

1 SOUTHCENTRAL FEDERAL SUBSISTENCE
2 REGIONAL ADVISORY COUNCIL MEETING

3
4 PUBLIC MEETING

5
6 VOLUME IV

7
8 Anchorage, Alaska
9 March 16, 2007
10 8:00 o'clock a.m.

11
12
13 COUNCIL MEMBERS PRESENT:

14
15 Ralph Lohse, Chairman
16 Doug Blossom
17 Tom Carpenter
18 Fred Elvsaaas
19 Richard Greg Encelewski
20 John Lamb
21 Pete Kompkoff
22 James Showalter
23 Gloria Stickwan
24 Tricia Waggoner

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27 Regional Council Coordinator, Donald Mike

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P R O C E E D I N G S

(Anchorage, Alaska - 3/16/2007)

(On record)

CHAIRMAN LOHSE: I'd like to call this spring meeting of the Southcentral Regional Subsistence Advisory Council back into session and would everybody please take your seats with bright shiny faces this morning and we'll get started.

Doug, I think you were going to offer a resolution to kind of finish up what we did yesterday, would you like to do that at this point in time.

MR. BLOSSOM: Yeah, thank you, Mr. Chair. We formed the subcommittee that met on the Peninsula and I think they had two consensus points. And one of them was the potential for development of subsistence dipnetting in Hidden Creek and they furnished us with a paper, it's yellow in color and I would offer that as a resolution that the Office of Subsistence Management continue to pursue this line of thought.

MR. CARPENTER: Second.

CHAIRMAN LOHSE: It's been moved and seconded that we forward the paper that the subcommittee did on Hidden Lake to the Office of Subsistence Management to pursue it from the standpoint of using it for subsistence in the future. And we'd request that -- I think we want to request that, you know, both State and Federal consider it also, don't you, Doug, you'd like them to consider it, State and Federal both at the same time.

MR. BLOSSOM: Yes, Mr. Chair. Yes.

CHAIRMAN LOHSE: Is that in concurrence with what the second was seconding?

MR. CARPENTER: Yes, it is.

CHAIRMAN LOHSE: Discussion.

(No comments)

MR. CARPENTER: Question.

1 CHAIRMAN LOHSE: Question's been
2 called. All in favor signify by saying aye.

3
4 IN UNISON: Aye.

5
6 CHAIRMAN LOHSE: All opposed, signify
7 by saying no -- nay, I mean.

8
9 (No opposing votes)

10
11 CHAIRMAN LOHSE: Motion carries
12 unanimously. Another thing that came up, is somebody
13 asked whether we considered that our actions that we
14 took on the Kenai and the Kasilof covered all the
15 proposals that were before us and as we stated at the
16 meeting yesterday, we felt that those actions precluded
17 actions on the other proposals that were before us,
18 that we thought that that was a sufficient step at this
19 time.

20
21 With that we're going to go on to
22 wildlife. We have before us some regional wildlife
23 proposals. And you'll find your wildlife proposals in
24 the yellow book. And we're going to start with
25 Proposal 16 and we'll start with our introduction by
26 OSM.

27
28 MS. WILLIAMS: Good morning, Mr.
29 Chairman. Council. I'm Liz Williams, anthropologist
30 with the Office of Subsistence Management. And
31 Proposal 16a was submitted by the Ninilchik Traditional
32 Council, and they're requesting a customary and
33 traditional use determination for black bear in Unit
34 15A, B and C.

35
36 I'm going to talk in general about
37 customary and traditional uses of black and brown bear
38 because Proposal 17a is a proposal by the Ninilchik
39 Traditional Council for brown bear. And there's
40 different information for both but a lot of the
41 historic information is about bear in general.

42
43 So I'll start now with the regulatory
44 history. And, again, this proposal 16a was submitted
45 by the Ninilchik Traditional Council for a customary
46 and traditional use determination for Unit 15 for
47 Ninilchik residents.

48
49 When the Federal Subsistence Management
50 Program was established in 1990 the State's customary

1 and traditional use determinations were adopted and for
2 Unit 15 in the State it's a non-subsistence area so
3 there were no customary and traditional use
4 determinations to adopt at that time. But the Federal
5 Subsistence Board started to address these
6 determinations in 1993 when the Ninilchik Traditional
7 Council started submitting proposals for customary and
8 traditional use determinations then. And they had to
9 defer it for a while because it was a precedent setting
10 thing to have customary and traditional use
11 determinations for the Kenai Peninsula but they did
12 address proposals for large land mammals for customary
13 and traditional use determinations in 1996 and they
14 didn't establish a Federal subsistence priority in Unit
15 15A and B for Ninilchik. It was recognized only for
16 Port Graham and Nanwalek for black bear in Unit 15C.
17 However, prior to that in the interim they had sort of
18 mirrored State regs and Ninilchik residents -- all
19 rural residents of the Peninsula were eligible to
20 harvest three black bear with no closed season prior to
21 the determination that only Port Graham and Nanwalek
22 were eligible. And when the Board made that decision
23 it was in response to a proposal that sort of tried to
24 keep the State non-subsistence area in tact, and so the
25 Board did not preclude changes in the future.

26

27 The Staff at that time did a lot of
28 study and analysis of customary and traditional uses of
29 large land mammals for rural communities on the
30 Peninsula and they just didn't have a lot of
31 information at the time about Ninilchik's uses, that
32 doesn't mean it didn't exist but I think they just
33 didn't have time, but also a lot of the information
34 didn't exist.

35

36 So for now the only community we're
37 looking at is Ninilchik.

38

39 And we've gone over the history of the
40 Ninilchik as a community a lot with the fish proposals
41 but I just want to reiterate some census information
42 from the 1890s that the people who were living there
43 were non-Native, they were Creole's who were Russian
44 and Alutiiq and there were Dena'ina people living
45 there, too. So as early as 1990 [sic] these groups as
46 well as other groups were all living together in
47 Ninilchik.

48

49 I'm going to skip to Page 80 in your
50 book and just start looking at some of the more recent

1 information about Ninilchik, and I think all of this
2 information we have to look at in the context of the
3 Creole culture of Russian America. People were -- the
4 Russia America company came to Alaska for fur, they
5 couldn't get their Russian supplies and stuff here.
6 They had to live off of the traditional knowledge as
7 well as the subsistence economy of the people wherever
8 they lived in Alaska, so the Russians sort of became
9 Nativized and this was the basis of the Creole culture
10 of a lot of the communities of Alaska.

11
12 The Russians tried to have agriculture,
13 it didn't really work, but it did to a limited extent
14 and so what you see throughout a lot of the Gulf of
15 Alaska communities are gardens with cold weather
16 vegetables, maybe a little livestock, but a lot of
17 subsistence, a wide variety of subsistence resources.
18 The Russians wouldn't have did what they did --
19 wouldn't have done what they did without traditional
20 knowledge of Alaska Native people all over the coastal
21 areas of the state.

22
23 Because the people of Alutiiq -- I mean
24 of Ninilchik and the other areas are Creole people,
25 early anthropologists didn't write a lot about them
26 because they weren't a museum stereotype culture like
27 some of them are. Also some of the information that
28 does exist about these communities is in Russian,
29 mostly, until the last 30 or 40 years, a lot of it
30 wasn't translated.

31
32 But when you look at the old accounts,
33 and there's some on Page 80, it talks about the
34 agriculture and the consumption of bears in the
35 colonies, including Ninilchik.

36
37 If you look over on Page 81 there are
38 some comments, again, about the Kenaitzes harvesting
39 bears all year-round, harvesting them with spears, all
40 kinds of ways, in dens. People harvested bears also
41 for their skins and their food. The skins weren't good
42 for trade because they weren't regular and fine like
43 some of the otter and beaver fur, but people used them
44 at home for blankets, things like that.

45
46 The people who came from Kodiak to live
47 in Ninilchik were used to eating bear, too, they didn't
48 have black bear on Kodiak but they ate a lot of brown
49 bear.

50

1 In more recent history Grassim
2 Oskolkoff wrote a letter to the former Chair of the
3 Federal Subsistence Board who talked about bear and
4 talked about bear being sort of a contingency resource,
5 that people hunted it when they were in dire need. He
6 also talked, in 1995 at the Federal Subsistence Board,
7 this is on Page 82, about going into the Caribou Hills
8 for bear and it's very common in Alaska communities for
9 people to walk into the mountains or the hills, harvest
10 game and float back. So the Caribou Hills is one of
11 the places he mentioned where people got bear.

12
13 There are, like I said, sort of scanty
14 records. But, Donald, if you would pass out a couple
15 of things, in Agifina's Children, written by Wayne
16 Lemman, he documents the chronicle of Ninilchik life and
17 there are pictures of a lot of fish harvests a moose
18 harvest and there's also a picture of a bear harvest.
19 I don't know the date of this picture but I think if
20 you look at their boots, I'm sure Ninilchik people know
21 who they are and can probably guess the date or tell me
22 the date. There's also a cookbook that was put out by
23 the Ninilchik parent/teacher Association that has a
24 recipe for bear ribs in it and there are recipes for
25 canning meat that has a picture of a bear and a moose.
26 So the point I'm trying to make is that people have
27 used bear in this community.

28
29 On Page 82 I look at the recent
30 subsistence studies about this area and all of these
31 studies are different. There are two from Ninilchik
32 Traditional Council, there are two from the Division of
33 Subsistence, there are bear sealing records and there
34 are some affidavits by Alaska Legal Services. And I'll
35 give you a minute just to look at the stuff Donald's
36 handing out.

37
38 (Pause)

39
40 MS. WILLIAMS: Thank you, Donald. Does
41 anybody have any questions so far.

42
43 (No comments)

44
45 MS. WILLIAMS: And there was no date on
46 this cookbook. I called Doug Blossom, who answered the
47 phone immediately, had it right in front of him and
48 said there was an inscription in it from the '50s in
49 his copy, so that's as close as I could come to a date
50 on that.

1 Anyway, the subsistence studies have
2 been discussed a lot already before you in relation to
3 fish. All of these studies are completely different,
4 none of them were meant to be the same or comparable.
5 People have said they're apples and oranges and you
6 can't compare them but they can be compared, you just
7 have to look at them in the context of their
8 differences.

9
10 The Fish and Game studies were from
11 1982 and 1998 and the first one is Technical Paper 106,
12 which includes residents harvest estimates during the
13 12 month period during '82 and '83. The other one is
14 Technical Paper 253 and it was conducted based on
15 harvest data from 1998. These two studies from
16 Division of Subsistence have different sample sizes.
17 The first one was a sample of 24 people in Ninilchik
18 proper, they talked to about 24 households out of a
19 total of 217. And 253 was based on a sample from the
20 Ninilchik area, the Happy Valley CDP and Clam Gulch.
21 And that sample was 101 households out of 400
22 households total.

23
24 So in the one in 1983 there were -- the
25 author of that study wrote that there were -- that it
26 was difficult to ascertain a consistent harvest pattern
27 for Ninilchik because the sample size was fairly low,
28 the representativeness of the studies were hard to
29 ascertain just because it was such a small sample. But
30 what she found is that there was no use of black bear
31 during that year. And, again, the Subsistence Division
32 studies are based on one year of data. They didn't ask
33 about brown bear in that first study. In the second
34 study done by the Division of Subsistence, where more
35 households were interviewed and also a bigger research
36 area, the study indicated that in 1998 five percent of
37 the households, approximately 20 households within the
38 entire community used black bear, seven percent of the
39 community, approximately 28 households tried to harvest
40 it, 12 households, about three percent -- approximately
41 12 households, excuse me, harvested it, two percent,
42 approximately eight households of 400 received it, and
43 one percent approximately households of 400 shared it.
44 People were also asked about the location of their
45 harvests, most did not harvest bear within the Kenai
46 Wildlife Refuge boundaries. But one percent,
47 approximately four households of 400 reported hunting
48 black bear in Unit 15B within the Refuge, and one
49 percent, approximately four households reported hunting
50 black bear outside of the Kenai Peninsula area. So

1 there were not really a lot of people that harvested
2 within the Refuge boundaries, but there were some.

3
4 This is the type of stuff that wasn't
5 available to the Board when they made decisions in '96
6 as is the information to follow.

7
8 The two studies done by the Ninilchik
9 Traditional Council and in an earlier version of this
10 analysis I wrote that the survey method used was
11 similar to that of the Division of Subsistence. And it
12 was not exactly a Division of Subsistence survey by any
13 means but some surveys ask people did you use it or
14 not, yes or no. This one asked did you use it, did you
15 harvest it, did you share it. So that's the only
16 similarity that I intended to say when I said that in
17 the analysis as far as a relationship to Division of
18 Subsistence studies.

19
20 But the Ninilchik studies were not
21 random, they were not intended to be as Subsistence
22 Division ones are, they were a target study of long-
23 term Ninilchik households, both Council member
24 households and non-Council member households.

25
26 The first one was in 1994 and they
27 asked people about their whole lifetime of use. The
28 second one was in 1999 and they asked people just about
29 the recent period from '94 to '99. So, again, these
30 are two separate periods that people are asking about,
31 that the Tribal Council asked about.

32
33 In '94 they did 26 surveys and they
34 found 14 percent just of their little sample,
35 approximately four households of 26 used black bear,
36 four households tried to harvest it -- and I'm on Page
37 84, 32 percent approximately eight households of 26
38 received it, 32 percent approximately eight households
39 of 26 shared it. And respondents reported harvesting
40 black bear in all three parts of Unit 15, it wasn't
41 clear if it was on the Refuge or not. But I think
42 Ninilchik may speak to that with some of their map data
43 that I don't really have clear copies of.

44
45 The 1999 study included 21 households
46 from a similar targeted sample, not random, but long-
47 term members of the community. And according to this
48 study 32 percent, approximately seven households of 21
49 used black bear, 32 percent approximately seven
50 households of 21 tried to harvest it, 32 percent

1 approximately seven households received it and 32
2 percent shared it. So no one harvested that year but
3 someone got it from somewhere and ate it.

4
5 When the Board, switching just to
6 Alaska Legal Services, now, on the bottom of Page 84,
7 was trying to get data about subsistence uses of large
8 land mammals for the rural communities on the Kenai
9 Peninsula, Alaska Legal Services got people to sign
10 affidavits of what they had used. And of those, one of
11 them -- there were 11 from Ninilchik talked about
12 harvesting black bear, well, presumably a black --
13 well, presumably a black one, excuse me.

14
15 The other data we looked at in order to
16 try to figure out where people harvested bear in
17 Ninilchik was the ADF&G bear sealing database. And you
18 will see that and related data on Page 86 and 87. And
19 what we looked at is Ninilchik residents only, the year
20 of harvest, the unit and we tried to narrow it to the
21 UCU's, which are the Unified Coding Units, they're
22 divisions of Game Management Units which helped us
23 pinpoint better where the harvest occurred, not
24 exactly, but closer than just A, B or C. The span of
25 the database was 1973 to 2004 and some years were
26 missing and so we only have a total of 24 years of
27 harvest data within that period. And when you look at
28 Page 86, get your reading glasses out because it's very
29 small, but if you look within, for example, 15A you'll
30 see very small numbers that say 0101, 0201, 0601, those
31 are the Unified Coding Unit numbers and can everybody
32 see those.

33
34 (Council nods affirmatively)

35
36 MS. WILLIAMS: Then you will see one
37 bear, maybe in a unit, or two bear. This is where
38 harvest by Ninilchik residents occurred, within that
39 time period that we mentioned from 1973 to 2004. So if
40 you look at 15A you see that one bear has been
41 harvested by a Ninilchik resident between in -- in UCU
42 0301 and two bear in 0501. The bulk of Ninilchik black
43 bear are harvested in Unit 15C predominately outside of
44 Refuge lands very close to the village. However, there
45 are some that have been harvested within Refuge lands.
46 There are a few UCUs that include both Refuge and non-
47 Refuge lands. You will also see that bear have been
48 harvested on the southern most part of the Peninsula
49 over towards Seldovia, Nanwalek and Port Graham, on the
50 bottom there.

1 So is that map clear to everybody.

2

3 (Council nods affirmatively)

4

5 MS. WILLIAMS: Okay. So I won't go
6 over that in too much detail.

7

8 So the point, I guess, is, is that,
9 Ninilchik bear use is low but it's consistent. Every
10 subsistence economy is a model of a diversified
11 economy. People use a wide range of resources, black
12 bear is part of that in Ninilchik.

13

14 And what we see here is that we support
15 the proposal. Additional studies on Ninilchik
16 customary and traditional uses have been concluded
17 since the Federal Subsistence Board made its initial
18 decision in 1996. There's new information that
19 indicate black bear are harvested in small numbers by
20 Ninilchik residents. It's been a long-term pattern of
21 use from the earliest days of the community's
22 foundation to the present.

