I correct in putting them -- yes, I am,  
19 okay.

20  
21 Oh, my gosh, 7:00 o'clock, there's  
22 three of them.

23  
24 (Laughter)

25  
26 MR. CARPENTER: It's 7:00 o'clock.

27  
28 CHAIRMAN LOHSE: No, we have three  
29 people to speak to us.

30  
31 (Laughter)

32  
33 MR. ZEMKE: Mr. Chair. Council. My  
34 name is Steve Zemke, Chugach National Forest, and I'll  
35 keep it brief, I usually do. And I decided not to give  
36 you any more paperwork since you all seem to be so  
37 appreciative of that. So basically I'll talk about a  
38 couple different wildlife subsistence kind of  
39 activities that are occurring on the Chugach but then  
40 Milo Burcham, the subsistence biologist on the Cordova  
41 Ranger District will kind of talk specifically to  
42 Cordova activities. And then Steve Kessler will be  
43 dealing with the Wildlife Information Service portion  
44 of the Forest Service information talk.

45  
46 But outside of Cordova Ranger District,  
47 we're kind of involved, at least in my mind to kind of  
48 shorten it, three different activities that the Council  
49 might be interested in. One is what's called our bear,  
50 goat use study that was -- I think it was brought

1 before the Council not too long ago but basically it's  
2 to take a look at use patterns, subsistence use  
3 patterns of black bear and goat in Prince William  
4 Sound. It's kind of an emerging issue out there  
5 particularly with the Whittier Tunnel and kind of the  
6 increased recreational and tourism use out in the  
7 Sound. And it's actually a cooperative program with  
8 the Alaska Department of Fish and Game and then Chugach  
9 Regional Resources Commission, which I think Pete's  
10 familiar with, in that, they're looking at first doing  
11 a literature review on the subsistence uses of bear and  
12 goat in Prince William Sound, and then they're looking  
13 at compiling existing data on subsistence and non-  
14 subsistence harvest throughout the Sound. There's  
15 quite a bit of that information available but it's  
16 never been compiled kind of in one spot.

17  
18                                 And then probably more critical to  
19 anything is kind of the current harvest and use  
20 patterns of subsistence users out in the Sound, and  
21 that would be where they're actually going to interview  
22 kind of key individuals, kind of the key hunters out in  
23 the Sound to try to document kind of their use  
24 patterns, both temporarily and then also spacially and  
25 then being able to get those on a map so that that  
26 information could be used for further, maybe some other  
27 decisions that may be coming down the line.

28  
29                                 In conjunction with that, I think  
30 Chugach Regional Resources Commission is going to  
31 provide individuals to be involved with those surveys.  
32 So as they go out in the Native communities,  
33 particularly Chenega and Tatitlek, that they would be  
34 key interviewers to be able to get that information.  
35 And then also in those surveys would be discussions  
36 with, say, village elders and other knowledgeable  
37 individuals about the traditional ecological knowledge  
38 of where goats and bears are, you know, what the  
39 current pattern is, is it historically at the level  
40 that it has been in the past, you know, what do they  
41 predict what the trends in those populations, where are  
42 they going.

43  
44                                 And then finally kind of a discussion  
45 with the individuals about what they think are factors  
46 influencing the populations of black bears and goats in  
47 the Sound and then also what's influencing, say  
48 subsistence use patterns, are they changing because of  
49 new users coming out into the Sound, maybe particularly  
50 with the Whittier Tunnel and the influx of new users.

1                   And that's kind of a specific study  
2 that you're probably interested in.

3  
4                   Kind of in that same vein, we have  
5 what's coming up within our own internal workings, it's  
6 called the Prince William Sound Framework, and it's a  
7 process that we're using to try to take a look at all  
8 available information that's out in Prince William  
9 Sound and kind of compile it all in one spot so that it  
10 can provide a template a repository so that we can  
11 address some of those emerging issues that are coming  
12 out, particularly with the Whittier Tunnel, and new  
13 recreational use, kind of there's a real concern over  
14 the numbers of outfitters and guides out there, are  
15 they in the right spot, are they using the area in the  
16 right time and the right fashion. So one of the things  
17 we're looking at is doing kind of an internal workshop  
18 first to try to identify what we think are the current  
19 issues and concerns and then what available information  
20 is out there, try to get that compiled in one spot but  
21 then also say what's the -- what gaps do we think are  
22 out there in the information that we need to be able to  
23 answer questions. And then also who are the key  
24 stakeholders so that we can go out and make sure that  
25 we get additional information from them so that they  
26 can help us further frame the issues and the concerns  
27 and the information that we need.

28  
29                   I think we're looking at doing that in  
30 mid-April, kind of the first phase and then we'd  
31 probably compile some of the basic data that's already  
32 available through the summer and then be, probably  
33 going out to say a series of either workshops or work  
34 groups sometime in the fall and winter, outside of the  
35 normal hunting, fishing subsistence season so that our  
36 stakeholders can be involved and try to frame that.  
37 There's kind of interesting things about it, so far it  
38 seems like the outfitters/guiders, you know, there's a  
39 perception that they're increasing in some areas,  
40 there's some information that no, they aren't, but that  
41 the unregulated recreational users are really  
42 expanding. But that's some of the kind of information  
43 that we're going to try to collect to be able to have  
44 that information and when we do we will probably  
45 compile that and be able to come back to the Council  
46 and report on that current information.

47  
48                   And along with that process, I think  
49 one of the major things we were going to look at is  
50 trying to establish kind of the sensitive areas out in

1 the Sound, both from the ecological viewpoint but also  
2 from the social and cultural subsistence use needs and  
3 that would be something that we could come back to the  
4 Council to help us further frame that and refine that,  
5 and make sure that we're on the right track.

6

7                   So that's kind of a program that you're  
8 probably going to be interested in in kind of kind of  
9 the outcomes of.

10

11                   And then outside the Cordova, moose on  
12 the Kenai Peninsula has been kind of interesting and  
13 part of that is Kings Bay, and we have been trying to  
14 work with ADF&G to be able to get some basic index  
15 surveys done on the eastern Kenai Peninsula because  
16 really we don't -- particularly in that eastern side we  
17 don't have a lot of information. The State has kind of  
18 long-term information but only in kind of the  
19 Resurrection Pass area which is kind of north and maybe  
20 a little west of Cooper Landing and there's many other  
21 areas out there that the information is lacking, and  
22 we're developing that process right now and try to get  
23 those surveys, and then we're also doing that in  
24 conjunction with our normal wildlife program to get  
25 some more information about kind of the herd  
26 composition and kind of the health of the herd. You've  
27 heard me talk about the spruce bark beetle infestation  
28 and some of the impacts on the -- the range has been  
29 going downhill out in that area but with the spruce  
30 bark beetle, and then we're also going to be doing  
31 wildlife and stand improvements, hopefully in the near  
32 future and we're trying to get some baseline  
33 information on that on kind of the herd status to be  
34 able to project where they are going to in the future.

35

36                   And so that's kind of an ongoing  
37 process also.

38

39                   So kind of those are the three projects  
40 that I would like to discuss -- or brought forward for  
41 discussion here, and then I guess Milo would be able to  
42 give you a brief discussion on the Cordova Ranger  
43 District programs.