23

24 That's it.

25

26 CHAIRMAN LOHSE: Thank you. Any
27 questions.

28

29 Tom.

30

31 MR. CARPENTER: Yeah. 1996 was when
32 the Federal Board made all of Unit 15 for all rural
33 residents until they finally classified Nanwalek and
34 Port Graham, am I right?

35

36 MS. WILLIAMS: 1996 is when they made
37 for black bear, Nanwalek and Port Graham only.

38

39 MR. CARPENTER: Oh.

40

41 MS. WILLIAMS: Prior to that it was
42 three.

43

44 MR. CARPENTER: Okay.

45

46 MS. WILLIAMS: Before that. There was
47 a proposal in 1994 by the Kenai Peninsula Outdoor
48 Coalition that wanted to have only Nanwalek and Port
49 Graham have customary and traditional use
50 determinations for large land mammals on the Kenai

1 Peninsula.

2

3 MR. CARPENTER: Okay, thanks.

4

5 CHAIRMAN LOHSE: Any other comments,
6 questions for her.

7

8 (No comments)

9

10 CHAIRMAN LOHSE: Thank you. I feel it
11 was a very good and one of the things that never seems
12 to be brought out very much is with the kind of
13 background that you had right there, one of the things
14 we always get thrown up to us is there was a lack of
15 roads. But if you read much Alaska history you find
16 out that in the old days people traveled all over the
17 place with the lack of roads, by boat, dog team, and on
18 foot. It's just surprising how much country each
19 community would cover or how far people would go to
20 visit or to hunt or something like that.

21

22 It's amazing to me sometimes that we
23 look at the country today and we think of crossing it
24 by foot and just like we found out in Cordova, you
25 know, the country wasn't the same. They could go from
26 -- I was talking with one of the older Native ladies on
27 the boat coming over and, you know, there were no
28 alders. They took off from Cordova and hiked the
29 Katella and there were no alders in between there, you
30 know, they could just go anywhere they wanted to go.
31 We sometimes forget that in our society today, that
32 they were extremely mobile and covered extreme large
33 distances with very primitive transportation.

34

35 MR. CARPENTER: I got one more
36 question.

37

38 CHAIRMAN LOHSE: One more question by
39 Tom.

40

41 MR. CARPENTER: Yeah, just one more
42 question, in 15A and 15B, was there at any point a land
43 closure by Federal managers that would only have
44 allowed people from Ninilchik or anybody from the
45 Peninsula, for that matter, to only hunt on State
46 lands?

47

48 MS. WILLIAMS: I don't know.

49

50 MR. CARPENTER: Okay, thanks.

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

3
4 MR. HAYNES: Mr. Chairman, thank you.
5 Terry Haynes. I'm the Federal subsistence wildlife
6 coordinator for the Department of Fish and Game.

7
8 And I will try to keep our comments
9 brief today. I know you have a lot on your plate.
10 I'll preface our comments by noting that our wildlife
11 comments are a little more detailed this year than they
12 have been in previous years. We've pointed out some
13 policy issues and broad concerns that the Department
14 has, such as recommending that the Federal Board not
15 make customary and traditional use determinations until
16 it completes a written policy so that we can fully
17 understand the procedures involved in making those
18 determinations.

19
20 I will give you a position on
21 proposals, although, as always our positions are
22 subject to revision after we hear what the Regional
23 Councils have to say and as other information becomes
24 available.

25
26 In this case our written comments begin
27 on Page 92 but I'm going to turn right to the
28 conclusion of our comments on Page 94.

29
30 The documented level of use of any Unit
31 15 black bear population by residents of Ninilchik does
32 not generally exhibit a long-term recurring consistent
33 pattern of customary and traditional community use as
34 required by Federal regulations. Substantial evidence
35 is not provided in the draft Staff analysis to support
36 a reversal of the negative customary and traditional
37 use finding in Units 15A and 15B or to add Ninilchik to
38 the communities that have a customary and traditional
39 use of black bear in Unit 15C. Thus the Department of
40 Fish and Game opposes the finding of customary and
41 traditional use in the absence of a long-term recurring
42 consistent pattern of use. The Department also opposes
43 liberalizing the season for black bear in light of
44 current management concerns.

45
46 Current low levels of bear use by
47 Ninilchik residents indicate that State regulations are
48 already providing continued subsistence use
49 opportunities for those who desire to participate.

50

1 And I would just point out, going back
2 to the table that Liz showed you, Table 1 on Page 87,
3 even if this is not a complete presentation of bear
4 harvest data for Ninilchik residents, we're hard-
5 pressed to see how the harvest of three bears in Unit
6 15A over a 20 year period or 30 period reflects a
7 customary and traditional pattern of use. And likewise
8 in Unit 15B.

9
10 So at this point we believe that State
11 regulations provide reasonable opportunity for
12 residents of Ninilchik to hunt black bear, and that in
13 the absence of a full accounting of the eight factors,
14 that are more compelling than what we see in this
15 analysis, we don't support this proposal.

16
17 Thank you, Mr. Chairman.

18
19 CHAIRMAN LOHSE: Thank you, Terry.
20 Tom.

21
22 MR. CARPENTER: Yeah, Terry, is all of
23 Unit 15 open -- I don't have a Game regulation book up
24 here, but is it all currently open under State permit
25 now, even in the Refuge?

26
27 MR. HAYNES: Through the Chair. State
28 regulations for Unit 15 is two bears per regulatory
29 year. One bear July 1 to December 31 and then one bear
30 January 1st to June 30th. So you can take two black
31 bears per year, one during the first half, one during
32 the second half, any place in.....

33
34 MR. CARPENTER: Any place in Unit 15?

35
36 MR. HAYNES: Right. There is no
37 restriction on where you can take those bears.

38
39 MR. CARPENTER: I was just curious if
40 maybe there was Refuge lands or something, areas that
41 were closed?

42
43 MR. HAYNES: Not to my knowledge.

44
45 MR. CARPENTER: Okay, thanks.

46
47 CHAIRMAN LOHSE: Terry, are those
48 permit hunts, do you have to get a permit ahead of time
49 or are those just seal them when they're done?

50

1 MR. HAYNES: The latter. Seal it when
2 you're finished.

3
4 CHAIRMAN LOHSE: Seal them when you're
5 done. So a person doesn't have to think ahead of time
6 they could take one opportunistically any time they see
7 one and then just go get it sealed?

8
9 MR. HAYNES: That's correct.

10
11 CHAIRMAN LOHSE: Doug.

12
13 MR. BLOSSOM: Mr. Chair. Terry, good
14 to see you, we've missed you.

15
16 (Laughter)

17
18 MR. BLOSSOM: For black bears, what
19 years did sealing become a requirement, when did it
20 start and I don't ever recall back a ways that we ever
21 had to seal a black bear for any reason.

22
23 MR. HAYNES: Mr. Chairman. I don't
24 know if sealing became a requirement at statehood when
25 the State took over fish and game management or if it
26 was instituted at some later time. But just looking at
27 that one table suggests that people were sealing bears
28 in the early 1970s. You see in 19 -- in 15C they were
29 consistently sealing some bears from year to year, 15A
30 and 15B there are big gaps, and I don't know if that is
31 because people didn't know they had to seal bears or
32 weren't hunting bears. But in 15C, at least, people
33 were aware that -- some people were sealing bears since
34 -- you know pretty consistently from the 1970s to
35 current.

36
37 MR. BLOSSOM: Okay, Mr. Chair, yeah, I
38 shouldn't tell tales on myself then, I don't know.
39 Back in the '50s I used to hunt sheep behind Tustumena
40 when that reopened. And we always shot a black bear
41 for camp meat but I don't recall having to seal them
42 back then. That's back awhile but that would have been
43 in the late '50s. So I was just curious when it
44 started and -- well, anyway.

45
46 CHAIRMAN LOHSE: Terry.

47
48 MR. HAYNES: I don't know when it began
49 but I know that the State, you know, after statehood,
50 that's when the State would have taken responsibility

1 for whatever reporting requirements were in place. I
2 can't speak to what the Federal government had in place
3 prior to 1960.

4

5 CHAIRMAN LOHSE: I think Doug just
6 spoke to something that I know for a fact that out in
7 the bush there was an awful lot of people who either
8 didn't realize bears needed to be sealed or just ate
9 the bear and they weren't interested in keeping the
10 trophy and didn't bother to go get them sealed. I can
11 just say that I know that from personal neighbor
12 experience.

13

14 James.

15

16 MR. SHOWALTER: Yes. Black bear
17 subsistence. I personally know they've been used on
18 the Peninsula for years on end and there was no market
19 down of -- the harvest of the bears -- because that was
20 just a standard occurrence until regulations come in.
21 And I don't know if you're familiar with the local
22 Natives there kind of shut mouths when it comes to
23 government and State, the requirements, they tell you
24 the least as possible to your questions. So I know
25 you're not getting an accurate answer and a correct
26 answer just due to that fact.

27

28 CHAIRMAN LOHSE: I think like even up
29 in our country or up in the Interior there, if you
30 remember some of the testimony we've had from some of
31 the Athabascans, you didn't even talk about the fact
32 that you were going to take a bear or that you took a
33 bear or you definitely didn't bring the head in in some
34 of them, they left the head at the side of the kill.
35 And so the last thing they were going to do was go to
36 the State Fish and Game and tell them that they took a
37 bear or bring the head in for sealing or something like
38 that. So you have a little bit of that involved with
39 bears also, the record keeping, especially in the Bush
40 or rural communities was not very consistent on bears.

41

42 Greg, did you have something to say.

43

44 MR. ENCELEWSKI: Well, yeah, I was just
45 going to make a comment that -- you know, I've taken a
46 few bears in that area but I did seal one in 1985 and
47 it was because there was a new Game Warden in town and
48 he suggested strongly that I do it but.....

49

50 (Laughter)

1 CHAIRMAN LOHSE: Any other questions
2 for Terry.

3
4 (No comments)

5
6 CHAIRMAN LOHSE: Terry, just out of
7 curiosity, what would the Fish and Game think was a
8 consistent pattern of use on something that was an
9 opportunistic take or something that you only took if
10 something else wasn't available, you know, I mean I'll
11 just say that from my standpoint I would look at bears
12 as a food for our family -- you know, as a subsistence
13 food for our family but we probably don't take one
14 every eight years, you know, it's only on a year that
15 spring comes and you don't have any meat in the freezer
16 or you happen to take one in fall because you happen to
17 see one in a berry patch or something like that. But
18 it's not something that you actually -- it's not
19 something that you actually take every year, you don't
20 even particularly go out for it every year. What, in
21 your opinion, would be a consistent pattern of use on
22 something like that.

23
24 MR. HAYNES: Mr. Chairman. I think,
25 you know, given all the different sources of
26 information that were consulted in preparing this
27 analysis, we would expect to see a more consistent
28 record of harvest and use instead of these big gaps.
29 And we recognize that, you know, black bear often is an
30 opportunistic resource that people take when they need
31 it or if they happen to run across one rather than
32 targeting black bear, if that may be the case.

33
34 But we just -- if it's a resource that
35 is part of the customary and traditional pattern of
36 use, you just expect to see more evidence of its use.

37
38 Now, when we get to brown bear, we will
39 argue even more strongly that we don't think the case
40 is made because there's even less evidence of use of
41 brown bear. But in the case of black bear, it's a low
42 level harvest -- low level of harvest over time, the
43 available evidence, you know, it suggests it is being
44 used but does that meet the customary and traditional
45 test and that's why we have been waiting to see what
46 the basis is for determining that a use is a customary
47 and traditional use. We want to know how OSM Staff are
48 determining, you know, at what point does this become a
49 customary and traditional use versus something else.

50

1 And so we've requested and are waiting
2 to see what this written policy looks like because that
3 is a big issue, it's an important question to
4 understand what is the basis for making those
5 decisions.

6
7 CHAIRMAN LOHSE: Well, I was just
8 thinking of some people that I knew that the only time
9 that they would take a bear was for a -- probably you
10 might say for a ceremonial purpose, I mean it would
11 have to be something very special for them to take a
12 bear. And so they probably didn't take a bear very
13 often, and, yet, it was very important in their culture
14 to take a bear so you could have a customary and
15 traditional use that didn't occur very often but was
16 still very important. And I know what I was looking
17 for here was a community pattern, you know, even as
18 individuals you don't take them, you know, does the
19 community use it.

20
21 And I don't know how you quantify
22 something like that because there's such a wide variety
23 of use patterns and yet they can be important in those
24 use patterns, you know, and so you could say it's cust
25 -- I mean if the only time you took one was for a
26 special occasion, it still would be customary and
27 traditional use if it was only taken for a special
28 taken and those occasions didn't even occur very often.
29 I mean if it was very important and very critical in
30 the taking of it, you know, so I -- you know I can see
31 where -- I see where you're coming from and I also can
32 see where they would have a hard time -- it's not
33 something that can be defined, you know, you can't say,
34 well, you have to take, you know, X amount for X amount
35 of time for X amount of people or something like that.
36 And I think that's what they're struggling with, too,
37 in trying to be fair to that broad range of cultures
38 that we have and at the same time recognizing that
39 we're trying to put it into a -- we like to put things
40 into, let's see, how do the numbers match up, you know,
41 type thing and I could understand where there'd be a
42 struggle on that.

43
44 So thank you, Terry, on that.

45
46 MR. HAYNES: Just one final comment,
47 Mr. Chairman, and that is that, you know, current State
48 regulations provide ample opportunity in our judgment.
49 We don't see that there are any restrictions that are
50 preventing people from Ninilchik taking two black bear

1 per year under State regulations. So we believe that
2 opportunity should be used and it's there for the
3 using.

4

5 Thank you.

6

7 CHAIRMAN LOHSE: Tom, were you going to
8 ask something.

9

10 MR. CARPENTER: No.

11

12 CHAIRMAN LOHSE: Thank you, Terry.
13 Other Federal agencies.

14

15 MR. WEST: Mr. Chairman. Robin West.
16 Kenai National Wildlife Refuge. Only really one
17 comment, and I'll preface that with, though, Staff did
18 an awful lot of work on the fisheries proposals, the
19 wildlife proposals didn't receive as much attention, I
20 think. And so as you read some of the things you read
21 some of the things in here there wasn't as much
22 dialogue back and forth, and so I'm not sure that I
23 agree with the way some of the things are portrayed.

24

25 I'll just bring to your attention the
26 black bear issue on Page 100, you'll see other
27 alternatives considered. It mentions that myself had
28 suggested a modified recommendation.

29

30 In essence, I'm not coming before you
31 arguing for C&T or for a hunt or against it, you know,
32 I don't have any knowledge that contributes to the
33 history of use or anything like that. What I am
34 suggesting is if you decide favorably for C&T and if
35 you decide to offer a season that it's appropriate for
36 us to have a permit system. What you see in the middle
37 here, it says hunters desiring to hunt on both Federal
38 and Federal lands would then be required to obtain two
39 permits and, of course that's not true, there are no
40 permits issued to hunt black bear under the State
41 system, you get them sealed. And I'm not enthusiastic
42 about issuing permits and more administrative red tape
43 for either my Staff or the hunter, but in this
44 particular case there are two issues. If, again, you
45 decided to act favorably upon this proposal it would
46 deviate significantly from the State season so that a
47 person would legitimately be able to go out on Federal
48 lands and take two or three bears at one time and that
49 would be in violation of the State regulation. This is
50 suggesting that the State would be the one who's

1 monitoring that. We would gather our information
2 through their permit system which does not exist and
3 any information that I would have to report back to you
4 or anyone else on the hunt would come through State
5 sealing records which may or may not be timely or even
6 completely accurate, as was pointed out earlier, you
7 know, the State boundaries on where the sealing occurs
8 is on and off Federal lands.

9

10 So two problems would occur if we did
11 not have a registration permit should you forward this.
12 And that would be some concern and liability for the
13 actual hunter that's out there with more bears than --
14 without any permits or anything that would allow them,
15 that's not acceptable under the State season, and
16 second we wouldn't have any good way to monitor the
17 harvest offer time.

18

19 So just something for you to consider,
20 thank you.

21

22 CHAIRMAN LOHSE: Tricia.

23

24 MS. WAGGONER: Yeah, Robin, can you
25 speak to the question of whether the Federal lands have
26 ever been closed in the Kenai to black bear hunting?

27

28 MR. WEST: To my knowledge, you know,
29 black bear hunting's been liberal since time --
30 forever. On the Refuge, about three percent of the
31 Refuge is closed to black bear hunting and most
32 hunting. The Skilak Wildlife Recreation Area is closed
33 to big game hunting, has been for about 20 years,
34 that's about two percent of the Refuge. And then
35 there's a couple of safety zone areas around our
36 outdoor education building, or headquarters site where
37 you can't discharge firearms. So, you know, there are
38 some small portions of the Refuge that technically
39 aren't open to black bear hunting now. But the bulk of
40 the Refuge is and always has been and pre-statehood and
41 territorial days it was wide open.

42

43 CHAIRMAN LOHSE: Any other questions
44 for Robin.

45

46 (No comments)

47

48 CHAIRMAN LOHSE: Thank you, Robin. Any
49 other State agency -- or you're another Federal agency,
50 okay.

1 MR. BUKLIS: Thank you, Mr. Chairman.
2 Larry Buklis with the Office of Subsistence Management.
3 It was noted that State regulations provide for the
4 subsistence opportunity. And I wanted to clarify, that
5 although that is good that is being provided, State and
6 Federal programs operate under different mandates and
7 that needs to be kept in mind.

8
9 Alaska Statutes require that a
10 subsistence preference be provided over other uses,
11 however, ANILCA requires the Federal program to give
12 rural Alaskans a priority over other uses for taking of
13 fish and wildlife resources on the Federal public
14 lands.

15
16 ANILCA also provides for Regional
17 Councils, as you know, and the deference factor in
18 Regional Council recommendations relative to taking of
19 fish and wildlife. And the Federal Subsistence Program
20 is required to provide the rural subsistence priority
21 regardless of the opportunities that may be provided
22 under State regulations.

23
24 So, although, opportunities -- in
25 summary, although opportunities may be provided under
26 State regulations that doesn't mean the Federal program
27 is freed from providing the rural priority under
28 ANILCA.

29
30 CHAIRMAN LOHSE: So what you're saying
31 is even if it's open for a State hunt that meets the
32 needs of everybody, on Federal land, if there's a C&T
33 then a priority in regulations for a hunt has to be
34 provided.

35
36 MR. BUKLIS: Yes, Mr. Chairman. And
37 particularly when a group has come forward asking for
38 that opportunity. There may be cases where an
39 opportunity isn't provided because it's not been a part
40 of the regulations to date and has not been asked, you
41 know, requested but in the case where it's being
42 requested -- I know right now you're on the C&T, we're
43 not talking about the taking regulations yet, but the
44 comment was made that the opportunity is provided for
45 under the State, and my main point is while that may be
46 true, the program mandates are different and the
47 preference under the State and the priority under the
48 rural, ANILCA priority, differ in terms of who's
49 eligible. And that doesn't abrogate or change the need
50 to provide the opportunity under ANILCA when it's being

1 requested and is legitimate.

2

3 CHAIRMAN LOHSE: Even if that priority
4 usually, in most cases, mirrors the State hunt, it's
5 just that it's there in case the State hunt would close
6 then the priority would remain for the subsistence user
7 on Federal land.

8

9 MR. BUKLIS: That's correct.

10

11 CHAIRMAN LOHSE: Any other questions.

12

13 (No comments)

14

15 CHAIRMAN LOHSE: Thank you. Any other
16 State agency.

17

18 (No comments)

19

20 CHAIRMAN LOHSE: Tribal agency

21 comments.

22

23 MR. WILLIAMS: Mr. Chairman. Members
24 of the Board. My name is Darrel Williams. I'm the
25 resource manager for the Ninilchik Traditional Council.

26

27 MR. ODRAN: Mr. Chairman. Members of
28 the Board. My name is Kenny Odran. I'm a director for
29 NTC and a subsistence user.

30

31 MR. WILLIAMS: This is -- I thought to
32 try to be succinct and make things move along as fast
33 as possible we made a presentation about our survey
34 data that we have from 1994 and 1999 about bear harvest
35 and the traditional and cultural uses and demonstrates
36 where we got some of our information. It might be real
37 beneficial to show that first. I think it will make
38 some of the points more clear. Would -- for the sake
39 of time would you guys be interested in that?

40

41 CHAIRMAN LOHSE: I am.

42

43 MR. WILLIAMS: I'm sorry, Mr. Chairman.

44

45 CHAIRMAN LOHSE: You think it would be
46 shorter than your talking to us?

47

48 MR. WILLIAMS: I believe it will be.

49

50 (Laughter)

1 MR. WILLIAMS: But I think it will
2 clarify some of the issues that I talk about. I think
3 it's really important that if you're able to see some
4 of the information prior to talking about it, it may
5 answer some of the questions before we get to them, you
6 know, if that'd be acceptable for you.

7
8 CHAIRMAN LOHSE: Go ahead.

9
10 MR. WILLIAMS: I think I'll get
11 started. Donald was going to set the projector here,
12 give me just a second please.

13
14 MR. MIKE: Five minute break.

15
16 CHAIRMAN LOHSE: Five minute break. Go
17 fill your coffee cups. Come on Tom, wake up.

18
19 (Laughter)

20
21 (Off record)

22
23 (On record)

24
25 CHAIRMAN LOHSE: Go ahead, Darrel.

26
27 MR. WILLIAMS: Mr. Chairman. Members
28 of the Board. What I prepared is basically to address
29 both Proposals 16 and 17 in one presentation for the
30 sake of time and I think it will clarify some of the
31 issues and keep us from having to do some duplicate
32 information. Let me just make sure I understand how to
33 use this -- there we go.

34
35 This is the NTC subsistence surveys,
36 the ANILCA surveys exactly, from 1994 and 1999 and a
37 summary of the results of those surveys. The 1994
38 survey represented a lifestyle use pattern and the 1999
39 survey represented a period of time between 1994 and
40 1999.

41
42 The regulatory history, I didn't really
43 get into that a whole bunch. I believe that OSM
44 covered that very well. There is a profound indication
45 that we'll get back to on that that happens throughout
46 the survey. I wanted to clarify some of the areas of
47 use and show you where we got our information.

48
49 And I wanted to address some of the
50 cultural implications for the C&T determinations and

1 some of the impacts that we're looking at.

2

3 The 1884 subsistence survey, we had 25
4 households that were surveyed, it was a key survey. It
5 was a voluntary response. It was the documentation of
6 life long subsistence patterns. The target population
7 were based on the tribe. It does not mean that there
8 -- there were both non-Native and Native participants
9 in the survey. It asks about historical uses, and the
10 historical uses were documented fairly well. And when
11 we get to the maps you'll see -- I'll explain how we
12 approach that. On the questionnaire, the number
13 harvested is represented as a bear harvested. We
14 didn't really get into -- well, like when we did the
15 fish surveys we had gone by edible pounds, this is a
16 little different.

17

18 The game units were identified with
19 harvest activities. It was easier for the users to
20 identify game units than any other way. And the
21 mapping of the resources was followed by the
22 methodology set up by Dr. Wolfe.

23

24 The 1999 subsistence survey was very
25 similar to the 1994 survey, however there were 20
26 households surveyed in it. It was a documentation
27 between the 1994 survey and 1999, until the present
28 time when the survey was done. The same target group.
29 It also consisted of both Native and non-Native users.
30 Considers contemporary use. More modern day
31 activities, for example, the road system, when we start
32 talking about that. The number harvested also
33 represents -- it's very similar, each bear harvested,
34 game units were identified the same way and it was
35 followed -- the same methodology by Dr. Wolfe.

36

37 Here's an example in the 1994 bear
38 harvest on Federal public lands. When we put this
39 information together what we did is we tried to look --
40 we gave the map to the person taking the survey and
41 they would indicate where they had harvested different
42 things by circling an area on the map. That's how we
43 tried to determine whether they were actually using
44 Federal lands or non-Federal lands. Now, the blue
45 block there you notice it says black bear attempted and
46 then you go two blocks over, that kind of yellow brown
47 color, brown bear attempted. It was really interesting
48 and it was a really good idea when they put the survey
49 together, there were people who indicated they had
50 received bear parts and bear products from hunts and

1 they were able to indicate the area of where the bear
2 came from. For example, if a bear came from 15C and
3 they had received meat from the bear or whatever, they
4 were able to indicate, yes, that they had received meat
5 or that they had attempted to hunt and they were
6 unsuccessful. But the shared harvest, part of that
7 cultural thing that the folks do down there, is
8 indicated real well.

9

10 And, actually, Donald, is there any way
11 to make that brighter where you can actually see the
12 percentages.

13

14 (Pause)

15

16 MR. WILLIAMS: Mr. Chairman. Members
17 of the Board. Actually here there's percentages listed
18 and it's just with this presentation you can't see them
19 very well and I don't actually have them written down,
20 I thought we could see them. However, that is an
21 estimate of what it is.

22

23 CHAIRMAN LOHSE: Is that 100 percent at
24 the top of the graph or is that.....

25

26 MR. WILLIAMS: That's 30 percent.

27

28 CHAIRMAN LOHSE: At the top of the
29 graph is 30 percent.

30

31 MR. WILLIAMS: Could you turn off the
32 lights for a second and let's see -- so right above the
33 first block, the blue bar is 20 percent.

34

35 CHAIRMAN LOHSE: Okay, there we go.

36

37 MR. WILLIAMS: 20 percent of the
38 households surveyed had participated in attempting to
39 harvest black bear and -- oh, I'm sorry -- and it was
40 based on whether they had actually harvested a bear or
41 attempted to harvest a bear.

42

43 The next block over is actual
44 participants who were actually able to harvest a bear
45 so we actually see where people attempted to harvest
46 animals and they weren't necessarily successful. And
47 it shows that it was an active hunting thing. People
48 went out and they pursued these animals for their
49 needs. And the same thing corresponds to the brown
50 bear, and it shows it's at a lesser level, it's -- and

1 I believe the line right there is at 10 percent on the
2 kind of tan/yellow block there, is 10 percent, people,
3 of the participants tried to harvest brown bear. And,
4 gosh about seven percent were successful.

5
6 And keep in mind, beings that this is
7 the 1994 survey this was on Federal lands, and
8 represented a lifetime of use.

9
10 This is the 1999 bear harvest on
11 Federal public lands. And interesting enough, and I'm
12 trying to kill two birds with one stone, you'll notice
13 that the brown bear attempted and the brown bear
14 harvested went to zero. There were some regulatory
15 issues that happened between that period that are
16 indicated in our surveys. The regulatory history is on
17 Page 42 of your booklet, and it indicates that
18 somewhere around 1990 some of the management activities
19 were initiated. And I'm pretty sure that's cause and
20 effect.

21
22 However, on the black bear you could
23 see where -- I want to say it's about eight percent
24 were attempted to harvest and about eight percent were
25 also successful. And bear in mind the 1999 survey is
26 the period of time from 1994 through 1999 and
27 represents more contemporary use. And, again, on the
28 right-hand side is an example of the maps, how they're
29 broken out, Game Management Units, just like we use
30 now.

31
32 In the 1994 surveys, I thought I'd use
33 these for some examples for everybody so they could see
34 them. The survey indicated that the users attempted to
35 harvest black bears and on this particular survey this
36 person had attempted to harvest black bears, it looks
37 like in 15B and 15C. And I should have brought the
38 papers to show the actual surveys how it was
39 documented, but that's how it was broken down, and I
40 didn't actually bring those.

41
42 Here's another example of the survey
43 indicated that the user attempted to harvest black bear
44 and brown bear, and they also indicated in the survey
45 that they had shared resources from both black bear and
46 brown bear from Units 8 and 15C.

47
48 This is a good representative sample of
49 another 1994 survey. The survey indicated that the
50 users had harvested black bears in 15C and did not

1 harvest a brown bear. It indicated that they had
2 shared resources from both black and brown bear from
3 Unit 15C.

4
5 One of the things that we did when we
6 were going through these particular surveys is we tried
7 -- we put an overlay on it to see if the areas that
8 were marked, if they corresponded with Federal public
9 lands, and that's how we made our assumptions of who
10 harvested on Federal public land and who did not.

11
12 This survey indicates that the user had
13 harvested several black bear and brown bear in Units
14 15A, B and C. They'd indicated that they had shared
15 resources from both black and brown bear from Units
16 15A, B and C.

17
18 Another one, the survey indicated that
19 the user had harvested black bears and brown bears in
20 15C. They indicated they shared resources from both
21 black and brown bears from Unit 15C.

22
23 One of the reasons I wanted to go
24 through this and show everybody, I know here at the RAC
25 we've had a lot of discussion about traditional and
26 cultural uses and means of harvest. One of the issues
27 that I think is really profound in these particular
28 survey samples is that it's not uncommon for one or a
29 small group of hunters to provide for a larger group of
30 people. And I was really glad that they had set up the
31 survey to be able to indicate the shared use.

32
33 The conclusions of the survey is that
34 Federal public lands are important for subsistence
35 harvest for the residents of -- that's not supposed to
36 be anadromous fish, it's supposed to be black bear,
37 they're used by the core subsistence user groups, the
38 areas and amounts have gotten smaller and they're
39 indicated between the lifetime use versus contemporary
40 use.

41
42 The areas that have been selected where
43 multiple activities can occur. It's interesting that
44 in the surveys it also indicates people would harvest
45 other things while they were participating in a
46 particular activity. For example, moose hunting,
47 fishing, or berry picking in the fall. And when
48 there's opportunities to be able to participate in
49 activities for harvest they would exercise those.

50

1 Many historical areas are no longer
2 hunted because of conflicts with other user groups.
3 And areas are overpopulated. The example is the Hidden
4 Lake. I like to use that as an example. I know Robin
5 was just up here and it has been closed for a very long
6 time, but when you talk to the older generation of
7 folks down there, when they would travel up that way
8 where Hidden Lake campground was, used to be the
9 highway on the way to Anchorage until they built the
10 new highway, and they used to go and do different
11 things in there. And honestly, whether it was legal or
12 not, I couldn't -- I wouldn't want to speculate. Area
13 use diminished with the increase of regulations and
14 closures.

15
16 Cultural implications. The regulations
17 have shapes some use over time. It's really
18 interesting in the brown bear information how it goes
19 to a certain point and simply stops.

20
21 The harvest limitations per regulatory
22 year and -- and closures. There is information in the
23 booklet where Ninilchik residents have been harvesting
24 brown bear through the State sport regulations,
25 however, that was something that our survey did, you
26 know, did not show the high instance of.

27
28 The cultural history loss with these --
29 with historical users. One of the indications that we
30 had when we did the stuff for the moose hunting, gosh,
31 a couple years ago, most of the people were here, it's
32 interesting that we show a decline in numbers in a lot
33 of our other survey information and we believe that a
34 lot of that comes from a lot of the older generation,
35 they're having a really hard time trying to participate
36 and pass on a lot of this information to their kids and
37 what not because it used to be, when they had a problem
38 or an issue they were able to write a letter and take
39 care of it. A lot of these folks don't understand this
40 process where you need to come and testify, they're not
41 public speakers, and these are the kinds of things that
42 they don't do and they really don't understand and it's
43 having an affect on the culture. People are using
44 track of what the cultural and traditional stuff should
45 be. And I hate to say it, a lot of times I don't think
46 having to come and do a lot of this is what they think
47 the historical customary ways of doing things that
48 they've done should be. There are rights through ANCSA
49 about resources and these resources are -- the -- the
50 availability of these resources are being diminished.

1 Historical and contemporary
2 documentation. Use of Federal public lands for harvest
3 of bears is supported in the surveys performed in
4 Ninilchik. Regulations have impacted use. There's a
5 small group of people, a core subsistence group, less
6 than 30 percent, which you would suspect to see, that
7 utilize the resource. And the cultural significance of
8 bears actually is well documented in the Staff
9 analysis. I was very pleased to see the information
10 from Grassim Oskolkoff that was put in there. He was
11 an advocate for a great many things and he's no longer
12 with us.

13

14 That concludes my slide presentation.

15

16 CHAIRMAN LOHSE: Thank you, Darrel.

17

18 MR. WILLIAMS: You're welcome, Mr.
19 Chairman. I would like to take an opportunity to
20 briefly touch on some of the eight factors associated
21 with this, and, of course, we are asking for a positive
22 determination on this.

23

24 And I believe the history of Ninilchik
25 has been founded very well. I believe it was covered
26 very well in the Staff analysis, so in order not to be
27 rhetorical I'll just let that one go. But I would like
28 to point out again the information from Grassim
29 Oskolkoff, it's on Page 81 of your book, and it's also
30 showed again on Page 108.

31

32 The recurring use pattern. It's
33 demonstrated through our surveys between lifetime uses
34 and it's also demonstrated in the information from the
35 Alaska Department of Fish Game on the harvest
36 information that's available now.

37

38 The economic benefits that are
39 associated with the bear. I think what you have to
40 remember is these people have used bears for food.
41 They salt bear, they eat bear, they freeze bear, it's
42 more of a food source, it's not a trophy hunt or
43 nothing like that, which I think a lot of people have
44 misconceptions about.