44

45                   MR. CARPENTER: Can I ask a couple  
46 questions before you started Milo.

47

48                   CHAIRMAN LOHSE: Tom.

49

50                   MR. CARPENTER: Yeah, just one thing

1 you were talking about, and it has to do with the  
2 outfitter/guides. Personally I would disagree. I got  
3 the list, right now there's 14 applications in the  
4 Glacier District Office and I believe more than half of  
5 those are new permits for outfitter/guides in the  
6 western Prince William Sound. I know that you guys are  
7 having this meeting in April, I think it's a  
8 cooperative meeting between the Cordova office and the  
9 Glacier office, and I assume that's the one you're  
10 talking about. And I would just hope from the  
11 subsistence point of view that, at least my opinion is  
12 that, you know, not that that may be too many or not  
13 that it may be enough, but I think we need to look at  
14 the harvest levels, you know, that have taken place and  
15 gone up in western Prince William Sound with some  
16 species. And I think from a subsistence point of view,  
17 I think that some of those numbers of users that could  
18 potentially be operating on that side of the Sound, at  
19 least from a commercial point of view, you know, we  
20 need to keep a good handle on that.

21  
22 MR. ZEMKE: Mr. Chair. Mr. Carpenter.  
23 That's a good comment. I think that's why we're trying  
24 to get all the information in one spot and I think the  
25 number of outfitters/guides on the wildlife side may be  
26 going up somewhat versus the overall outfitter/guide,  
27 you know, for other recreational purposes, may be going  
28 down, but those are some of the information we're  
29 looking at. Also that black bear and goat study is  
30 designed to try to get the key subsistence use for  
31 black bear and goat. And then I think we may be, and I  
32 know that deer harvest and use patterns on Prince  
33 William Sound was kind of also a high priority that you  
34 worked on in the Wildlife Information workshop that you  
35 did several months ago. There may be opportunities to  
36 try to get information before -- and that's one of the  
37 other things that we'd be doing at the workshop is  
38 trying to take a look at all available funding sources,  
39 those outside of subsistence management, there may be  
40 many more opportunities there than just with our  
41 limited subsistence dollars, to be able to get that  
42 information.

43  
44 But, yeah, one of the ideas behind  
45 identifying those key locations and hot spots is to say  
46 those are the really important areas and they're used  
47 during this period of time and so that maybe the  
48 outfitter/guide can go in that area but maybe not  
49 during Aug -- or September because that's the key --  
50 say in May they're not in there because that's key

1 black bear hunting for subsistence purposes and then  
2 again in September for mountain goats and during the  
3 middle of the summer then it may be all right to be  
4 able to issue them a permit, on that period of time,  
5 but we need baseline information first and I think  
6 that's what our efforts are going to be focused on in  
7 the near term so that we can identify those and then  
8 that's why we're looking at trying to get those key  
9 respondents to be able to come and document where they  
10 are and get then get it all on a common template so  
11 that we can kind of see where they are, where the  
12 available resources are and then from there where  
13 recreational users also want to go and from that try to  
14 get a more fine scale zoning than our current Forest  
15 Plan does, because it's -- basically our Forest Plan is  
16 a zoning document and it's -- it doesn't really limit  
17 resources, it basically says what opportunities or what  
18 activities are allowed, it doesn't say so much what you  
19 can't do.

20

21 MR. CARPENTER: Thank you.

22

23 CHAIRMAN LOHSE: Thank you. And thank  
24 you, Terry for coming.

25

26 MR. HAYNES: Thank you.

27

28 CHAIRMAN LOHSE: Go ahead, Dean, you  
29 have a question, okay, I have a question, too, go  
30 ahead.

31

32 MR. WILSON: Yeah, the review of all  
33 the outfitters that are putting in for right now, is  
34 that going to be done before approving any new  
35 outfitters or is that process continuing and you're  
36 going to get into this, while approving more outfitters  
37 moving into the Prince William Sound?

38

39 MR. ZEMKE: Mr. Chair. Dean. Right  
40 now there is a -- it's kind of informal moratorium at  
41 least in eastern Prince William Sound for  
42 outfitter/guides and western Prince William Sound, no,  
43 there isn't that informal moratorium but there's a  
44 recognition that we need to proceed slowly before any --  
45 like Tom Carpenter was talking, there's quite a few  
46 permit applications in but they're not being processed  
47 right at this point. I think the idea is to try to get  
48 this information as quickly as possible so that we can  
49 make a -- and that's one of the other things we're  
50 trying to do is get some more consistency between the

1 Cordova Ranger District and the Glacier Ranger District  
2 so there's more of a seamless management between the  
3 two districts.

4  
5 CHAIRMAN LOHSE: Maybe you don't have  
6 any of the statistics here, have you got any idea of  
7 what the change in black bear harvest on western Prince  
8 William Sound has been in the last five years?

9  
10 MR. ZEMKE: I don't really have and I  
11 guess anecdotely it's been going up.

12  
13 MR. BURCHAM: I can give you some  
14 brief.....

15  
16 CHAIRMAN LOHSE: Milo.

17  
18 MR. BURCHAM: I don't know the exact  
19 numbers but I can tell you the trend in the early  
20 2001/2002 and actually many years before there the  
21 average harvest used to be around 125 bears for, it was  
22 stable and constant and, you know, remained around that  
23 for quite a long time, around 2002 or 2003, that  
24 harvest, you know, presumably from access from Whittier  
25 shot up to 400 animals for two years in a row. So  
26 pressure increased. Harvest increased. And then what  
27 happened after those two years was that harvest  
28 decreased as pressure kept on going up which is a  
29 signal that the population is declining, you know, if  
30 the people aren't finding bears. And so that's where  
31 it is right now.

32  
33 CHAIRMAN LOHSE: So the take -- the  
34 effort has continued to go up but the take has gone  
35 down.

36  
37 MR. BURCHAM: Uh-huh.

38  
39 MR. CARPENTER: The take has gone down  
40 -- some of that decline is due to -- partially due to  
41 something the Board of Game did, it did restrict a  
42 little bit to try and de -- you know, take the top edge  
43 of the harvest and get it back down under.....

44  
45 MR. ZEMKE: Restricted shooting from  
46 boats.

47  
48 MR. CARPENTER: They restricted  
49 shooting from boats. Because most of the people it  
50 seemed like that were coming through the tunnel from

1 Anchorage, Fairbanks were just cruising the beaches and  
2 shooting the first bear they saw. So when they took  
3 that away the harvest did go down some, but as Milo  
4 said, we really don't know what the population of black  
5 bears is in western Prince William Sound and I think  
6 that's part of what the wildlife monitoring program  
7 strategic planning sessions, we went down there and  
8 tried to figure out what species were the most  
9 important and needed the best information, and  
10 hopefully this meeting that the Forest Service is going  
11 to have is going to be able to implement some of those  
12 studies so that when they do issue permits, either in  
13 Glacier or Cordova, they have some ability to judge on  
14 how many people they need to be putting in the field,  
15 you know, when you consider personal use, sporthunting  
16 and subsistence.