45

46 Methods and means of harvest. It's
47 varied from spears to traps to guns to, I think, I even
48 saw one get hit by a truck one time to be honest with
49 you, but the same thing, it's not a wasteful
50 opportunity. For example, you know, the road killed

1 moose, the same thing, they're harvested, they're
2 utilized by the people.

3

4 The accessibility from the village.
5 It's also interesting, one of the reasons why I like
6 the '94 survey probably better than the '99 survey is
7 the roads weren't as good before that. There's been a
8 lot of improvements, cars are better, it makes places
9 closer, so to speak, and subsistence users utilize this
10 as a resource too, to be able to get to the places that
11 they want to go to harvest.

12

13 The means of handling and preserving
14 harvest. I believe Liz Williams addressed that very
15 nicely in the cookbook and what not, there are a lot of
16 ways to be able to cook and eat bear. Bear is bear.
17 When you eat bear you know it's bear. I wouldn't say
18 it's bad meat, but there are ways to cook it that makes
19 it better, in my own personal opinion.

20

21 The traditional handing down of skills.
22 That's something I've gotten very concerned about to be
23 really honest with you on several issues here at the
24 RAC meeting. And not to beat my drum but it is
25 important for these people to be able to go out and
26 utilize the resource, teach their children the ways
27 that they do things. I also think it's very important,
28 and the same thing we discussed at length, three
29 generations ago the primary language in Ninilchik was
30 Russian. Things have changed. And that culture is
31 really, really rich.

32

33 The harvest is shared and distributed.
34 It's indicated in the surveys. It is also indicated
35 through the ways of preserving and using the meat.
36 It's something that people were able to do. In
37 Ninilchik they have shared in a lot of different ways,
38 and they still do, everything from fish to the root
39 cellars that are on the side of the hill by the
40 villages, the potato farm they had. It is part of the
41 group of who they are.

42

43 The diversity of fish and wildlife that
44 provide for cultural and economic and the nutritional
45 elements in the community. I will say this, because it
46 is a food source, it is used. On a personal note, to
47 try to put a perspective on it, for example, for the
48 moose hunt, I was one of the subsistence users who was
49 able to harvest a late moose. In the summer, during
50 the summer months we were putting away fish and using

1 that and I actually really liked it because it provided
2 an opportunity at a later date to put meat in the
3 freezer and I still got moose meat in the freezer and I
4 sure am happy about that, and the same thing with being
5 able to go out and harvest bear, for example, in the
6 springtime, when things are being exhausted and you're
7 trying to get ready to go fishing or whatever, it may
8 be an opportunity to be able to satisfy some of these
9 needs.

10
11 Alternatives. Just to touch on that,
12 there are sport things available, but the same thing
13 I'd like the Council to remember, this is about
14 meaningful preference. This is about customary and
15 traditional use. This is about securing the culture
16 and the community as well as being able to go and
17 harvest things.

18
19 And I think I will stop at that. I
20 believe I've covered everything, not to take up too
21 much time.

22
23 Are there any questions so far.

24
25 CHAIRMAN LOHSE: Darrel, any questions
26 for Darrel.

27
28 (No comments)

29
30 CHAIRMAN LOHSE: I have one. Darrel,
31 you hit on something at the end right there. The
32 reason why Ninilchik is seeking C&T, obviously can't be
33 because they, under current regulations can't get as
34 many bears as they need to use, but you said something
35 about securing a culture.

36
37 MR. WILLIAMS: Yes, Mr. Chairman. I
38 believe that when we went through our survey
39 information and we looked at where these people had
40 went and the amount of people who'd actually harvested
41 in these Federal areas, we thought it was very
42 important to be able to maintain that. Trying to cover
43 more than one proposal to be succinct.

44
45 The other thing that's happened is for
46 Proposal 17, a couple years ago they had the brown bear
47 hunt that they had opened up. And people went and they
48 paid cash dollars for their tag to be able to
49 participate in that hunt and people from Ninilchik did
50 this also. I know there's actually sitting right here

1 in this room who did that. And in three days, if
2 memory serves, it was three days they reached their
3 threshold and closed the season. Now, that is not a
4 meaningful preference. That is not an opportunity to
5 harvest.

6

7 I think it's a very good example of how
8 fast the State can change their mind and affect a
9 community on a larger level than biology.

10

11 This is about people. This is about
12 cultural. This is about traditional uses. There's
13 more on anthropology that needs to be looked at than
14 there is about biology. Biology is a tool to manage
15 populations. Anthropology is a way to look at people,
16 and this is about people, too.

17

18 So that's one of the reasons when we
19 sat down and we formed these proposals, we tried to
20 take a hard look. If we would have went through our
21 proposals and found that there was no use on Federal
22 public lands we wouldn't have done this and that's one
23 of the reasons why we wanted to move forward in this
24 direction.

25

26 CHAIRMAN LOHSE: Okay, I think you
27 answered my question on that one.

28

29 The other question I have is like when
30 you did your survey in 1994.

31

32 MR. WILLIAMS: Uh-huh.

33

34 CHAIRMAN LOHSE: I don't know how to
35 ask this one but when you survey people to ask them
36 about past deeds, and they're not sure whether those
37 past deeds were legal or illegal, and they're not sure
38 whether they're -- you know, we can tell them all you
39 want that, you know, there's no name connected with
40 this, it'll all be private and everything else, do you
41 find a large amount of residents in divulging
42 information that even if it's long past the statute of
43 limitations.....

44

45 MR. WILLIAMS: Uh-huh.

46

47 CHAIRMAN LOHSE:that they're not
48 sure they should have done?

49

50 MR. WILLIAMS: Mr. Chairman. I would

1 say that's correct. For an example, we had a gentleman
2 who was interested in coming in this type of activity,
3 in with the Board, and he made a statement that's
4 really hit home with me and his name's Johnny, and
5 we'll just leave it at that, but Johnny's done a bit of
6 poaching in his life. He's not necessarily 100 percent
7 honest about it. But he said it best, I really believe
8 it, he said, they make us outlaws and it's a good
9 example of how life has changed for people over a long
10 period -- he's an older gentleman, but over a period of
11 time, when he was used to participating in different
12 activities in a certain ways and now times changed and
13 things evolved and, you know, more people, more
14 conglomeration of stuff, he feels in his world where he
15 lives, in his community, that things have been taken
16 away and he wants to participate in things like he use
17 to, he wants to take his kids out and what not, and
18 I'll be honest with you I'm pretty sure he still does.

19

20 I know there's a lot of poaching. I
21 know there's a lot of people who take things that they
22 probably shouldn't. And I'll be the first to say that
23 if somebody's feeding their family I will look the
24 other way, and that's my own personal preference.

25

26 People in need or people who have the
27 desire to want to go out and do these activities, I
28 think it's fair to keep in mind that it's not always a
29 good time, you're not going to Safeway. If you go out
30 and shoot a moose there's a lot of work involved in
31 taking care of that animal. As an example, if you want
32 to go shoot a bear, and you want to take care of that
33 animal, it's the same thing, there's a lot of work that
34 has to be done taking care of that animal. It's not
35 that easy. But there are a lot of people who -- there
36 is information they will not divulge. Because they
37 are, they're afraid of getting in trouble. They're
38 afraid of issues. They're afraid of problems.

39

40 And on the other hand there's also
41 areas where people go where they know there's no
42 enforcement. That's the flip side of the coin. And
43 some of these activities happen.

44

45 So it's a little more complex. I don't
46 -- personally I would say there's not as much of that
47 activity on Federal lands as there is on State lands.
48 The State lands are more accessible where people tend
49 to go and do these kind of things.

50

1 CHAIRMAN LOHSE: I wasn't even thinking
2 of current activity. I was just thinking of when you
3 start dealing -- when you start trying to do a survey
4 like that and you run into everything from cultural
5 implications to the fact that, you know, you just get
6 that people have a reticence about indicating that they
7 did something even if it was 30, 40 or 50 years ago if
8 they feel like that maybe they had -- and I'm not
9 talking about people who are activity going out and
10 poaching but I'm just talking about something like what
11 Terry said about the sealing of black bears. I mean I
12 -- I'll be honest with you, when I first moved in the
13 Chitina Valley, and our neighbors took a black bear or
14 I took a black bear for food, we never even thought of
15 the fact that we should take it out and go out to
16 Glennallen and seal it. I mean you just shot the black
17 bear, cut it up and ate it, you know, and I can say
18 something like that because I know that that was long
19 enough ago that I can't get in trouble for it. But I
20 also know that if you've got people who are worried
21 about, you know, what the culture does and how the law
22 works and everything else, I just don't see how these
23 old surveys can be even close to accurate, you know,
24 and that's why, you know, it's hard for me to put a lot
25 of weight in those surveys because people don't
26 voluntarily divulge things that they're worried about
27 getting themselves in trouble for.

28
29 MR. WILLIAMS: Mr. Chairman. I think
30 that you're on exactly the same train of thought that I
31 am. The beauty of the surveys though is exactly what
32 you're saying. People don't necessarily want to
33 indulge so I would say by having a group, a subset of
34 those people actually divulge that information we
35 probably have a very conservative estimate. And even
36 the conservative estimate still is an indication that
37 these areas and these resources have been used.

38
39 CHAIRMAN LOHSE: Any other -- Tricia.

40
41 MS. WAGGONER: During your surveys were
42 you able to get a sense of proportionately the
43 targeting of hunting bears for food or for the --
44 versus opportunistic taking?

45
46 MR. WILLIAMS: Mr. Chairman. Ms.
47 Waggoner. Actually honestly I wasn't working at the
48 Council when these surveys had taken place. However,
49 what I can say is by going through this information and
50 when I see that people can indicate that they hunted

1 for bear, they were not successful, but they received
2 bear from somebody else, for example, in Unit 15C and
3 they were able to indicate on the map that the person
4 that they got the bear from was hunting in this area,
5 that's -- that was the rationale that I approached this
6 information with.

7

8 So I would say that if somebody
9 actually went to an area to harvest bear and shared the
10 resources, I would probably consider that more of a
11 targeted approach more than an opportunistic approach.

12

13 And then we also have the information
14 from the people getting tags through the Sport-type
15 Division also that would also support that the people
16 actually go and they are targeting a season and a
17 species and so on and so forth.

18

19 CHAIRMAN LOHSE: John.

20

21 MR. LAMB: If you had the opportunity
22 to do it, to get bears during daylight hours, instead
23 of the midnight stuff so that Fish and Game would get a
24 better idea of what's out there and there'd be better
25 record keeping, would they do it?

26

27 MR. WILLIAMS: Mr. Chairman. Mr. Lamb.
28 I believe so. I believe that as this process is going
29 on and more and more folks are learning about the way
30 the subsistence system works, I believe that people
31 would be receptive to reporting.

32

33 I think the only consideration we'd
34 have to have with reporting would have to be probably
35 within a week or maybe even two weeks of a timeframe.

36

37 MR. LAMB: End of season, I don't care,
38 yeah.

39

40 MR. WILLIAMS: End of season, something
41 like that, yeah, I believe people would be very
42 receptive to that because I believe that we're still
43 making this transition where people are learning about
44 how the process works, where a lot of these folks,
45 where 20 years ago you wrote a letter and things have
46 changed.

47

48 MR. LAMB: How about do you -- a
49 majority of the bears taken incidental or do you
50 actively hunt the bears down there?

1 MR. WILLIAMS: Mr. Chairman. Mr. Lamb.
2 I believe the same thing, I believe there is more take
3 of bears that is targeted. I am sure there is also
4 incidental take where the opportunity arises and people
5 act on it.

6
7 I guess when I have a hard time is when
8 I look at the people who are participating in sports-
9 type activities also and it's pretty hard to deny --
10 you know, when they go and take the black bear baiting
11 class, they're targeting a bear.

12
13 MR. LAMB: Yeah. You're not bait area
14 down there?

15
16 MR. WILLIAMS: I'm sorry?

17
18 MR. LAMB: You're not a hunt over a
19 bait area down there, are you?

20
21 MR. WILLIAMS: Are we talking about
22 bait areas?

23
24 MR. LAMB: Yeah. Is it.

25
26 MR. WILLIAMS: No, Mr. Lamb, no, we're
27 not.

28
29 MR. LAMB: Okay, I didn't think so.

30
31 MR. WILLIAMS: Not at all.

32
33 MR. LAMB: Okay.

34
35 MR. WILLIAMS: I was just making a
36 comparison to the sportsman-type activities that happen
37 today and there are people who are sportsman who do
38 participate in that. We're talking about cultural and
39 traditional-type uses.

40
41 CHAIRMAN LOHSE: Tom.

42
43 MR. CARPENTER: Yeah, Darrel, thanks.
44 This is just kind of a theoretical question for you, I
45 guess. You know, I sit here and I think about these
46 C&Ts and I was actually speaking with a lady that's on
47 the Southeast RAC and we had a pretty interesting
48 conversation and the one thing she told me was, she
49 said, over time the Southeast RAC has become -- it's
50 become very hard to justify getting a C&T from that RAC

1 compared to when the system first started. And I guess
2 my question to you is, is if we don't use some of the
3 data that's provided to us in regards to past harvest
4 and things like that, how are we going to be able to in
5 the future to differentiate between a community like
6 Ninilchik or a tribe like Ninilchik and every other
7 community that's a small town on the Kenai Peninsula.
8 Because if we don't look at some of the numbers and we
9 don't consider some of the things that we actually can
10 look at that are hard numbers, won't everybody just
11 basically have the same priority in the future?

12

13 MR. WILLIAMS: Mr. Chairman. Mr.
14 Carpenter. You know, it -- my answer is no, let's just
15 start with that. And let me give you a little
16 rationale to go along with that.

17

18 One of the major factors that come up
19 with that is rural determination. We all know about
20 that. You know, honestly when I've sat in meetings and
21 at the Federal Subsistence Board and I hear people
22 saying, oh, everybody's qualified to do this. Well, if
23 you lose your rural determination, you're not. That's
24 one factor.

25

26 The other factor is ANILCA provides for
27 a meaningful preference for rural communities. So
28 until the rural status changes that's where you're at.

29

30 You know, to reflect on some of the
31 other stuff that's happened with this RAC particularly,
32 one of the examples that we've kind of remised about,
33 but like the fishing with Hope, no one from Hope came
34 here, no one. But they have a C&T determination. So I
35 really believe that that's something that if people are
36 willing to come forth and represent themselves, it's
37 kind of like with the moose hunt, extending the moose
38 hunt, we had people who came and testified. I think
39 that participation, I think there should be more weight
40 on it, honestly, I really do. If people are -- I
41 understand that there is this divide where some of the
42 older generation, they think they could write a letter
43 and actually, honestly I've tried to encourage people,
44 write a letter, they'll read it into the record, but
45 they don't necessarily understand how things have
46 changed. They want to write Ted Stevens and say, Uncle
47 Ted, change this, well, things have changed. So I
48 think with the rural determination, the way it's set,
49 that has a major factor that's going to be involved and
50 who's going to be eligible. And I think if the RAC's

1 give some weight on the participation, having people
2 come and testify, one of the things I noticed at this
3 particular meeting was the ability to come in and
4 conference call. And I'll be honest with you guys,
5 actually if I would have noticed that sooner I might
6 have even considered doing that. It would have saved
7 us a lot of money, and a lot of time and a lot of
8 effort and it would have been a way to send our
9 information to you.

10

11 So I think that there's ways for people
12 to be involved. You're going to get a good feel from
13 the community whether they really want to be involved.

14

15 MR. CARPENTER: Yeah, I mean I think
16 the reason I asked that question was -- I mean I agree
17 with you. I mean I think Ninilchik has shown over,
18 especially the past five or six years that Ninilchik as
19 a community that wants to and has participated fully in
20 this process. And I'm glad you stated the point about
21 Hope and Cooper Landing, not to take anything away from
22 what they have now. But my personal opinion was and
23 it's the opinion that this person I was talking with on
24 the Southeast RAC, was, is if you don't come to this
25 Council and you don't ask for your community or your
26 village or your tribe to participate in something, it's
27 not this RAC's responsibility nor is it the Federal
28 Staff's responsibility to include them in an analysis
29 because it saves time.

30

31 And I appreciate you saying that.

32

33 MR. WILLIAMS: Mr. Chair. Thank you,
34 Mr. Carpenter. Does anybody else have any questions.

35

36 (No comments)

37

38 CHAIRMAN LOHSE: It doesn't look like
39 it. Greg, did you.

40

41 MR. ENCELEWSKI: Mr. Chairman. I just
42 wanted to address you, I'm going to have to leave and I
43 am sorry about that but I had a prior commitment. I
44 just want to say sorry I had to take off in the middle
45 of this, but, of course, I do support the C&T even
46 though I have to go.

47

48 CHAIRMAN LOHSE: Thank you, Greg.
49 Doug.

50

1 MR. BLOSSOM: Yeah, Mr. Chair. Darrel,
2 you guys, I think you have presented that there is a
3 long-term use although it's very, very low. The thing
4 I look at, is because I have lived in the Kenai for
5 about 60 years, we used to think nothing of shooting a
6 brown bear or a black bear and, of course, you know, in
7 the last 20 years they've literally taken the brown
8 bear hunt away from people. And although right now I
9 think last year's take of black bear was something like
10 450 or 420-something in 15 and 7, if they were to take
11 that away like they did the brown bear, all of a sudden
12 we would have no bear hunts. And so that's the part
13 I'm kind of thinking about. And that's where the
14 Federal priority would come in, you'd still have a
15 chance to get a black bear.

16
17 So that's kind of the things I'm
18 pondering.

19
20 And personal history, back in the early
21 '50s, any black bear that I ever took was usually up
22 behind Tustumena Lake, up on the bench where the
23 blueberries were. I was sheep hunting and we'd take a
24 black bear for camp meat. In more recent years I have
25 not taken a black bear. I have never sealed a black
26 bear. So that's just personal history.

27
28 The black bear that I have seen shot in
29 the lower Kenai, in 15C, normally are shot above
30 timberline in the Caribou Hills, it's a berry crop.

31
32 CHAIRMAN LOHSE: Darrel.

33
34 MR. WILLIAMS: Mr. Chairman. Thank you,
35 Mr. Blossom. I agree with you 100 percent, and I was
36 trying to indicate that with the brown bear permitting,
37 where they had the three days, I believe it was and
38 then reached their threshold. I don't think that it's
39 a significant -- where you're going to have a whole
40 bunch of people running out and all of a sudden chasing
41 black bears because some C&T determination happened. I
42 imagine it will be similar to the moose hunting. You
43 know, for example, there'll be a spike of interest and
44 then there'll be the core user group that will indicate
45 itself, and I'm sure that through permitting and
46 reporting it would be very manageable.

47
48 CHAIRMAN LOHSE: Darrel, can I ask you
49 a question on that. Under current law, under current
50 regulations, where obviously the black bear opportunity

1 is not even being utilized that's available right now,
2 would you even see an increase in black bear take if
3 there was all of a sudden a subsistence season or would
4 it be mostly held in reserve in case there wasn't a
5 State season?

6
7 MR. WILLIAMS: Mr. Chairman. I think
8 there would be some use. I don't think it'd be any
9 profound use. Does that answer your question?

10
11 CHAIRMAN LOHSE: Well, kind of, but
12 what I'm asking is, I guess, why would there be an
13 increase of use if you had a subsistence season where
14 there already is a season that provides opportunity for
15 more use than's being used.

16
17 MR. WILLIAMS: I believe that it will
18 be -- I'm sorry, Mr. Chairman. I believe there'll be a
19 spike in interest. It happens on a lot of things.
20 When fishing regulations change, there's a spike in
21 interest. People want to go and fish and see if that's
22 better fishing or not. When hunting areas changed.
23 People get disappointed because they know where good
24 areas are, they're no longer able to hunt there, for
25 example, and they need to go look for somewhere else.
26 I really think that that interest plays a role in this,
27 where you might see some increased activity maybe for a
28 year, maybe for two, and then the same thing, I think
29 we'll actually see the core user group, the smaller
30 group of people, the less than 30 percent that you
31 generally see will surface in the information to be
32 able to do more management, more planning for this.

33
34 CHAIRMAN LOHSE: But do you think that
35 core user group will actually do more black bear
36 hunting because there would be a subsistence season
37 than they can currently do when you have an all year-
38 round season right now.

39
40 MR. WILLIAMS: Mr. Chairman. I would
41 say probably -- it would be negligible if there was. I
42 don't believe you would actually be able to see it.
43 It's the same thing, people, they go and they hunt in
44 different areas and what not, and the same, and beings
45 if there is a change for the qualified users there may
46 be some interest but, you know, for example, what Mr.
47 Lamb was saying about, you know, are we talking about
48 bear baiting, no, we are not talking about bear
49 baiting. But there are people who like to do that.
50 There are sportsman also amongst the subsistence users

1 who enjoy that activity as something recreational that
2 they do, by, golly, they ought to. But I don't really
3 believe that in the Federal areas, if you actually get
4 up there in the Federal areas any more, the deadfall
5 from the beetle kill, it's treacherous ground. It's
6 hard to move 10 feet without having to get over top of
7 a log or get under a log, it's not as easy access as it
8 used to be.

9

10 CHAIRMAN LOHSE: I'm not sure I got an
11 answer to what I was asking Darrel, but I think I
12 understand what you're saying.

13

14 MR. WILLIAMS: I'm sorry, Mr. Chairman.

15

16 (Laughter)

17

18 CHAIRMAN LOHSE: I guess what I was
19 saying, though, what I was asking, and I can see, I can
20 see one thing the C&T, in case something like the brown
21 bear thing goes into effect for the future down the
22 road, to maintain the opportunity for the culture, but
23 I just can't see why you would have an increase in take
24 by either the core group or the other group when
25 currently in those same areas that you're talking
26 about, where the deadfalls and the beetle kills are, in
27 the same areas, the same areas that we're looking at,
28 it is currently open 365 days out of the year. And
29 anybody that would want to could be there and hunt at
30 any opportunity that they'd want to right now.

31

32 And it's not a case, you know, when we
33 look at the records and we even look at the back
34 history, it's not a case that one bear, you know, one
35 bear in spring and one bear in fall isn't sufficient
36 because most people aren't even taking the one bear in
37 either one of the seasons.

38

39 So I mean I can understand the
40 protection of the culture but I can't see why there
41 would be any increase in the harvest when it's already
42 completely open.

43

44 MR. WILLIAMS: Mr. Chairman. I
45 understand. I don't believe there will be an increase
46 in the harvest, the same thing, if there's any
47 fluctuation, it may be from interest and that's it.
48 Overall harvest as far as managing the population
49 itself, the sustainability of it, I don't believe
50 there'll be any change at all. And if there is it'll

1 be so negligible I don't think it'll even be noticed.

2

3 Does that answer your question, Mr.

4 Chairman.

5

6 CHAIRMAN LOHSE: Yeah. Well, then that
7 brings me to my next question because it's something
8 we're going to be dealing with shortly and I don't know
9 if it's proper for me to bring it up but since I have
10 you here I'm going to anyhow.

11

12 But then there is a proposal coming up
13 to us asking for a three bear limit.....

14

15 MR. WILLIAMS: Uh-huh.

16

17 CHAIRMAN LOHSE:is that -- I mean
18 would that be just to show a meaningful priority even
19 if the odds are that nobody's even taking one bear, why
20 would you need a three bear limit?

21

22 MR. WILLIAMS: Mr. Chairman. I believe
23 that that would be more of a meaningful priority, it
24 would be an increase in the bag limit, and it doesn't
25 necessarily mean that everybody's going to go out and
26 get three bear. That's one of the interesting things
27 we got to keep in mind, too.

28

29 Just because we say that somebody's
30 eligible for something doesn't mean that every
31 subsistence user -- qualified subsistence user is going
32 to run out and do it. You have a user group, a core
33 group out of the rural community that will do it. I
34 know we've had the same discussion before about a lot
35 of times you may have a core user group and they'll
36 bring stuff into the community and they share it with
37 their friends and their family and all that kind of
38 stuff, the canned fish and that kind of thing.

39

40 The -- without a lot of tact, the
41 problem with the State stuff is that the State has the
42 opportunity to change their mind. There's the Board of
43 Game. There's advisory councils on and on and on and
44 on about all these different things that you have to be
45 involved in, and the same thing, the rural community
46 can't keep up with all that. And it goes back to
47 everything from, you know, rural people to rural
48 economy to on and on and on, it costs money for me to
49 come and stay here in Anchorage and do this. Cash
50 dollars. I can't bring fish and bring it to the hotel

1 and say, you know, let me stay here a couple nights,
2 it's a different system. It makes it harder.
3
4 So does that answer your question.
5
6 CHAIRMAN LOHSE: (Shakes head
7 negatively)
8
9 MR. WILLIAMS: No.
10
11 (Laughter)
12
13 CHAIRMAN LOHSE: No, but we'll be
14 getting to it when we get to that proposal.
15
16 MR. WILLIAMS: Okay.
17
18 CHAIRMAN LOHSE: But it gives me
19 something to think about it. Tricia.
20
21 MS. WAGGONER: I'm just going to kind
22 of follow on. Are we going to have opportunity to ask
23 questions when the further proposals come up?
24
25 CHAIRMAN LOHSE: Yes.
26
27 MS. WAGGONER: Okay.
28
29 CHAIRMAN LOHSE: Any other questions
30 for Darrel. Tom.
31
32 MR. CARPENTER: I'd just make a
33 comment, Darrel. You know we've talked a lot about and
34 we've heard a lot this week about meaningful preference
35 and I guess I interpret meaningful preference a little
36 differently maybe than a lot of people that I've heard
37 testify. I actually think meaningful preference in a
38 situation like establishing this bear hunt would be not
39 necessarily that you can harvest more bears than
40 somebody under the State system, but that if the State
41 closes their system down or restricts the seasons or
42 bag limits in the future, that the Federal preference
43 would be to the people of Ninilchik when that happens.
44
45 I guess I don't see that making the bag
46 limit, if we do that, greater, at this time, is going
47 to do anything. And I think maybe you agree with me.
48
49 MR. WILLIAMS: Mr. Chairman. Mr.
50 Carpenter, yeah, and I do agree with you 100 percent.

1 But it is the same thing, we had to start somewhere and
2 we thought that it was better to just go ahead and
3 start and then we'll go from there and we'll see what
4 happens. I'm 100 percent sure everybody would be
5 perfectly willing to capitulate with exactly what the
6 State regulations are on the black bear. I am sure.
7 They would like to be able to have their C&T and they
8 would like a little bit of a guarantee that they'll be
9 able to have this in the future.

10

MR. CARPENTER: Thanks.

12

13 CHAIRMAN LOHSE: Any other questions
14 for Darrel.

15

16 MR. WILLIAMS: Thank you, Mr. Chairman.

17

18 CHAIRMAN LOHSE: John.

19

20 MR. LAMB: When this other proposal
21 comes up we can ask him about that later, right.

22

23 CHAIRMAN LOHSE: Right.

24

25 MR. LAMB: Okay.

26

27 MR. WILLIAMS: Mr. Chairman, anybody
28 else.

29

(No comments)

30

31 CHAIRMAN LOHSE: Thank you, Darrel.

32

33 MR. WILLIAMS: Thank you.

34

35 CHAIRMAN LOHSE: InterAgency Staff
36 Committee comments.

37

38 MR. KESSLER: Thank you, Mr. Chairman.
39 Council. Steve Kessler with the InterAgency Staff
40 Committee and I work for the Forest Service.

41

42 Just one item I wanted to bring to your
43 attention and that is the C&T for the neighboring unit
44 in Unit 7 which is also on the Kenai Peninsula. And
45 the C&T there for black bear is all rural residents.

46

47 Generally for most of these proposals
48 that you're going to be talking about, the Staff
49 Committee doesn't have any comments. So if it's okay
50

1 with you when we're in the back of the room I'll just
2 acknowledge that we don't have any comments for most of
3 these. There are a few, especially when we get to the
4 statewide that we will provide some comments for.

5
6 CHAIRMAN LOHSE: Thank you. Just for
7 the record I'd like to ask you a question. Currently
8 who has C&T in Unit 15A, B and C.

9
10 MR. KESSLER: Mr. Chairman. We're
11 talking about for black bear.

12
13 CHAIRMAN LOHSE: For black bear.

14
15 MR. KESSLER: Okay. Looking at the
16 regulations, for Unit 15A and B there's no Federal
17 priority so there's no C&T.

18
19 CHAIRMAN LOHSE: There is no C&T for
20 15A and B.

21
22 MR. KESSLER: For Unit 15C it's
23 residents of Port Graham and Nanwalek.

24
25 CHAIRMAN LOHSE: So for 15C in the unit
26 that -- but there is not Federal lands to speak of
27 there, but in Unit 15C the Unit that Ninilchik's in
28 they don't have C&T and nobody had C&T for A and B.

29
30 MR. KESSLER: That's correct. No one
31 has C&T for A and B. There are some Federal lands in
32 15C.

33
34 CHAIRMAN LOHSE: So it's all rural
35 residents currently for 15A and 15B and Unit 7.

36
37 MR. CARPENTER: No, it's closed.

38
39 MR. KESSLER: Mr. Chairman. For Units
40 15A and 15B there's no Federal priority.

41
42 CHAIRMAN LOHSE: So that's all rural
43 residents then.

44
45 MR. KESSLER: None. No one. And for
46 Unit 7 it's all rural residents. And there's a lot of
47 detail about how all that came about and a lot of
48 history about that. And if we want to go into any of
49 that we'll have to bring Liz back up here.

50

1 MS. PETRIVELLI: Mr. Chair. My name's
2 Pat Petrivelli with -- anthropologist. And I just want
3 to say, and especially for new members I don't know if
4 you went over C&T determinations, with C&T
5 determinations the operating base that the Federal
6 program operates under is rural priority to begin with.
7 When there is no determination made, all rural
8 residents are eligible.

9

10 CHAIRMAN LOHSE: That's right.

11

12 MS. PETRIVELLI: Once a determination
13 is made it can be either positive or negative. And a
14 no Federal subsistence priority means that's a negative
15 determination so that's what it is in A and B. So then
16 when the Board acted on black bear, and I think you
17 might have been involved on the Council then, they made
18 the determination for C for the residents of Nanwalek
19 and Port Graham only because the proposal was
20 submitted, I think, just to do that. And then Liz
21 Williams reviewed the history of that. But at that
22 time the Board said that it would be negative
23 determination but they said if more information was
24 available about other uses by other residents they
25 would review that determination when more information
26 was presented. And that's what Ninilchik is doing now,
27 is giving more information. But a negative
28 determination is no Federal subsistence priority and
29 that's different than no determination.

30

31 CHAIRMAN LOHSE: Okay. Good. I wanted
32 that on the record.

33

34 Thank you.

35

36 Doug.

37

38 MR. BLOSSOM: Mr. Chair. Pat. Cooper
39 Landing and Hope both have C&T finding for black bear,
40 that's what it says here.

41

42 MS. PETRIVELLI: For black bear.

43

44 MR. BLOSSOM: Did they get it at the
45 same time that Nanwalek and Port Graham got it or.....

46

47 MS. PETRIVELLI: On Page 76, are you
48 looking at the regulatory book?

49

50 MR. BLOSSOM: It says all rural

1 residents have C&T finding for black bear, doesn't it?

2

3 MS. PETRIVELLI: Unit 7.

4

5 CHAIRMAN LOHSE: What page are you
6 looking at?

7

8 MS. PETRIVELLI: Oh, for Unit 7, all
9 rural residents have C&T for black bear. Well, it's
10 not necessarily that all rural residents have C&T, it's
11 all rural residents are eligible if there was a season
12 and there is a season. So it's not necessarily that
13 there was a determination made, it's just that our
14 operating -- the way the Federal program operates is
15 that all rural residents are eligible to begin with.
16 That's the beginning operating assumption. And the C&T
17 determinations are made later in the program, and when
18 the program started they adopted the State customary
19 and traditional use determinations except for on the
20 Kenai Peninsula where there was no -- a non-subsistence
21 area. So it's not that C&T specifically has a
22 determination for black bear, it's just that all rural
23 residents are eligible.

24

25 CHAIRMAN LOHSE: Doug.

26

27 MR. BLOSSOM: Mr. Chair. Except when
28 you go over to Unit 15 it says that there is no Federal
29 subsistence priority for A and B and only Port Graham
30 and Nanwalek have it for C, so that's the difference I
31 see in Unit 7 versus 15. And, you know, in Unit 7 we
32 have two rural communities and in 15 we have, what,
33 three, I guess.

34

35 MS. PETRIVELLI: Well, technically when
36 it says all rural residents, that's just what it says,
37 any rural residents. So people from Ninilchik could go
38 up and hunt bears in Unit 7. People from Tazlina, if
39 they wanted to. But technically, you know, it's just
40 whether it's accessible or not.

41

42 When the Federal Program took over the
43 C&T, a proposal was submitted to restrict bear hunting
44 only to Nanwalek and Port Graham. And that's the way
45 that proposal read. And the analysis just looked at
46 the uses of Nanwalek and Port Graham, because then they
47 didn't have exactly the policy we have now. And so
48 they just looked at those uses for 15C and then they
49 said when other people come forward and there's more
50 information or if we get other information they'd

1 review the determinations in the other areas. But no
2 one's put in a proposal for Unit 7 to restrict the uses
3 in Unit 7.