17

18 CHAIRMAN LOHSE: Pete.

19

20 MR. KOMPKOFF: Yeah. Mr. Chairman.  
21 Gentlemen. Observing the area around Chenega and black  
22 bear, in particular, last year there was a decline  
23 because of the amount of boats, just about every  
24 charter boat that I boarded out there had one or two  
25 black bear pelts on board. So choosing the beach, I  
26 usually go around LaTouche Island during the fall and  
27 three years ago I counted 19 bear black bear going  
28 around the island, and that's just on the beach, you  
29 know, so that told me that bear was plentiful around  
30 the area, but last year when I went around the island  
31 at the same time of the year I only seen six, you know,  
32 so the decline was there. And on the island of Evans  
33 Island, generally we get -- during the summer months we  
34 get eight or nine bear cruising the garbage cans and  
35 what not around the homes and stuff, and last year I  
36 think we had maybe two sightings in the village, that's  
37 all and about four bear out in the dump, that's not  
38 very many, so the decline must be there.

39

40 CHAIRMAN LOHSE: Thank you, Pete.

41 Milo.

42

43 MR. BURCHAM: Everybody keeps saying  
44 they're going to be brief, but I'm going to try to be  
45 brief.

46

47 I'm going to give you a quick synopsis  
48 on the subsistence program on the Cordova Ranger  
49 District. And basically our program involves just  
50 three species and that's deer, goat and moose.

1                   With deer, there's no special  
2 subsistence season, all the harvest takes place under  
3 State regulation right now. But we do work  
4 cooperatively with Fish and Game and do deer pellet  
5 surveys and we did those last summer, last spring, and  
6 they showed, in the areas where we do the deer pellet  
7 transects that the populations are either stable or  
8 increasing. So we've had mild winters and the deer  
9 populations are doing well.

10  
11                   As we've already talked about a little  
12 bit earlier in these meetings there's subsistence goat  
13 hunting -- mountain goat hunting in Prince William  
14 Sound, there's 17 permits reserved for subsistence  
15 harvest and as we pointed out earlier there's not a lot  
16 of use of those right now. I issued, I think, four  
17 permits this year and I know of two that were harvested  
18 and that's about par with what I've seen in previous  
19 years. We work cooperatively with Fish and Game and  
20 fly moose -- or I'm sorry, goat surveys in Prince  
21 William Sound and due to a combination of lack of  
22 airplane availability and bad weather, we didn't get  
23 any surveys in this fall. Populations look previously  
24 like they're doing very well or doing just fine but we  
25 didn't get to do our regular surveys and we'll resume  
26 those this summer.

27  
28                   And then we have a little bit more  
29 going on with moose. The last two years the number of  
30 moose permits has been up. And the subsistence season  
31 in Unit 6(C) is a drawing, a very popular one, most of  
32 the permits go through subsistence, 25 percent of the  
33 bull permits still go through the State drawing but 75  
34 percent of the number of permits, bull permits go  
35 through the subsistence and all of the cows go through  
36 subsistence. This year 35 bull permits were available  
37 total and that meant 26 were available through the  
38 subsistence drawing. 811 people applied for the --  
39 well, actually the 31 subsistence tags, the 26 bulls  
40 and five cows.

41  
42                   The harvest is almost always 100  
43 percent in Cordova but this year two people, because of  
44 personal reasons left town that had drawn permits and  
45 did not harvest their moose so we had the worse success  
46 ever, which was probably like 99 percent or 98 percent.  
47 We had 25 bulls harvested and four cows. And the one  
48 potlatch moose taken by the Native Village of Eyak was  
49 also taken.

50

1                   The moose body condition study that has  
2 been funded through subsistence dollars is completed  
3 now, but still no final report. I might have even  
4 promised last year that this year I would have data for  
5 you. Paul Meyers is working on that report and maybe  
6 next year I'll have a report, or just a synopsis of the  
7 moose body condition study.

8  
9                   And I'll end on a good note, we have  
10 not had good survey conditions for moose on the western  
11 Copper River Delta in the last few years, and we've  
12 assumed that the moose population is around -- because  
13 of what we've seen in the most recent counts we've  
14 assumed that the moose population is around 340 animals  
15 or so, it looked like as though it was kind of  
16 stabilized around that level. Our population objective  
17 has been 400 animals and we've been trying to reduce  
18 cow harvest to get the population up to there and it  
19 looked like it was just sort of stagnating around 340,  
20 well, what's really interesting is Dave Crowley with  
21 Fish and Game did get good survey conditions this  
22 winter and his population estimate after crunching the  
23 numbers, just recently, is 488 moose on the west Copper  
24 River Delta right now and there's no promises what  
25 that's going to translate to for permits, but there  
26 will be most likely more permits available this year.

27  
28                   That's all I have.

29  
30                   CHAIRMAN LOHSE: Pete.

31  
32                   MR. KOMPKOFF: Yeah, before I forget.  
33 If you guys have any paperwork that I can get from you  
34 for my potlatch deer hunt so I can get deer off season.

35  
36                   MR. BURCHAM: Tom mentioned that to me  
37 and I'd be happy to work with you and get a proposal in  
38 next fall for a deer hunt and I think that would, you  
39 know, likely be a really successful application. And  
40 we talked a little bit about, you know, some of the  
41 problems of reporting and I need to increase my effort  
42 to contact you and the Village of Tatitlek, you know,  
43 to establish a better rapport and work on establishing  
44 the use of the goats that are getting used out there.

45  
46                   MR. KOMPKOFF: Sure.

47  
48                   MR. BURCHAM: So I'll come out to  
49 Chenega next fall, how about that.

50

1 MR. KOMPKOFF: Yeah, please do.  
2  
3 MR. BURCHAM: Okay.  
4  
5 MR. ZEMKE: Pete, also, we're looking  
6 at working with Dan LaPlant here in OSM who's kind of  
7 the expert on that and unfortunately don't have the  
8 permits ready to go but I think we'll talk with him and  
9 I can get your email address and probably could email  
10 those to you as soon as possible.  
11  
12 MR. KOMPKOFF: Okay, thank you.  
13  
14 CHAIRMAN LOHSE: Any other questions  
15 for Milo.  
16  
17 (No comments)  
18  
19 CHAIRMAN LOHSE: Milo, I think you said  
20 when we were going through our goat thing that you  
21 didn't get a good goat survey this year but that the  
22 last survey the goat population has been going up as  
23 per what we expected with the kind of restrictions we  
24 had on it.  
25  
26 I had one question, you said there were  
27 17 subsistence goat permits, but only like four were  
28 used and two were taken. How many State permits are  
29 there on those same hunts?  
30  
31 MR. BURCHAM: I don't have that number  
32 in front of me right now. And the subsistence -- it's  
33 a lot -- the subsistence reservation from each, you  
34 know, sub hunt area within Prince William Sound is a  
35 small fraction of the total number of goats -- permits  
36 issued or the harvest that's allocated by the State.  
37  
38 I'll just throw this out as an example.  
39 Let's say the State thinks that 10 goats could be  
40 harvested from a hunt area, there might be one or two  
41 permits that are reserved for the subsistence harvest,  
42 it might even be a little greater than that but it's in  
43 that proportion, I think. So -- well, I don't want to  
44 throw out a number.  
45  
46 CHAIRMAN LOHSE: Okay. So the goat  
47 population is in good enough shape that they're having  
48 reasonable hunts for the State and so those 17  
49 subsistence permits could be hunted and could be  
50 filled?

1 MR. BURCHAM: Yeah. Some of the hunt  
2 areas are filled every year, you know, some of the more  
3 easily accessible areas, I think around Columbia  
4 Glacier for one that are used by outfitters quite a  
5 bit, they're using their whole allocation.

6  
7 CHAIRMAN LOHSE: Okay, any other  
8 questions for the Forest Service. Steve. There's only  
9 two chairs, one of them had to leave for you to sit  
10 down.

11  
12 (Laughter)

13  
14 MR. KESSLER: They both promised to be  
15 short on your time, uh?

16  
17 CHAIRMAN LOHSE: Uh-huh. I haven't  
18 heard you say that yet.

19  
20 MR. KESSLER: Thank you, Mr. Chair.  
21 Well, your meeting is over at 5:00, right.

22  
23 CHAIRMAN LOHSE: I hope it is.

24  
25 (Laughter)

26  
27 MR. KOMPKOFF: You're going to be there  
28 that long?

29  
30 (Laughter)

31  
32 MR. KESSLER: I'm here -- depends on  
33 how many questions.

34  
35 (Laughter)

36  
37 MR. KESSLER: Mr. Chairman. Members of  
38 the Council. Steve Kessler again with the U.S. Forest  
39 Service. I'm here to talk about the Wildlife  
40 Information Services Program. We did talk about it a  
41 little bit earlier, you heard Steve Zemke talk about  
42 one of the projects and Tom and Pete at the beginning  
43 of your meeting a couple days ago talked about their  
44 participation in the session we had down in Juneau.

45  
46 But just to get everybody up to speed,  
47 real quickly, again, this is a program that compliments  
48 the Fisheries Monitoring Program that we have  
49 statewide, all the agencies are involved in. This is a  
50 U.S. Forest Service only program that applies on the

1 National Forests.

2

3                   If you remember, we discussed this at  
4 your last meeting. We put out a request for proposal  
5 in June 2005 with four priority issues, Prince of Wales  
6 deer population and trends, Prince of Wales Traditional  
7 and Ecological Knowledge about subsistence uses and  
8 needs for deer, and Prince William Sound bear  
9 Traditional Ecological Knowledge subsistence uses needs  
10 again of bear, and a request for projects about methods  
11 for tracking non-edible bear parts used in handicrafts.

12

13                   We received eight proposals, we only  
14 decided to fund two of those proposals, and one is the  
15 black bear study here in Prince William Sound and  
16 another one is a population trend survey for deer on  
17 Prince of Wales Island.

18

19                   Just to sort of get you up to speed  
20 there, since we last met, our primary effort has been  
21 in the strategic planning, and the idea was to develop  
22 a prioritized list of project areas that should be  
23 addressed across the National Forests and we contracted  
24 our work to Shineberg Associates of Juneau and before  
25 you is one of the main pieces of the results of that.  
26 I put a copy -- everyone should have one of these. The  
27 objective again was to have a prioritized list of  
28 projects. The process used numerous people throughout  
29 Southeast and Southcentral, including representatives  
30 from the  
31 Forest Service, the Department of Fish and Game,  
32 Southeast and Southcentral Regional Advisory Council  
33 and tribes from both Southeast and Southcentral.

34

35                   In Phase I, we did just a telephone  
36 interview to talk to 22 different people and we also  
37 sent out letters to all the tribal organizations in  
38 Southeast and Southcentral, we received one response  
39 from the Organized Village of Kake.

40

41                   In Phase II of this process we convened  
42 a subgroup of the interviewees and they went through a  
43 process to rank, to develop issues based on the  
44 interviews that had been done and their knowledge.  
45 They went through a process to rank issues and they  
46 applied criteria to prioritize list of subsistence  
47 wildlife issues. And you have a copy of that, and if  
48 you have specific questions about how that process went  
49 you're going to have to ask those of Tom and Pete  
50 because I wasn't at that strategic planning session.

1                   The final report has been sent to all  
2 the meeting participants to review, I think that  
3 everyone pretty much had agreed to this list at the  
4 meeting. There is maybe about a 20 page final report  
5 that goes along with it that describes the process.

6  
7                   The most immediate item that's going to  
8 come out of this is our request for proposals that  
9 we're going to issue for this year, for Fiscal Year  
10 2006, and we plan to release that in the next month or  
11 so. We presented this also to the Southeast RAC, the  
12 same list, and one of the things that they did was they  
13 looked at this list and said, well, based on what's  
14 here and the limited amount of money that the Forest  
15 Service has this year, they actually said that in their  
16 opinion ranks projects -- projects No. 1 and 2 are the  
17 ones that should go out in the request for proposals  
18 this year, those were in their mind the highest  
19 priorities. I would be interested to know if this  
20 Council has priorities that they see as the highest  
21 ones also. It could be the ones that rank No. 1 and 2,  
22 neither of those are in Southcentral, as a matter of  
23 fact, I think you have to get down to No. 6 before we  
24 have a priority that is in Southcentral.

25  
26                   The other thing I just want to tell you  
27 a little bit about is the funding situation for the  
28 Forest Service, it directly applies to this. In Fiscal  
29 Year 2005 we received a \$500,000 increase from  
30 Congress, which is why we decided this would be the  
31 best use of the monies is to start to develop a  
32 wildlife monitoring program like the fisheries. That  
33 was good in Fiscal Year 2005, but Congress took that  
34 away, as a matter of fact our funding decreased  
35 \$900,000 for Fiscal Year 2006. And we were able to  
36 cushion this effect for this year a little bit by not  
37 spending all our money from last year, so that cushion  
38 is helping, with both the FIS and the WIS this year.  
39 Next year, assuming we receive the same amount of  
40 money, we anticipate almost no WIS dollars and also  
41 likely a significant decrease in the amount of money  
42 that goes to FIS and I don't know exactly what that  
43 will be but it will probably be about a three or  
44 \$400,000 decrease. The Forest Service normally  
45 contributes \$2 million to the FIS projects.

46  
47                   So anyway, if you have any questions  
48 about this. If you would like to weigh in on what you  
49 think that the priorities might be for the Forest  
50 Service and our request for proposals that we're going

1 to issue, I'd appreciate that.

2

3

Thank you, Mr. Chair.

4

5

CHAIRMAN LOHSE: Thank you, Steve.

6

Would you tell me, again, what are the two that they're

7

going to be doing this year?

8

9

MR. KESSLER: The two priorities?

10

11

CHAIRMAN LOHSE: The two projects.

12

13

MR. KESSLER: Oh, yeah, the two

14

projects are Prince William Sound subsistence use and

15

needs for bear, which is the project that Steve

16

Zemke.....

17

18

CHAIRMAN LOHSE: Uh-huh.