4

5 MR. BLOSSOM: But, Mr. Chair, the
6 difference is that in Unit 7, yeah, all the rural
7 residents can hunt there but in Unit 15 they can't. I
8 mean that says it right here, and that's the difference
9 I see that -- in the two units.

10

11 MS. PETRIVELLI: Yeah, you're correct.
12 Yeah.

13

14 CHAIRMAN LOHSE: Tricia.

15

16 MS. WAGGONER: Pat, thank you for your
17 historical knowledge here. So in the step of things,
18 in the beginning of the program, all rural residents
19 anywhere had use of a resource, that's just kind of the
20 -- all rural residents is the blanket default. Then
21 when adopting the State C&T determinations and there
22 was no subsistence on the Kenai, then that became a no
23 Federal subsistence priority; is that correct?

24

25 MS. PETRIVELLI: There was an extensive
26 document and process that the Federal program went
27 through that went through all the large game species
28 and there was a lot of talk about exactly how to make
29 C&T determinations and so it took quite awhile before a
30 determination was even made. And I think -- but what
31 happened during the course of that, someone submitted a
32 proposal that said the C&T should be restricted for
33 black bears to Nanwalek and Port Graham only and that's
34 when this C&T determination was made. Otherwise it
35 probably would have been all rural residents.

36

37 MS. WAGGONER: Thank you.

38

39 CHAIRMAN LOHSE: Thank you. Doug, you
40 want to ask her another question.

41

42 MR. BLOSSOM: Yeah, Mr. Chair. Pat, so
43 you were in on all that, you were there then, so did
44 Nanwalek and Port Graham have a high traditional use or
45 probably about the same as Ninilchik?

46

47 MS. PETRIVELLI: Mr. Chair. I wasn't
48 here. But we've read the transcripts. And I'm not
49 sure -- Ralph might have -- were you here?

50

1 CHAIRMAN LOHSE: I was here.
2
3 MS. PETRIVELLI: Yeah.
4
5 CHAIRMAN LOHSE: But I'm sorry to admit
6 that I don't remember.
7
8 MS. PETRIVELLI: Yeah. It was quite a
9 --because it would have been a different chair being at
10 the meeting because sometimes, you know, you guys make
11 a decision at the Council meeting and then it gets to
12 the Board and it becomes different. But there was
13 extensive documentations of use and I'm not quite sure
14 the use levels that were shown. But the State does
15 have a Tier II hunt for Nanwalek and Port Graham, I
16 think, or -- actually I don't think they need a Tier II
17 hunt. They might have a -- but the State has always
18 recognized Port Graham and Nanwalek as subsistence
19 communities. So I think that might have had a lot to
20 do with that decision.
21
22 CHAIRMAN LOHSE: Any other questions.
23
24 (No comments)
25
26 CHAIRMAN LOHSE: Okay. With that we'll
27 go on Fish and Game Advisory Committee comments. Do we
28 have any?
29
30 (No comments)
31
32 CHAIRMAN LOHSE: Hearing none. Summary
33 of written public comments.
34
35 MR. MIKE: Mr. Chair. There were no
36 written public comments received on this proposal.
37
38 Thank you.
39
40 CHAIRMAN LOHSE: Public testimony. Do
41 we have any cards for public testimony on this one.
42
43 MR. MIKE: Mr. Chair. I did not
44 receive any.
45
46 Thank you.
47
48 CHAIRMAN LOHSE: Okay. Regional
49 Council deliberations, recommendations and
50 justifications. If we could have a motion to put this

1 on the table so we can discuss it.
2
3 MR. CARPENTER: Mr. Chairman. I move
4 Proposal 07-16a.
5
6 MR. BLOSSOM: Second.
7
8 CHAIRMAN LOHSE: Do I hear a second.
9
10 MR. BLOSSOM: Second.
11
12 CHAIRMAN LOHSE: It's been moved and
13 seconded. All in favor signify by saying aye.
14
15 IN UNISON: Aye.
16
17 CHAIRMAN LOHSE: All opposed signify by
18 saying nay.
19
20 (No opposing votes)
21
22 CHAIRMAN LOHSE: Motion carries. And I
23 am going to recess this meeting for five minutes. I
24 didn't get up last time.
25
26 (Laughter)
27
28 (Off record)
29
30 (On record)
31
32 CHAIRMAN LOHSE: Donald.
33
34 MR. MIKE: Just clearly state that you
35 moved to adopt Proposal 07.....
36
37 CHAIRMAN LOHSE: Well, we've got a
38 motion on the table and seconded and unanimously
39 approved to adopt Proposal WP07-16. So let's -- Board
40 discussion. Comments. Amendments.
41
42 Doug.
43
44 MR. BLOSSOM: Over there.
45
46 CHAIRMAN LOHSE: Oh, John.
47
48 MR. LAMB: Yeah, could I ask Fish and
49 Game a question.
50

1 CHAIRMAN LOHSE: What?
2
3 MR. LAMB: Could I ask the Fish and
4 Game people a question.
5
6 CHAIRMAN LOHSE: You sure may. He's
7 not here right at the moment though.
8
9 (Pause)
10
11 CHAIRMAN LOHSE: John, can we go on and
12 then when he comes in you can ask him.
13
14 Okay, Doug, you had a question or a
15 comment.
16
17 MR. BLOSSOM: Yeah, Mr. Chair. I will
18 be voting in support of this and for the reasons that I
19 do see that they have a longstanding harvest, be it
20 very minimal. I guess in my mind they probably have as
21 much right to it as Port Graham and Nanwalek or Hope
22 and Cooper Landing. So I guess my fear is that some
23 day they might take the black bear hunting away like
24 they did the brown bear and this, then, would give a
25 meaningful hunt to this other rural community.
26
27 CHAIRMAN LOHSE: John, would you like
28 to ask the question.
29
30 MR. LAMB: Yeah, I'd like to ask Fish
31 and Game a question.
32
33 CHAIRMAN LOHSE: Terry.
34
35 MR. LAMB: Under Federal subsistence
36 rules, 15C they're allowed three bear, three black bear
37 and under State it's two per regulatory year, could you
38 tell me if the entire Unit 15 could sustain a three
39 bear limit for the people that are down there or is
40 that taking too many bears out of the area?
41
42 MR. HAYNES: Mr. Chairman. We do not
43 support a three brown bear -- or three black bear bag
44 limit as proposed. We believe that the current State
45 regulations provide reasonable opportunity and allow
46 for sustainable harvest.
47
48 MR. LAMB: Well, what I was getting at,
49 is do they have the numbers down there or do you know,
50 if it was set up to take three bear, could Unit 15

1 handle that or would it deplete the resource?

2

3 MR. HAYNES: I couldn't predict because
4 I wouldn't know how many people might -- there's no
5 evidence that people would be taking three bears based
6 on past performance.

7

8 MR. LAMB: Yeah.

9

10 MR. HAYNES: And I couldn't predict
11 unless I had some indication that, you know, a certain
12 number of people were planning to harvest the resource
13 to the fullest extent.

14

15 MR. LAMB: Yeah, I was looking at those
16 numbers in the thing, 59 bears isn't very many for a 20
17 year period.

18

19 Okay, thank you.

20

21 MR. HAYNES: Well, and I think that
22 just demonstrates that they can have their -- a
23 reasonable opportunity and a sufficient opportunity to
24 accommodate subsistence uses without a three bear bag
25 limit.

26

27 CHAIRMAN LOHSE: Thank you, Terry. I
28 think we have to remember and it was my fault,
29 probably, that when we come to C&T it doesn't matter
30 whether the harvest can support it or anything like
31 that. C&T is just finding whether or not they've
32 customary and traditionally used the resource. And
33 also on Federal land and if I remember right there's
34 not very much Federal land in 15C. That's a very small
35 proportion of the land and so the question is whether
36 they've actually used it on Federal land.

37

38 So with that we'll go on to our
39 discussion.

40

41 Tom.

42

43 MR. CARPENTER: No, Larry's got
44 something.

45

46 CHAIRMAN LOHSE: Oh, Larry.

47

48 MR. BUKLIS: Thank you, Mr. Chairman.
49 Larry Buklis, OSM. I wanted to just remind the Council
50 members that when you're taking up C&T the focus should

1 be on the factors and the C&T determination and the
2 harvest management should not factor into C&T
3 determinations. That's a separate issue. And I know
4 that it's one proposal that's been subdivided into a
5 Part A, Part B and the various aspects have gotten a
6 little bit intertwined. But in taking up the C&T
7 determination and your assessment, that shouldn't be
8 based on conservation strategies or harvest management
9 strategies, that's a separate issue.

10

11 And also somewhat related, there may be
12 a little confusion in over how the Part 16a analysis
13 introduction points to the Part b and what it raises.
14 The 16a C&T request is for Unit 15. The Part b
15 regulation, harvest regulation aspect focuses on Units
16 15A and B and the harvest limit there. But the C&T is
17 for Unit 15. So that's a little bit confusing perhaps.

18

19 CHAIRMAN LOHSE: Okay, so it's for the
20 entire 15.

21

22 MR. BUKLIS: That's correct.

23

24 CHAIRMAN LOHSE: Okay.

25

26 MR. BUKLIS: And that's clarified in
27 the regulatory language on Page 78 where the proposal
28 is for Units 15A and B, residents of Ninilchik rather
29 than no Federal subsistence priority, and in 15C adding
30 Ninilchik to the existing communities that have it.

31

32 CHAIRMAN LOHSE: Okay. Tom.

33

34 MR. CARPENTER: Yeah, I guess I got a
35 question then, Larry. I mean I understand what you
36 said that the C&T is for -- they're asking for C&T for
37 entirety of 15 as a whole and the next proposal,
38 depending on how C&T goes asks for a season to be
39 opened in A and B. But if they've taken more bears in
40 15C, why wouldn't they have just asked for the entirety
41 of 15 for the season, too?

42

43 MR. BUKLIS: Mr. Chairman. Mr.
44 Carpenter. Because in 15C there already is a season
45 and two communities have that C&T.

46

47 MR. CARPENTER: I got you, okay,
48 thanks.

49

50 CHAIRMAN LOHSE: Okay. More

1 discussion. Comments.

2

3 Gloria.

4

5 MS. STICKWAN: I just want to say that
6 customary and traditional use is based on historical
7 use as well as -- how they handed down their knowledge
8 and stuff. And I think that even though their numbers
9 are low, I have in my mind that they have used this
10 traditionally and customarily and I support this
11 proposal. And I know that in our area, like you said,
12 that people don't report their bears. And there was no
13 Fish and Game back in the '40s and '50s hardly and so
14 people just shot bears, they didn't record it, they
15 didn't tell the Fish and Game they use -- they took a
16 bear, they just shot it and people still do that today,
17 too, I think, they just shoot bears, they don't report
18 it to Fish and Game. And so if the numbers are low
19 that's probably why.

20

21 But it's not based on numbers it's
22 based on historical use. And I believe that these --
23 that Ninilchik has used bears, brown and black bears.
24 I don't have any question in my mind that they do.

25

26 CHAIRMAN LOHSE: Thank you. Tricia.

27

28 MS. WAGGONER: Yes. I also support the
29 finding for customary and traditional use for
30 Ninilchik. They have shown a long-term use, you know,
31 low numbers, specific location reporting or the actual
32 reporting of numbers and the actual reporting of
33 specific locations has -- it's a statewide problem with
34 rural residents. So I believe they have basically met
35 the intent of the criteria that are established.

36

37 CHAIRMAN LOHSE: Any other discussion
38 or comments.

39

40 James.

41

42 MR. SHOWALTER: Yes. I'll have to vote
43 for this proposal because as Doug indicated earlier,
44 you know, the State could change their mind very easily
45 and that's State proposals and if they do this is
46 Federal -- or this is subsistence and whereas they
47 could still proceed and do their bear in Unit 15.

48

49 CHAIRMAN LOHSE: John.

50

1 MR. LAMB: Yeah, I have one comment. I
2 think I support this thing but the reason -- the
3 biggest reason I do is because I think it will help, or
4 I'm hoping it will help get more reporting done and
5 better reporting so that the Fish and Game can actually
6 know what's down there and get a better idea. And I'm
7 hoping that does it anyway, because 59 bears in 20
8 years, I mean I've got three little carnivores that eat
9 more than that.

10
11 CHAIRMAN LOHSE: Thank you, John. If
12 there's no further discussion or no further comments or
13 somebody doesn't have any questions for somebody.....

14
15 MR. CARPENTER: Call the question.

16
17 CHAIRMAN LOHSE: Question's been
18 called. All in favor signify by saying aye.

19
20 IN UNISON: Aye.

21
22 CHAIRMAN LOHSE: Opposed signify by
23 saying nay.

24
25 (No opposing votes)

26
27 CHAIRMAN LOHSE: Motion carries
28 unanimously. Let's go on to 17 at this point in time,
29 Proposal 17.

30
31 MR. CARPENTER: No, 16b. We got to do
32 the season now.

33
34 CHAIRMAN LOHSE: 16b, it's not the way
35 it is on our thing, I didn't think, but, yeah, it is.
36 You're right, 16b. My fault, excuse me.

37
38 MR. CARPENTER: Yeah, establish, it's b
39 to establish the season.

40
41 CHAIRMAN LOHSE: Okay, my fault, we're
42 going on to FP07-16b, which is establishing a season to
43 go with this C&T.

44
45 MR. CARPENTER: Mr. Chairman. Just a
46 question before we go into this. In light of this
47 Council finding that there has been a C&T that should
48 be recommended to the Federal Board, do we need to go
49 through the full analysis to offer a season or do we
50 have the ability to do that in light of our prior

1 recommendation with just a motion.

2

3 CHAIRMAN LOHSE: I would think we would
4 need to go through the biology and everything but not
5 the anthropology of it.

6

7 MR. CARPENTER: Okay.

8

9 CHAIRMAN LOHSE: Staff introduction of
10 the proposal and analysis by the Staff.

11

12 MR. RISDAHL: Mr. Chairman. Members of
13 the Council. Wildlife Proposal 16b begins on Page 95
14 with the executive summary. My name is Greg Risdahl,
15 by the way with the Office of Subsistence Management.
16 And I'm pleased to be here and recognize the hard work
17 and effort and time you guys have spent on this, it's
18 quite commendable.

19

20 Wildlife Proposal 16b also submitted by
21 the Ninilchik Traditional Council requests that a
22 subsistence season be established for the harvest of
23 black bear in Units 15A and 15B. The proposal requests
24 a season to be opened from July 1 to June 30th with a
25 three bear harvest limit. The same that currently
26 exists for the Federally-qualified subsistence users in
27 15C.

28

29 Rural residents of Nanwalek and Port
30 Graham have a positive customary and traditional use
31 for black bear in Unit 15C. However, there is no
32 Federal subsistence priority for black bear in Units
33 15A and 15B. The proposal that you've just been
34 discussing, 16a could result in customary and
35 traditional use of black bears in 15A and 15B for some
36 rural residents if 16a is rejected by the Federal
37 Subsistence Board no action would be necessary on this
38 proposal.

39

40 Approximately 52 percent of the lands
41 in Unit 15 are managed by the Kenai National Wildlife
42 Refuge, Federal public lands, a little less than one
43 percent are Kenai Fjords National Park lands which are
44 not open to subsistence uses.

45

46 Some of the regulatory history
47 beginning with the State seasons. Black bear hunting
48 has been open year-round on the Kenai Peninsula since
49 1980 under State regulations. Since 1994 the bag limit
50 has been two bears per regulatory year, one bear in the

1 fall, the season being July 1 through December 31st,
2 and one bear in the spring January 1st through June
3 30th. The bears harvested during the spring season
4 must have the meat, skull and hides salvaged. Those
5 bears harvested during the fall only have to have the
6 skull and hides salvaged. Evidence of sex must
7 remained to the hide naturally and skulls and hides
8 must be sealed within 30 days of the harvest. It's
9 illegal to take cubs or females accompanied by cubs.
10 Bear baiting is allowed through an ADF&G permit from
11 April 15th through June 15th except for in certain
12 areas along Resurrection Creek and its tributaries
13 within one-quarter mile of the Kenai, Kasilof and
14 Swanson Rivers and in portions of the Kenai National
15 Wildlife Refuge. Fish or fish parts may not be used as
16 bait. And a completion of a bear baiting clinic is
17 required by all bear baiting permit holders and I know
18 there's one coming up on Monday because I'm going to
19 it.

20

21 The regulatory history regarding the
22 Federal subsistence seasons begins in 1990 and 1991
23 when the Federal Subsistence Board first provided for a
24 Federal subsistence black bear harvest in Unit 15 from
25 July 1 to June 30th with a three bear harvest limit.