19

20

MR. KESSLER: .....talked quit a bit

21

about. That's being done with the Alaska Department of

22

Fish and Game and the Chugach Regional Resources

23

Commission, or I think that's the right name. And then

24

the other one is on Prince of Wales Island deer

25

population and trend study. And essentially what that

26

study is is to develop a better way to estimate numbers

27

of deer from the current pellet group method that's

28

being used, and it's actually to use pellet groups but

29

to use a DNA component to actually specifically

30

identify deer. And that's being -- the investigators

31

for that are ADF&G, University of Alaska-Fairbanks and

32

the Hydaburg Cooperative Association.

33

34

CHAIRMAN LOHSE: So they're not even on

35

this list because -- so the one and two that are on

36

this list are the next two highest priority ones then?

37

38

MR. KESSLER: Well, actually Mr.

39

Chairman, you'll see Item No. 4, at the bottom of that

40

first page and you'll see WIS funded for Fiscal Year

41

05/06.

42

43

CHAIRMAN LOHSE: Okay.

44

45

MR. KESSLER: So it turns out that that

46

project, based on what the group did, came out as

47

priority No. 4. So the brown bear turned out No. 21.

48

49

CHAIRMAN LOHSE: No. 21 and 22 is black

50

bear population, but I was looking for another one that

1 had a funding on it, I didn't see it, so I guess.  
2  
3 Tom.  
4  
5 MR. CARPENTER: I think, because one of  
6 the things we talked about was is that there was such a  
7 small amount of money that was available in WIS in  
8 these projects right now.....  
9  
10 MR. KESSLER: Uh-huh.  
11  
12 MR. CARPENTER: .....that although the  
13 group categorized these projects in this manner, if you  
14 didn't have enough money to do the project you had to  
15 basically go down the line until you could find a  
16 project.....  
17  
18 CHAIRMAN LOHSE: Until you could find a  
19 project that you could do.  
20  
21 MR. CARPENTER: .....you could do.  
22  
23 CHAIRMAN LOHSE: Okay.  
24  
25 MR. CARPENTER: And I have a feeling  
26 that's why some projects that are -- because they  
27 didn't have very much money at all.  
28  
29 CHAIRMAN LOHSE: Okay.  
30  
31 MR. CARPENTER: And they were going to  
32 try and split between the Forests too.  
33  
34 CHAIRMAN LOHSE: Okay. Any other  
35 questions for Steve.  
36  
37 MR. KESSLER: I might add that I think  
38 that we'll have about \$200,000 this year for the  
39 requests for proposals. But given that we're very  
40 unsure about funding next year we're going to be very  
41 hesitant about funding multi-year projects, too.  
42  
43 CHAIRMAN LOHSE: Uh-huh. Pete.  
44  
45 MR. KOMPKOFF: Steve, I have a question  
46 about Soft Lake (ph), are you guys going to keep  
47 stocking that with sockeye?  
48  
49 MR. KESSLER: Where was that, excuse  
50 me?

1 CHAIRMAN LOHSE: Soft Lake.  
2  
3 MR. KOMPKOFF: Soft Lake on Knight  
4 Island?  
5  
6 CHAIRMAN LOHSE: That's not Fish and  
7 Game.  
8  
9 MR. KOMPKOFF: Well, I thought U.S.  
10 Forest Service is the one that initiated the project in  
11 the beginning through the EVOS Trustee Council.  
12  
13 MR. ZEMKE: Steve Zemke, Chugach  
14 National Forest. That's correct. The fish way was  
15 constructed by the U.S. Forest Service and then the  
16 stocking was in cooperation with PISWAC, you know, they  
17 actually raised the sockeye there in Main Bay and then  
18 we paid for the transportation into the lake.  
19  
20 MR. KOMPKOFF: Oh, I see. So that's  
21 why they got turned back in Main Bay the one two years  
22 ago, where somebody made 90,000 bucks on it.  
23  
24 CHAIRMAN LOHSE: No, no, no.  
25  
26 (Laughter)  
27  
28 CHAIRMAN LOHSE: Okay. Any other  
29 questions for the Forest Service.  
30  
31 (No comments)  
32  
33 CHAIRMAN LOHSE: We now have National  
34 Park Service. Denali -- I mean Wrangell.  
35  
36 MS. CELLARIUS: I don't know if Tom has  
37 something for them.  
38  
39 MR. TAUBE: I'll be brief.  
40  
41 CHAIRMAN LOHSE: Okay, Tom, no, you're  
42 always brief.  
43  
44 MR. TAUBE: Thank you, Mr. Chairman.  
45 Tam Taube, Alaska Department of Fish and Game. I just  
46 want to bring to your attention there were three  
47 handouts.  
48  
49 The first one's just a summary for the  
50 Glennallen and Chitina Subdistrict State fisheries, it

1 includes the most recent year harvests and then a news  
2 release with the Board of Fishery changes that occurred  
3 at the December Board of Fish meeting.

4  
5                   A second handout includes the 2006  
6 salmon forecast for both Prince William Sound and Cook  
7 Inlet and Copper River.

8  
9                   And then the third handout is the 2005  
10 final commercial salmon harvest for Cook Inlet and  
11 Prince William Sound.

12  
13                   CHAIRMAN LOHSE: I'm missing one.

14  
15                   MR. TAUBE: And the one I believe would  
16 have been handed out the first day and then the other  
17 two would have been just a little bit ago.

18  
19                   CHAIRMAN LOHSE: Okay.

20  
21                   MR. TAUBE: I'm not going to go through  
22 and summarize them due to the time here. And so with  
23 that, I'll just, if there's any questions I can field  
24 those now and if not I'll be done.

25  
26                   CHAIRMAN LOHSE: Could you summarize  
27 the changes that were made?

28  
29                   MR. TAUBE: Sure. Specific to the  
30 Glennallen Subdistrict. One was already brought up  
31 earlier in the meeting, was a 10-hour check of  
32 fishwheels and so that's on both the State and Federal  
33 side of the regulations.

34  
35                   The second change was the change in the  
36 commercial fishery for the inside closures, which is  
37 now -- there's a mandatory inside closure in each of  
38 the first two stat weeks of the commercial fishery to  
39 allow for more early timing fish to go up river for the  
40 subsistence fishery.

41  
42                   And the third was regarding the ANS for  
43 the Glennallen Subdistrict which previously had been 60  
44 to 75,000 salmon and as a result of concerns for the  
45 upper portion of the Glennallen Subdistrict, it was  
46 divided into three separate areas, the Gakona, the  
47 Slana component, the Tonsina to Gakona and the Chitina  
48 to Tonsina and in that news release for the upper  
49 component that's for Gakona to Slana, it's 12,500  
50 salmon; for the midportion it's 23,500 to 31,000 salmon

1 and for the lower portion, from Chitina to Tonsina it's  
2 25,500 to 39,000. So overall the amount for that  
3 Glennallen Subdistrict has changed from 60 to 75,000 to  
4 61,000 to 82,500 so the range has increased. And this  
5 ANS amount was based upon the three high years of the  
6 previous five so from 2000-2004 we dropped the two  
7 lowest years out of there and went with the three  
8 highest to establish those numbers. And there's other  
9 sportfishing ones but I won't go into those.

10  
11 CHAIRMAN LOHSE: Any other questions  
12 for Alaska Department of Fish and Game.

13  
14 (No comments)

15  
16 CHAIRMAN LOHSE: Thank you on that one  
17 there.

18  
19 MR. TAUBE: Okay, thank you.

20  
21 CHAIRMAN LOHSE: So basically the only  
22 thing that I got out of that one was that one of the  
23 things that was stated before was that the ANS was  
24 based on the lowest years and basically what you did is  
25 you took a rolling average and took the lowest years  
26 out and used the highest years for the ANS.

27  
28 MR. TAUBE: The ANS had been based upon  
29 the average of previous years and that last had been  
30 changed, I believe in '96, and due to the concerns  
31 about the up river, you know, we went with the most  
32 recent years because those harvests had been higher and  
33 then there were two years that we felt were due to, you  
34 know, environmental or other factors and those we  
35 dropped out to allow for the higher range.

36  
37 CHAIRMAN LOHSE: Okay, thank you.

38  
39 MR. TAUBE: Thank you.

40  
41 CHAIRMAN LOHSE: Okay. Now, Wrangell-  
42 St. Elias National Park.

43  
44 MS. CELLARIUS: Mr. Chair.

45  
46 CHAIRMAN LOHSE: Thank you, Barbara,  
47 you're excused.

48  
49 (Laughter)

50

1 CHAIRMAN LOHSE: No.

2

3 MS. CELLARIUS: Mr. Chair. Members of  
4 the Council. For the record I'm Barbara Cellarius with  
5 Wrangell-St. Elias National Park and most of what I  
6 have to say I got from Eric and I can't talk as fast as  
7 him so you'll just have to listen for a couple of  
8 minutes, I hope.

9

10 CHAIRMAN LOHSE: Okay.

11

12 MS. CELLARIUS: Eric couldn't be here  
13 today, he had a conflict with another meeting he had to  
14 attend, so I'll be presenting his report and then a  
15 couple of other things.

16

17 We've had some staffing changes at the  
18 Park. You may recall that Devi and Hunter Sharp  
19 retired last June. Eric Veach was recently selected as  
20 our new Chief of Resources, which is a promotion and  
21 Marshall Neek is our new Chief Ranger, and we're happy  
22 to have those positions filled and happy to have them  
23 filled with people who don't need to be trained or  
24 don't need to learn the ground of the Park. Currently  
25 we don't anticipate refilling Eric's position. Molly  
26 McCormick will lead our fisheries program, and she's  
27 been working for the Park for a couple of years. Eric  
28 will continue to advise the Park's superintendent in  
29 his role as the Federal in-season manager for the  
30 Copper River. Superintendent Jed Davis continues to  
31 battle with liver cancer, he's doing as well as can be  
32 expected and at this time anticipates returning to work  
33 in the Park in June. Meanwhile Danny Rosencrantz is  
34 currently our acting Superintendent.

35

36 This summer the Park will continue to  
37 operate the weirs at Long Lake and Tanada Creek as  
38 we've done for the last several years. We will also be  
39 helping to support the steelhead radiotelemetry project  
40 in the Copper River that you heard about earlier this  
41 afternoon.

42

43 Moving on to the 2005 fishing season.  
44 We're still tallying the harvest results with 140 of  
45 249 permits for the Glennallen Subdistrict entered into  
46 our database. More have been returned but we're behind  
47 on data entry due to reduced staff this winter. And  
48 then 30 of 77 of Chitina Subdistrict permits have been  
49 entered. And so reported harvest in the Glennallen  
50 Subdistrict for 2005 we had 14,446 sockeyes, 265

1 chinooks, 70 coho and one steelhead. And then for the  
2 Chitina Subdistrict 843 sockeyes and 10 chinooks.  
3  
4 Just one other thing that I'll mention  
5 is that the fall SRC meeting is scheduled for September  
6 27th and 28th tentatively in Kenny Lake or Chitina.  
7  
8 And that concludes our report. If  
9 there are any questions I'll be happy to answer them.  
10  
11 CHAIRMAN LOHSE: The only one I missed  
12 was kings in the -- or chinook in the Glennallen  
13 Subdistrict.  
14  
15 MS. CELLARIUS: Chinook in Glennallen  
16 was 265.  
17  
18 MS. STICKWAN: Are you.....  
19  
20 CHAIRMAN LOHSE: Any questions --  
21 Gloria.  
22  
23 MS. STICKWAN: Are you guys going to  
24 help do that project, you said, with Fish and Game?  
25  
26 MS. CELLARIUS: I'm not entirely sure  
27 and so maybe I should just have Eric get back with you  
28 on that.  
29  
30 CHAIRMAN LOHSE: This is the  
31 project.....  
32  
33 MS. CELLARIUS: Unless Tom knows.  
34  
35 CHAIRMAN LOHSE: Which project, Gloria?  
36  
37 MS. STICKWAN: Well, they were going to  
38 work with Fish and Game, didn't you say that?  
39  
40 MS. CELLARIUS: Yeah, we'll be doing  
41 some support for the steelhead radiotelemetry project  
42 and maybe.....  
43  
44 MS. STICKWAN: It's okay, I'll talk to  
45 Eric.  
46  
47 CHAIRMAN LOHSE: Yeah, okay. Okay, any  
48 other questions for Gloria.  
49  
50 For Gloria.....

1 (Laughter)  
2  
3 CHAIRMAN LOHSE: Any other questions  
4 for Barbara.  
5  
6 (Laughter)  
7  
8 (No comments)  
9  
10 CHAIRMAN LOHSE: Okay, hearing none,  
11 thank you Barbara. Tell Eric you did a good job.  
12  
13 MS. CELLARIUS: Okay.  
14  
15 CHAIRMAN LOHSE: Denali. Do we even  
16 have Denali here, Donald?  
17  
18 MR. MIKE: Mr. Chair. Just to inform  
19 the Council, as you all know that Hollis Twitchell  
20 usually comes to our meetings in the Southcentral  
21 region, he accepted a new job in Bethel with the Yukon  
22 Delta National Wildlife Refuge as a pilot, a law  
23 enforcement specialist, I believe, but I want to wish  
24 Hollis congratulations on a new position and thank him  
25 for his participation on this Council.  
26  
27 CHAIRMAN LOHSE: Yeah, we're going to  
28 miss him.  
29  
30 MR. CARPENTER: Yes.  
31  
32 CHAIRMAN LOHSE: That's for sure. So  
33 he isn't working for Denali anymore then he's out of  
34 Bethel?  
35  
36 MR. MIKE: That's right, Mr. Chair.  
37 And his assistant was, I believe, resigned from his  
38 current position and I don't know if they're going to  
39 be filling his current position and I don't know if  
40 they're going to be filling his position, maybe Barbara  
41 Cellarius may know about that. Do you know anything  
42 Barb?  
43  
44 MS. CELLARIUS: I don't know anything  
45 official about what will be.  
46  
47 CHAIRMAN LOHSE: I know that he was a  
48 pretty good advocate for subsistence in Denali, and I  
49 think we'll miss him.  
50