26

27 Because there was no subsistence
28 eligibility determination at the time it was open to
29 all rural residents. In 1996 the Board made a positive
30 customary and traditional use determination for black
31 bear in Unit 15C for residents of Port Graham and
32 Nanwalek, thereby excluding all other residents from
33 participating in the Federal subsistence hunts. In
34 addition, beginning in that same year, '96/97 the new
35 language no longer provided for a season in Units 15A
36 and 15B for Federally-qualified users.

37

38 As far as the biology goes, Mr. Lamb
39 was asking something about this, the Alaska Department
40 of Fish and Game has put out a couple of publications
41 that estimate the population of black bears on the
42 Kenai Peninsula, that would be in Unit 7 and 15
43 combined to be somewhere between 3,000 and 4,000 black
44 bears.

45

46 Black bear densities are believed to be
47 highest along the outer southern coast where there are
48 lower brown bear densities and healthy salmon runs.
49 The black bear management objective for the Kenai
50 Peninsula is simply to regulate the harvest so that no

1 more than 40 percent of the black bears harvested are
2 females.

3

4 From 1995 through 2006, under the
5 current regulatory framework, the black bear harvest on
6 the Kenai Peninsula, again, combining Units 7 and 15
7 has produced an annual take of around 334 black bears.
8 This includes bears taken under both State and Federal
9 regulations. Forty percent of those bears were taken
10 in Unit 7, 14 percent in Unit 15A, 8 percent in Unit
11 15B and 38 percent in Unit 15C. On average, females
12 have comprised about 26 percent of the total harvest
13 per year.

14

15 During this time period, '95 through
16 2006, on average 83 black bears were harvested over
17 bait which constitutes about 24 percent of the total
18 harvest each year. The largest harvest on record was
19 last year in 2006 where 456 black bears were recorded.

20

21

22 Basically this means that two-thirds of
23 the annual take of black bears in Units 15A and 15C
24 takes place in the spring, and about a third of that
25 takes place in the fall.

26

27 One of the main differences between the
28 State and the Federal regulations is that under a
29 Federal subsistence regulation, the salvage of the meat
30 would be required in both the spring and fall seasons.

31

32 Going to the effects of the proposal, I
33 wanted to point out that there was an error in the book
34 on Page 100. One of them was pointed out actually by
35 Mr. Robin West, there was a statement under other
36 alternatives considered where we state in here that
37 hunters would be required to have two permits if they
38 were hunting on both State and Federal lands, that's
39 not correct. If the alternative proposal that was
40 spoken about earlier was implemented, only one permit
41 would be required and that would be the Federal
42 registration permit, however, hunters would still be
43 required to purchase the State general hunting license.

44

45 Additional subsistence harvest as a
46 result of implementing the proposal would likely be
47 minimal. It would probably have little impact on the
48 overall harvest of black bears in the -- or the
49 population in Unit 15. Bear baiting would continue to
50 be allowed under the Kenai National Wildlife Refuge

1 permit conditions in areas that are currently open. I
2 mention that in contrast to the State hunting
3 regulations, all meat would have to be harvested
4 throughout the entire year.

5
6 It's anticipated that the majority of
7 the black bear harvest would still occur under State
8 hunting regulations.

9
10 Adoption of the proposal would add some
11 complexity to the Federal subsistence hunting
12 regulations but it would give the residents of
13 Ninilchik the opportunity to harvest three bears in
14 Units 15A and 15B under Federal subsistence
15 regulations.

16
17 The preliminary conclusion of the
18 Subsistence Management Office is to support the
19 proposal provided that the Federal Subsistence Board
20 finds a positive customary and traditional use
21 determination for black bear in Units 15A and 15B for
22 the residents of Ninilchik.

23
24 We support the proposal because we --
25 though the State season has been liberal for many
26 years, the black bear populations there remain healthy,
27 productive and stable. If adopted, the proposal would
28 provide opportunity for additional harvest of black
29 bears by Federally-qualified subsistence users but
30 would have no appreciable biological affect on the
31 black bear population.

32
33 Additional opportunity for subsistence
34 harvest of black bears in Unit 15 would be within
35 current regulatory constraints regarding mandatory
36 salvage of meat, sealing of skulls, hides and
37 regulation of bear baiting to protect public safety.
38 Providing such an opportunity would not be significant
39 in the overall number of black bears harvested in Unit
40 15, nor would it threaten the conservation of black
41 bears in Unit 15.

42
43 We feel that providing a harvest limit
44 of three bears under the new Federal regulation in 15A
45 and B would be consistent with the existing Federal
46 harvest limit for Unit 15C.

47
48 Thank you.

49
50 CHAIRMAN LOHSE: Doug.

1 MR. BLOSSOM: Mr. Chairman, I'm
2 confused.
3
4 So the C&T finding we just did still
5 does not allow Ninilchik to hunt in 15C?
6
7 MR. CARPENTER: Yeah.
8
9 CHAIRMAN LOHSE: Yeah. That's why we
10 have to.....
11
12 MS. PETRIVELLI: This is Pat Petrivelli
13 again. And I wanted to point that out because it would
14 be another correction on Page 100.
15
16 If the Board approves -- adopts your
17 recommendation to support the C&T finding, Ninilchik
18 would be added to 15C and they would be eligible. So
19 that one, two, three, fourth paragraph under effects of
20 the proposal on Page 100, adoption of this proposal
21 would add complexity, blah, blah, blah, but that second
22 line, the people of Ninilchik the opportunity to
23 harvest three bears in Units -- it would be Unit 15,
24 but it would be Units 15A, B and C. They would be
25 eligible to hunt in 15C. And then there would be a
26 uniform bag limit for the whole unit.
27
28 So you could just -- where it says --
29 it says, where only Ninilchik that should all be
30 crossed out and this is only if the Board adopts the
31 revised C&T determination. Now, if the Board doesn't
32 then the regulation would be -- there would be no need
33 to consider this proposal.
34
35 MR. BLOSSOM: Mr. Chair. Thank you,
36 Pat. Because to me, you know, if you're going to give
37 C&T to the rural area of Ninilchik you're surely going
38 to give it in their backyard before you give it to
39 farther away so that's what I was just seeing and it's
40 been cleared up.
41
42 Thank you.
43
44 MR. RISDAHL: Yeah, I apologize, Mr.
45 Blossom. I forgot to mention that was the other error
46 in this that needed to be corrected.
47
48 Thank you.
49
50 CHAIRMAN LOHSE: John.

1 MR. LAMB: Did I understand that there
2 -- the way you have it set, the proposal, is to three
3 bears over bait, they're allowed, they can be over
4 bait?

5
6 MR. RISDAHL: Mr. Chairman. Mr. Lamb.
7 That is my understanding that you can hunt over bait
8 for black bears in certain areas if you've taken and
9 passed the bear baiting clinic.

10
11 MR. LAMB: Okay.

12
13 CHAIRMAN LOHSE: Maybe this is a better
14 question for the Fish and Game, but when you look at
15 your charts here, one of the things that you see is the
16 increase in bear take over the last 10 years. And I
17 know that in Prince William Sound we've had a big
18 increase in the last two years, in fact, we've had some
19 of the highest takes we've ever had. There's
20 definitely an increase in interest in taking black
21 bears. And while we're basically -- we're adding 1,200
22 people to a pool of a half a million that can take
23 those black bears under current regulations, about, you
24 know, the entire state of Alaska is eligible to take
25 two black bears in the area and non-residents on top of
26 it, we're adding 1,200 people and we're talking about
27 giving them a take of three when records show that they
28 usually don't take two, I can see where the effect
29 would be minimum but I'm just starting -- I know that
30 we've had some -- we've started to express some
31 conservation concerns in Prince William Sound, simply
32 because of the vast increase in taking of spring bears,
33 and most of it on guided hunts, which is one of the
34 reasons you see Unit 7 jumping up the way it has jumped
35 up because there's a tremendous amount of boat hunts,
36 guided hunts going out of Whittier for black bears at
37 this point in time especially with the road there.

38
39 But from what I understand there has
40 been no expressed conservation concerns on 15 and
41 that's what we're talking about at this time; am I
42 correct?

43
44 MR. RISDAHL: Yes, Mr. Chairman, that's
45 my understanding also. And the only thing that I would
46 say or add to that, as a biologist, if the State was
47 really concerned about conservation of the black bears,
48 if there was a concern about population decline for
49 whatever reason we wouldn't still have a two bear limit
50 open year-round as it is.

1 CHAIRMAN LOHSE: Thank you. Tricia.
2
3 MS. WAGGONER: Just to make sure I get
4 this straight. Based on the C&T finding, if that is
5 positive with the Board, then nothing other than adding
6 the residents of Ninilchik to 15C, which is already
7 three bears, would change, and this proposal we're
8 discussing is strictly looking at opening a season for
9 Federal subsistence users in 15A and 15B?
10
11 CHAIRMAN LOHSE: Right.
12
13 MS. WAGGONER: Okay.
14
15 MR. RISDAHL: Yes, Ms. Waggoner, that
16 is my understanding, that this is just opening the
17 season in Units 15A and 15B. And my history is not
18 long with the agency yet so if anybody, you know, has
19 any other.....
20
21 CHAIRMAN LOHSE: Tricia, what it would
22 be doing is establishing a season in 15A and 15B
23 because there's already an established season in 15C.
24
25 MS. WAGGONER: Okay.
26
27 CHAIRMAN LOHSE: Okay, so any other
28 questions.
29
30 (No comments)
31
32 CHAIRMAN LOHSE: Thank you.
33
34 MR. RISDAHL: Thank you, Mr. Chairman.
35
36 CHAIRMAN LOHSE: Alaska Department of
37 Fish and Game.
38
39 MR. HAYNES: Mr. Chairman. The
40 Department's comments begin on Page 102. And I want to
41 preface our comments by noting that, in fact, there is
42 a conservation concern for black bear in Unit 15 and
43 that's why the -- since 1994, the -- we've reduced the
44 bag limit and we've provided for a split season.
45
46 As most of you know around the state,
47 black bear regulations throughout much of the state are
48 three per year with no restrictions on harvesting one
49 during the fall and one during the spring or dividing
50 the harvest. So in Unit 15 the Department has

1 responded to conservation concerns. And by revising
2 the harvest regulations downward to a bag limit of two
3 per year, one in the fall and one in the spring, we're
4 attempting to, you know, provide sustained yield
5 management. But harvest is continuing to increase and
6 there may well be a need to provide more restrictive
7 regulations as time goes on if these harvests continue
8 to increase.

9

10
11 Consequently we don't support the
12 conclusion in the Federal draft Staff analysis under
13 the headings effects of the proposal and justification
14 that additional subsistence harvest under this
15 proposal, "would be so minimal as to be insignificant"
16 and would have no appreciable biological effect. I
17 don't think we can say that, we don't know what the
18 harvest might be.

18

19
20 In short, if a bag limit and a season
21 is going to be provided in 15A and 15B, we would
22 support it not exceeding the current State season and
23 bag limit, and that is two black bear per year, one in
24 the fall and one in the spring. We believe that -- we
25 don't see evidence that people are harvesting more than
26 that now. We would argue that that provides a
27 meaningful preference for subsistence users. We don't
28 support the Federal season to begin with but if one is
29 established we would strongly recommend that it be
30 consistent with the State season.

30

31 Thank you.

32

33 CHAIRMAN LOHSE: Thank you. Tricia.

34

35 MS. WAGGONER: Terry. In looking at
36 the harvest of black bear, Table 1 on Page 98, for
37 Units 15A and 15B, 15A has actually been generally
38 decreasing since -- the harvest has been decreasing
39 since 1999 from a high of 60 down to 42, and for 15B
40 the harvest was 34 in '95 and again 34 in 2005. So for
41 these two subunits the harvest really is not
42 increasing; is that correct?

43

44 MR. HAYNES: The documented harvest
45 does not appear to be increasing but as we've heard
46 there apparently are people who are not reporting their
47 harvest so we don't actually know what the harvest may
48 be.

49

50 CHAIRMAN LOHSE: Tricia.

1 MS. WAGGONER: (Shakes head negatively)

2

3 CHAIRMAN LOHSE: Terry. I know because
4 -- but we establish our biology on the documented
5 harvest. And I think when we were talking about
6 undocumented we were talking about when we're dealing
7 with long-term surveys of things that happened in the
8 past and older residents. I think we've probably got a
9 lot better compliance today -- I know we got a lot
10 better compliance today than we had 10 years ago and
11 especially in the subsistence community because the
12 subsistence community has found that it's to their
13 advantage to document what they're taking, where in the
14 past they had a reticence to do it. But even so, I
15 think what Tricia's pointing out is that area hasn't
16 grown much in harvest. But if you look at 15C it's
17 jumped up, you might say that it's doubled since 1996
18 to the present, even if there were some higher years in
19 between. And if you look at 7 it's gone up
20 considerably.

21

22 Both of those areas, Trish, are also
23 accessible by large boats and an awful lot of your
24 hunting is done in spring off of boats, charter boats
25 taking people out. And that's probably the biggest
26 increase we've had on all of our coastal black bears,
27 whether in Prince William Sound or Unit 15 or Unit 7,
28 it's been the increase in the spring hunt.

29

30 But, Terry, I was just going to ask you
31 something, because this is kind of my way of thinking,
32 too, if we remained with a black bear season that was
33 the same as the State but allowed the black bear to be
34 taken in both -- you know, if you could take two in
35 spring or two in fall and the meat had to be salvaged,
36 under current law, the spring meat has to be salvaged,
37 right?

38

39 MR. HAYNES: Correct.

40

41 CHAIRMAN LOHSE: Yeah. With what
42 you've seen of the black bear hunting that's been done
43 from the group that we're talking about, with two bear
44 a year as the thing but having the ability to take them
45 both at the same time, for a lack of a better way of
46 putting it, do you see any biological problem with
47 that? I mean it would still remain with a two bear
48 limit. The only advantage -- the only meaningful
49 priority would be that you'd be able to take both of
50 them in spring or both of them in fall. Would that be

1 a better biological answer than going to three?

2

3 MR. HAYNES: Mr. Chairman. I'll have
4 to admit, I don't think I fully understand Ninilchik's
5 black bear hunting practice. I don't know how many --
6 how frequently they take more than one black bear when
7 they're out hunting. My suspicion is that you would
8 typically take one at a time and.....

9

10 CHAIRMAN LOHSE: But if you could take
11 both of them in spring or both of them in fall that
12 would give a meaningful priority and still -- even if
13 the limit remained two, and that would fit within the
14 current State regulations of per bear a year, you know,
15 is what I was thinking.

16

17 MR. HAYNES: I see what you're saying,
18 yes, I would agree with that.

19

20 CHAIRMAN LOHSE: Doug, did you have
21 something to say.

22

23 MR. BLOSSOM: No.

24

25 CHAIRMAN LOHSE: John.

26

27 MR. LAMB: Yeah, right now they're
28 asking for a three bear hunt and allow them over bait,
29 which I think is probably a bit much. But if they kept
30 the two bear hunt, would -- do you support the spring
31 one over bait and the fall one just however, without
32 bait? I mean in the fall they're going to be in the
33 berries anyway, they're not going to come to bait.

34

35 MR. HAYNES: Through the Chair. You
36 know hunting over bait is not typically a subsistence
37 bear hunting practice and I don't know to what extent
38 people in Ninilchik are hunting over bait, so I don't
39 know what.....

40

41 MR. LAMB: Well, but the thing is now
42 is they're asking for three and they can be over bait
43 which I -- just in my opinion that's too many. If you
44 guys think that two a year is a good limit anyway, then
45 I would say that the fall -- they're not going to get
46 the fall one over bait anyway, I mean the bears are
47 going to be up in the berry patches. I mean I've
48 hunted for bears for years up here and it don't happen.
49 But would you support it if we just dropped it down to
50 one -- actually one subsistence bear, not just any

1 bear, but one subsistence bear over bait, would that be
2 acceptable or would it be a bad conservation measure?

3

4 MR. HAYNES: I don't think I could
5 answer that without knowing to what extent bears are
6 being taken with bait right now, so I don't have a
7 clear sense of.....

8

9 MR. LAMB: Well, part of what I'm
10 trying to do is to get these guys to come out in the
11 daylight. I mean I'll be really honest with you, I'm
12 not really big on rules, but there's a lot of people
13 out there and they're using a limited number of
14 resources and if you guys can't do your job, then my
15 kids aren't going to hunt, and that's my biggest thing.
16 And if they want to keep it a tradition they have to
17 start doing it, otherwise their kids aren't going to
18 have the traditions that they do.