1                   Okay, with that, that leaves us to  
2 Council topics for the May 2006 Board meeting.  
3  
4                   Gloria.  
5  
6                   MS. STICKWAN: Did you say you were  
7 going to write a letter to Hollis Twitchell or.....  
8  
9                   MR. MIKE: No, I just wanted to express  
10 my thanks that Hollis participated in the Regional  
11 Council process, you know, he being a Federal employee  
12 with the Denali National Park and he's been reporting  
13 on subsistence activities in Denali.  
14  
15                   MS. STICKWAN: I would like to see a  
16 letter written from our Council just thanking him for  
17 his work, he's been really helpful.  
18  
19                   CHAIRMAN LOHSE: You think you could  
20 make a motion to that Gloria.  
21  
22                   MS. STICKWAN: I make a motion that  
23 somebody drafts a letter thanking Hollis Twitchell.  
24  
25                   CHAIRMAN LOHSE: To Hollis expressing  
26 our thanks for his participation in our meetings in the  
27 past.  
28  
29                   MS. STICKWAN: Yes. Yes.  
30  
31                   MR. CARPENTER: Second.  
32  
33                   CHAIRMAN LOHSE: It's been moved and  
34 seconded. Any discussion needed on that one.  
35  
36                   MR. CARPENTER: Question.  
37  
38                   CHAIRMAN LOHSE: Question's been  
39 called. All in favor signify by saying aye.  
40  
41                   IN UNISON: Aye.  
42  
43                   CHAIRMAN LOHSE: All opposed, signify  
44 by saying nay.  
45  
46                   (No opposing votes)  
47  
48                   CHAIRMAN LOHSE: Motion carries. Let's  
49 see our current secretary is.....  
50

1 (Laughter)  
2  
3 MR. MIKE: Mr. Chair. I'll gladly  
4 draft a letter.  
5  
6 CHAIRMAN LOHSE: I figured you would,  
7 Donald.  
8  
9 (Laughter)  
10  
11 CHAIRMAN LOHSE: Okay, thank you. With  
12 that we will go on to Council topics for the May 2006  
13 Board meetings if anybody has any at this point in time  
14 that they'd like to bring forward and put on the agenda  
15 for that.  
16  
17 (No comments)  
18  
19 CHAIRMAN LOHSE: Hearing none. We need  
20 to go to the annual report approval, if you look on  
21 Page 205. On Page 205 you'll find our annual report  
22 and we need the approval, these are things that we  
23 brought up in our other meeting so we need your  
24 approval for this draft letter so we can send it on.  
25  
26 MR. CARPENTER: Mr. Chairman. I move  
27 we.....  
28  
29 MR. MIKE: Mr. Chair. In addition to  
30 this draft annual report, I believe yesterday you  
31 wanted to add another item to the annual report  
32 process, I believe it was the resolution that Mr.  
33 Carpenter helped draft for this Council on the  
34 subcommittee results.  
35  
36 CHAIRMAN LOHSE: Uh-huh. I was  
37 wondering whether we needed to -- whether we needed to  
38 add a resolution on what we did on the protocol.  
39  
40 MS. STICKWAN: Probably.  
41  
42 CHAIRMAN LOHSE: In order to do that we  
43 should have a motion from the Council to put both of  
44 those things in the letter, shouldn't we Donald.  
45  
46 MR. MIKE: Mr. Chair. You did pass a  
47 resolution yesterday on the subcommittee, requesting  
48 that the Board extend the call for fisheries proposals  
49 until the wildlife cycle -- I got the draft letter from  
50 Mr. Carpenter and I'm currently typing it up.

1 CHAIRMAN LOHSE: Okay, so that one's  
2 taking care of.  
3  
4 MR. MIKE: Right. Correct.  
5  
6 CHAIRMAN LOHSE: So all we would need  
7 would be a motion to include our action on the  
8 protocol.  
9  
10 MR. CARPENTER: Mr. Chair. I move that  
11 we approve the Southcentral Alaska Subsistence Advisory  
12 Council 2005 annual report with addition that the  
13 language on the action that we took involving the  
14 protocol for -- I don't even remember what it was  
15 called now.  
16  
17 CHAIRMAN LOHSE: Subsistence use  
18 amounts.  
19  
20 MR. CARPENTER: Subsistence use amounts  
21 be included in the letter.  
22  
23 MR. BLOSSOM: Second.  
24  
25 CHAIRMAN LOHSE: It's been moved and  
26 seconded. I think Pat has something to say to us.  
27  
28 MS. PETRIVELLI: And I guess it's just  
29 because I was so confusing but that was the 2005 annual  
30 report and we're dealing with protocol in 2006.  
31  
32 CHAIRMAN LOHSE: Right.  
33  
34 MS. PETRIVELLI: So then the Board --  
35 well, then we wouldn't put it in the letter and then  
36 you wouldn't get a response and then -- but certainly,  
37 you know, you need to make sure your feelings are known  
38 about the protocol but I don't know how you want to  
39 address issues for 2005 in the annual report. But  
40 maybe.....  
41  
42 CHAIRMAN LOHSE: You're right.  
43  
44 MS. PETRIVELLI: But maybe.....  
45  
46 CHAIRMAN LOHSE: You're right this is  
47 the 2005 annual report. Those would be two things that  
48 we would want to keep in mind to include in our 2006  
49 annual report.  
50

1 MS. PETRIVELLI: For 2006, yeah. Yeah,  
2 I hate to be a bureaucrat but it's my job.

3  
4 CHAIRMAN LOHSE: Thank you. Thank you  
5 because you've just kept us from an embarrassing  
6 situation.

7  
8 Tom.

9  
10 MR. CARPENTER: Mr. Chairman. Strike  
11 the language including the amended -- the amended  
12 language to the '05 annual report and move that we  
13 approve the 2005 annual report as written.

14  
15 MR. BLOSSOM: The second agrees.

16  
17 CHAIRMAN LOHSE: It's been moved and  
18 seconded, do we need any discussion on that.

19  
20 (No comments)

21  
22 MR. CARPENTER: Question.

23  
24 CHAIRMAN LOHSE: Question's been  
25 called. All in favor of approving the draft of the  
26 2005 annual report signify by saying aye.

27  
28 IN UNISON: Aye.

29  
30 CHAIRMAN LOHSE: Opposed, signify by  
31 saying nay.

32  
33 (No opposing votes)

34  
35 CHAIRMAN LOHSE: Motion carries. So  
36 now we're back to where we were.

37  
38 Okay, future.....

39  
40 MR. CARPENTER: We already did the  
41 meeting, uh?

42  
43 CHAIRMAN LOHSE: .....meeting plans.  
44 We have the one for Homer pretty well confirmed and  
45 we've changed the time on it, right?

46  
47 MR. MIKE: That's correct, Mr. Chair.  
48 You changed the time to October 17th to 20th and I just  
49 need to get the Council's okay to have the meeting in  
50 Homer, otherwise the alternate location was in Seward.

1 But I did identify meeting facilities in Homer if  
2 that's the wishes of the Council.

3

4 CHAIRMAN LOHSE: So you need the  
5 Council's okay to go ahead with Homer?

6

7 MR. MIKE: (Nods affirmatively)

8

9 CHAIRMAN LOHSE: I think we had decided  
10 to do that so a motion is in order.

11

12 Doug.

13

14 MR. BLOSSOM: Before we make the  
15 motion, Mr. Chairman. If the Federal Subsistence Board  
16 we're to do the fishery things in the fall it might be  
17 wise to have that meeting more like Cooper Landing, Tom  
18 brought this up earlier today, it'd be right in the  
19 heart of everything. I mean so I don't care where we  
20 have it but I just think that we might want to consider  
21 one of those things if that happens.

22

23 CHAIRMAN LOHSE: I think you brought up  
24 a good point because most of our subsistence takes  
25 place more in the Cooper Landing, Ninilchik area than  
26 down in the Homer area anyhow. So that would be a more  
27 centrally located location. Is there facilities there  
28 for something like our meeting.

29

30 MR. MIKE: Mr. Chair. The Princess  
31 Lodge closes in the fall and we've tried having a  
32 meeting in Cooper Landing and I've contacted the lodges  
33 and I've asked them if they're open during the fall and  
34 they said they're usually closed by the end of  
35 September.

36

37 CHAIRMAN LOHSE: Yeah.

38

39 MR. MIKE: So there's facilities but  
40 there's no place to have it. I don't know, the  
41 community of Cooper Landing, if there's a facility  
42 large enough to hold a public meeting, and also in  
43 addition to that, you know, the lodging situation might  
44 be pretty tight.

45

46 MR. KOMPKOFF: We could have it in  
47 Chenega.

48

49 (Laughter)

50

1 CHAIRMAN LOHSE: Okay, so then.....  
2  
3 MR. BLOSSOM: What do you need for a  
4 motion.  
5  
6 CHAIRMAN LOHSE: We need a motion to  
7 just go ahead with Homer, don't you think so, I mean do  
8 we need to lock the dates in too -- no, we already had  
9 a motion to that effect. The date's locked in, we just  
10 need to confirm whether we want to have it in Homer or  
11 we whether we think we should move it someplace else.  
12 And last time we had it at Soldotna. We've had it at  
13 Anchor Point.  
14  
15 MR. CARPENTER: Mr. Chair. Move that  
16 we have the fall meeting in Homer. I believe that that  
17 -- even if we were -- I believe we've made an attempt  
18 to try and move it, but we were also notified by  
19 counsel that we needed to have it on the Peninsula  
20 somewhere, so that's the motion.  
21  
22 MR. KOMPKOFF: I second that motion.  
23  
24 CHAIRMAN LOHSE: It's been moved and  
25 seconded that we continue with going ahead with Homer  
26 for our fall meeting.  
27  
28 MR. CARPENTER: Question.  
29  
30 CHAIRMAN LOHSE: Okay, question's been  
31 called. All in favor signify by saying aye.  
32  
33 IN UNISON: Aye.  
34  
35 CHAIRMAN LOHSE: Opposed, signify by  
36 saying nay.  
37  
38 (No opposing votes)  
39  
40 CHAIRMAN LOHSE: You can go ahead with  
41 Homer then Donald. And then the only thing would be if  
42 a problem came up -- so now we need the time and  
43 location of our winter meeting.  
44  
45 MR. CARPENTER: Anchorage.  
46  
47 CHAIRMAN LOHSE: And I kind of agree  
48 with that one for winter meetings. It seems to be --  
49 it seems to be pretty hard to go someplace else.  
50

1 MR. WILSON: A request we get a place  
2 with better lighting though, uh, instead of sitting in  
3 the dungeon for more than three days long.

4  
5 (Laughter)

6  
7 CHAIRMAN LOHSE: Okay, do we have a  
8 page in our thing here?

9  
10 MR. MIKE: There's a handout I handed  
11 out yesterday.

12  
13 CHAIRMAN LOHSE: Okay.

14  
15 MR. MIKE: For the 2007, just keep in  
16 mind that we share Staff with, of course, Southeast and  
17 Northwest areas. Yeah, just keep that in mind that we  
18 share Staff with the Council for Southeast and  
19 Northwest areas.

20  
21 MR. DEMENTI: These dates we had it on  
22 for this year are good for me.

23  
24 MR. MIKE: Mr. Chair. The Southeast  
25 Council for 2007, they selected February 26th to March  
26 2nd. The Northwest Area Regional Council have a date  
27 of March 8th and 9th.

28  
29 MR. CARPENTER: What's the date today,  
30 let's just do it the same week.

31  
32 CHAIRMAN LOHSE: Yeah, I think that  
33 that's perfectly good, the 13th through 15th.

34  
35 MR. WILSON: That's good.

36  
37 CHAIRMAN LOHSE: And if that doesn't  
38 interfere with anything, and then that way we can, if  
39 necessary, extend it into the 16th or 17th and 18th and  
40 19th if we have to.

41  
42 (Laughter)

43  
44 MR. CARPENTER: Do we need a motion for  
45 that.

46  
47 CHAIRMAN LOHSE: We need a motion for  
48 that.

49  
50 MR. CARPENTER: Mr. Chair. I move that

1 we hold our '07 winter meeting in Anchorage from March  
2 13th to March 15th, or 16th.

3

4 MR. WILSON: Second.

5

6 CHAIRMAN LOHSE: It's been moved and  
7 seconded to hold our winter meeting in Anchorage from  
8 the 13th through the 15th of March.

9

10 MR. CARPENTER: Question.

11

12 CHAIRMAN LOHSE: Question's been  
13 called. All in favor signify by saying aye.

14

15 IN UNISON: Aye.

16

17 CHAIRMAN LOHSE: All opposed, signify  
18 by saying nay.

19

20 (No opposing votes)

21

22 CHAIRMAN LOHSE: With that, unless  
23 there is some urgent business on somebody's part that I  
24 missed.

25

26 MR. CARPENTER: Mr. Chairman, I move  
27 that we adjourn.

28

29 CHAIRMAN LOHSE: Motion to adjourn, do  
30 I have a second.

31

32 MR. WILSON: Second.

33

34 CHAIRMAN LOHSE: We don't need to vote  
35 on it, the meeting is adjourned.

36

37 (Off record)

38

39 (END OF PROCEEDINGS)

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C E R T I F I C A T E

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

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

THAT the foregoing pages numbered 230 through 388 contain a full, true and correct Transcript of the SOUTHCENTRAL FEDERAL SUBSISTENCE REGIONAL ADVISORY COUNCIL MEETING, VOLUME III, taken electronically by Computer Matrix Court Reporters, LLC on the 16th day of March 2006, beginning at the hour of 9:00 o'clock a.m. in Anchorage, Alaska;

THAT the transcript is a true and correct transcript requested to be transcribed and thereafter transcribed by under my direction and reduced to print to the best of our knowledge and ability;

THAT I am not an employee, attorney, or party interested in any way in this action.

DATED at Anchorage, Alaska, this 31st day of March 2006.

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