19

20 CHAIRMAN LOHSE: Thank you, John. You
21 got an answer to that Terry.

22

23 MR. HAYNES: I agree.

24

25 CHAIRMAN LOHSE: Yeah. Okay, does
26 anybody else have any questions for Terry.

27

28 (No comments)

29

30 CHAIRMAN LOHSE: Okay, with that we'll
31 go to other Federal, State or tribal agency comments.

32

33 MR. WEST: Mr. Chair. Robin West,
34 Kenai National Wildlife Refuge, and I'll just speak
35 quickly to kind of the hunting methods and successes
36 and speak to baiting and so forth on the Kenai.

37

38 Most of you are familiar, probably,
39 with the traditional way that folks hunt black bear,
40 and many are taken incidental to moose hunting and
41 other things. But the primary hunting spring and fall,
42 springtime on south facing slopes at first green up can
43 be very, very productive but it's kind of hit and miss
44 on getting when the bears are out and vulnerable. In
45 the fall it's much more, I'm not going to say a sure
46 thing, but it's very productive, late August until
47 early October when the bears in Alpine, such as when
48 Mr. Blossom was talking about hunting on the bench land
49 and bears are fairly easily taken then when they're
50 eating berries.

1 Baiting is highly regulated on the
2 Refuge and throughout Southcentral Alaska. And so we
3 do have the opportunity to take bear under a baiting
4 permit but only about five percent of the Refuge is
5 open. And it's all in 15A, it's in remote areas away
6 from trail heads and campgrounds and that kind of
7 thing. People do have to have the class that was
8 mentioned. They also have to come in and register for
9 a one square mile of area that's theirs. And there's
10 approximately 400 of these sections that are available
11 for people to hunt on. And we get approximately 40 or
12 50 people a year that sign up for those and it can be
13 very successful for them to take bears there in that
14 way. But I would hazard a guess it's only maybe 10
15 percent of the whole bear harvest is through baiting in
16 that way.

17
18 So that's in, a nutshell, the way
19 people are taking bears.

20
21 And, I guess, as I mentioned earlier,
22 if you recommend moving forward with something in terms
23 of harvest, it is significantly different than the
24 State opportunity that you consider a Federal harvest
25 permit.

26
27 Thank you.

28
29 CHAIRMAN LOHSE: Thank you. Any
30 questions for Robin, Tricia.

31
32 MS. WAGGONER: Just for the record, are
33 any of the traditional means that are mentioned in the
34 analysis bear snares, deadfalls, taking of a bear in
35 den or using dogs to sniff them out, are any of those
36 legal, currently?

37
38 MR. WEST: Perhaps. And I think
39 historically, you know, definitely before firearms
40 those were effective ways of taking bears and, you
41 know, there is a cultural tradition throughout the
42 state in taking bears that way. And I say perhaps and
43 there's a whole host of things that you mentioned there
44 in terms of weapons and use of dogs. You could use
45 dogs with a permit in some areas and so in general
46 those particularly historic methods aren't widely used
47 anymore but some of them could be realized legally if
48 people pursued them, yes.

49
50 CHAIRMAN LOHSE: Robin. You said that

1 Unit 15A is the only area that bait's allowed in.
2
3 MR. WEST: Within the Refuge, that's
4 correct.
5
6 CHAIRMAN LOHSE: Yeah. On the Federal
7 land then.
8
9 MR. WEST: Yes.
10
11 CHAIRMAN LOHSE: And you have about 40
12 permits a year come out of that.
13
14 MR. WEST: There's approximately 400
15 areas that are available but only 40 or so people
16 actually -- and it's very popular. They want their
17 areas and so it's kind of like a concert ticket,
18 people, actually the night before we start issuing
19 these permits in the spring, will actually spend the
20 night in the parking lot to be the first in line to get
21 what they think's the best area. But there are always
22 extra areas, they're just a little harder to get to and
23 that kind of thing.
24
25 CHAIRMAN LOHSE: It's just kind of
26 interesting because if you give 40 permits, you got 42
27 bear taken in Unit.....
28
29 MR. CARPENTER: 400.
30
31 CHAIRMAN LOHSE:in Unit 15A, you
32 got 42.
33
34 MR. CARPENTER: No, 400 permits.
35
36 CHAIRMAN LOHSE: No, he's got 400 areas
37 and about 40 permits are taken out.
38
39 MR. CARPENTER: Oh.
40
41 CHAIRMAN LOHSE: And so 42 bear are
42 taken so it's almost like all of the bear are taken
43 that way or -- I didn't look over here on spring versus
44 fall but it seems like it's not that it's a sure fire
45 thing.
46
47 MR. WEST: No, it's not a sure fire
48 thing. I mean some people are very effective at it and
49 others don't work at it as hard but not everyone that
50 hunts that way takes a bear. Many of them will pass up

1 bears to -- bow hunters, in particular, enjoy it
2 because it gives them a close shot opportunity but
3 they'll pass up animals sometimes.

4

5 CHAIRMAN LOHSE: Tom.

6

7 MR. CARPENTER: Robin. You talk about
8 having an additional Federal permit if we exceeded
9 State regulation. Is the Federal land in 15C part of
10 the Refuge that currently has a three bear limit?

11

12 MR. WEST: Yes. I mean basically the
13 subsistence season that's on the books now is only for
14 Federal public land but in reality most of 15C is not
15 Federal land, and much of what is is ice fields so
16 there is really little Federal public land that people
17 can effectively hunt black bears on on 15C.

18

19 MR. CARPENTER: I guess my question
20 was, was the people of Port Graham and Nanwalek that
21 have been able to hunt down there under Federal
22 subsistence currently, are they required to have an
23 additional Federal permit since three bears are
24 allowed?

25

26 MR. WEST: No, they're not. And to be
27 honest, I'm not sure that anybody's taken three bears
28 since that's been offered. So it's -- I'm not totally
29 familiar with all the history of it but it's basically
30 a non-issue.

31

32 MR. CARPENTER: Okay, thanks.

33

34 CHAIRMAN LOHSE: Thank you, Robin. Any
35 other State agency that wishes to speak.

36

37 (No comments)

38

39 CHAIRMAN LOHSE: Tribal agency.

40

41 MR. WILLIAMS: Mr. Chairman. Members
42 of the Board. Just real, real quick here.

43

44 As far as the hunting practices go, I
45 think actually Robin summarized it best. The high
46 Alpine areas, it's kind of northeast of where Caribou
47 Hills would be, is a popular place to go up there and
48 hunt for bear, behind Tustumena Lake, Federal lands so
49 to speak in south facing slopes. Those are tactics
50 that are commonly discussed down there.

1 The Federal permit. I don't believe
2 that anybody's opposed to a Federal permit. I think
3 Mr. Lamb is 100 percent correct in that the reporting
4 would probably be a healthy thing, you know, just to
5 keep track of where we're at and where we're going. My
6 only concern is would be time associated with that.
7 The same thing, if folks go out on a moose hunt for two
8 weeks, we'd have to have some sort of time that will
9 accommodate for other uses that could probably be going
10 on at the same time, if that'd be acceptable.

11
12 CHAIRMAN LOHSE: Darrel. What I think
13 what I caught on that was basically you're saying that
14 since there really isn't that urgency on it, you'd like
15 the permit to have sufficient time that the person can
16 fill the permit out after they've done the other things
17 that they have to do.

18
19 MR. WILLIAMS: Mr. Chairman, that's
20 correct. And a lot of times when you're going up to
21 areas in the back country, so to speak, it takes time
22 to get there and back, and if it'd be a reasonable
23 limit, you know, it's being discussed now so if we
24 could have a reasonable time limit to be able to
25 approach that kind of thing. You would have more
26 survey information return that would generate
27 information to work with.

28
29 CHAIRMAN LOHSE: Any other questions
30 for Darrel. John.

31
32 MR. LAMB: Yeah, what would you
33 consider reasonable time for reporting, 30 days after
34 the hunt, 15 days.

35
36 MR. WILLIAMS: Mr. Chairman. Mr. Lamb.
37 I think, yeah, 30 days, or maybe late in the fall to be
38 able to -- maybe even like in November, you know, after
39 the hunt. Because my concern is getting back into some
40 of those places takes some time and effort. Some
41 people go up early before the season just to be able to
42 get where they're going to hunt and it takes time for
43 them to get back out.

44
45 MR. LAMB: I mean I've been out there,
46 I know what it's like, so I don't have a problem with
47 that.

48
49 MR. WILLIAMS: Yeah.
50

1 MR. LAMB: But it's going to be up to
2 you guys to get the numbers up and get some accurate
3 numbers for the biologists if you want to get your
4 quotas -- or your bag limits raised up and without
5 that, I mean they're looking at numbers that I don't
6 think they're accurate and I don't think they think
7 they're accurate either.

8
9 MR. WILLIAMS: Mr. Chairman. Mr. Lamb.
10 You know, I had a little bit of discussion with Jeff
11 Selinger here for the last couple of years, they were
12 going to do the electrofridic-type testing on bear
13 populations, the genetic variance to enumerate
14 populations on it. My understanding is that the
15 funding did not go through for that project. So there
16 is some interesting things that go along with that but
17 it's pretty clear there's a healthy population.

18
19 CHAIRMAN LOHSE: Darrel, two questions.
20 Do you -- from your experience, is bait used much in
21 subsistence hunts or is that mostly a sport hunt for
22 that people use bait?

23
24 MR. WILLIAMS: In my experience, the
25 traditional -- or not the traditional but the
26 sportsman's idea of bait, whether it be grange or what
27 not with you to try to lure in bear, that's not used --
28 I don't believe it's used extensively in subsistence, I
29 believe what is used extensively is when you have a
30 moose that you've shot and you're working on that moose
31 and it gets late and the gut pile and you see a bear
32 for a -- and that could be the incidental-type harvest
33 that come up, that is much more common. And I think
34 that is also some of the things that don't get reported
35 as often as they should.

36
37 CHAIRMAN LOHSE: I don't think that's
38 classed as hunting over bait though.

39
40 MR. WILLIAMS: No.

41
42 CHAIRMAN LOHSE: So I mean the
43 opportunistic taking of a bear over a gut pile or
44 something like that, that's not a bait hunt per se.

45
46 MR. WILLIAMS: Mr. Chairman. Exactly
47 right, per se, it kind of gets in that definition of
48 bait, you know, whether it be a grain or something
49 else.

50

1 CHAIRMAN LOHSE: And that would be one
2 area where people actually, for fear that they might be
3 violating, might not report it.

4
5 MR. WILLIAMS: That's correct, Mr.
6 Chairman.

7
8 CHAIRMAN LOHSE: The other question
9 that I had and I'll ask you, since you're the ones that
10 brought the proposal up, because of biological concerns
11 and things like that and the growth and the take down
12 there, would you consider it a meaningful priority to
13 be able to have the same limit on these new areas that
14 the State currently has and says is biologically
15 sustainable but be able to take both of those bears
16 either in spring or fall?

17
18 MR. WILLIAMS: I believe that would be
19 a sufficient priority, Mr. Chairman, to be able to take
20 both bears either in spring or in fall. I don't
21 believe in any way that we want to even try to address
22 any kind of concern to that. I don't believe the
23 participation will be that high either in this hunt
24 because the same people who are sportshunting now will
25 be participating in the subsistence hunt so it will be
26 a little bit of change of numbers, I don't think the
27 numbers are going to totally turn into something else.

28
29 CHAIRMAN LOHSE: Any other questions
30 for Darrel.

31
32 (No comments)

33
34 MR. WILLIAMS: Mr. Chairman, thank you.

35
36 CHAIRMAN LOHSE: Thank you. Any other
37 tribal agencies.

38
39 (No comments)

40
41 CHAIRMAN LOHSE: InterAgency Staff
42 Committee comments.

43
44 MR. KESSLER: No comments.

45
46 CHAIRMAN LOHSE: Fish and Game Advisory
47 Committee comments.

48
49 (No comments)

50

1 CHAIRMAN LOHSE: Do you want to talk on
2 this or should I get you after this -- okay. Summary
3 of written public comments.
4
5 MR. MIKE: Mr. Chairman. There are no
6 written comments.
7
8 Thank you.
9
10 CHAIRMAN LOHSE: Public testimony. Do
11 we have any cards -- yeah, but he doesn't want to speak
12 to this issue, he'd like to speak in general
13 afterwards.
14
15 MR. MIKE: There are no cards, Mr.
16 Chair.
17
18 CHAIRMAN LOHSE: Okay. So Regional
19 Council deliberations, recommendations, justifications.
20 We need a motion to put WP07-16b on the table.
21
22 MR. CARPENTER: So moved.
23
24 MR. LAMB: Second.
25
26 CHAIRMAN LOHSE: It's been moved and
27 seconded. Discussion. I mean to put it on the table,
28 not discussion on the proposal, on discussion on
29 whether we should put it on the table or not.
30
31 (No comments)
32
33 CHAIRMAN LOHSE: Hearing none,
34 question's in order.
35
36 MR. LAMB: I'd like to offer an
37 amendment, do I do that last.
38
39 CHAIRMAN LOHSE: You can do that after
40 we put it on the table.
41
42 MR. CARPENTER: Question.
43
44 CHAIRMAN LOHSE: Question's been
45 called. All in favor signify by saying aye.
46
47 IN UNISON: Aye.
48
49 CHAIRMAN LOHSE: All opposed, signify
50 by saying no -- nay.

1 (No opposing votes)
2
3 CHAIRMAN LOHSE: I'm not saying nay. I
4 mean -- I mean I meant nay, not no.
5
6 WP07-16b passes unanimously for putting
7 it on for discussion and deliberation.
8
9 Okay. At this point in time
10 discussion, amendments, modifications are in order.
11
12 MR. LAMB: I'd like to offer an
13 amendment.
14
15 MR. CARPENTER: Put your mic on.
16
17 MR. LAMB: I'd like to offer an
18 amendment. Keep it one fall, one spring, with the
19 spring one over bait for three years, three regulatory
20 years so that they can get their numbers up and the
21 biologists can get some accurate information before
22 they make any adjustments to raise the bag limit on
23 them.
24
25 CHAIRMAN LOHSE: Do I hear a second.
26
27 MR. CARPENTER: I'll second for
28 discussion. I'll let you speak to your amendment.
29
30 CHAIRMAN LOHSE: Okay, it's been moved
31 and seconded to amend it to keep the bag limit
32 currently as it is for three years, and only allow the
33 spring bear to be taken over bait.
34
35 Discussion.
36
37 Doug.
38
39 MR. BLOSSOM: Mr. Chairman. I will be
40 in opposition to this. I think it's just much simpler
41 to amend it and in 15A and B do the two bear a year
42 like the State and don't get bait involved in it
43 because there's a lot of feuding and fighting over bait
44 that I don't think we want any part of it. That's why
45 I'm against this. Don't bring bait into it. Because I
46 sit on the Central Peninsula Advisory Committee and
47 there's a lot of arguing over bait.
48
49 MR. LAMB: Well, right now they're
50 allowing three of them over bait but I think that's too

1 many but I'll concede to that one, that part of it.
2 But my biggest reason is is they've got to get some
3 accurate numbers in there, and that's actually the only
4 leverage I can think of to get them there.

5
6 CHAIRMAN LOHSE: Any other comments.
7 Tom.

8
9 MR. CARPENTER: Yeah, Mr. Chairman. I
10 mean I was the second on this amendment. I would be
11 against this amendment. I understand what John's
12 concerns are. I think that if we follow the
13 recommendation of the Refuge manager and we just -- for
14 the time being, when we start this hunt off we make the
15 regulations or current amounts of harvest similar to
16 what the State has. I think that over the next couple
17 of years we're going to find out, you know, how much
18 interest there is and if Ninilchik isn't being
19 satisfied, they can always ask for an increased bag
20 limit.

21
22 CHAIRMAN LOHSE: John, I agree with you
23 on the idea of getting the numbers and that's why I'm
24 going to be in favor of having a permit reporting. I
25 don't see any need -- like Doug, I don't see any need
26 to bring bait into it because bait is probably not very
27 much used by the people that we're talking about. Most
28 of the hunting is done in fall, and it's not going to
29 have any affect on these numbers that are used over
30 bait because like he said in order to do it on the
31 Refuge you've got to attend a course, you've got to
32 register and everything else and I don't see very many
33 subsistence users taking part of that.

34
35 MR. LAMB: I'll drop the bait part of
36 it.

37
38 CHAIRMAN LOHSE: So then your proposal
39 would be one bear in spring and one bear in fall.

40
41 MR. LAMB: Yeah, the same as the State
42 and for say three regulatory years so that they can get
43 the numbers up and get them accurate and they can know
44 what they have out there and what they're actually
45 taking.

46
47 CHAIRMAN LOHSE: Does the second agree
48 to the change?

49
50 MR. CARPENTER: Well, I mean I can

1 agree to the idea of having the regulations the same as
2 the State but I don't necessarily know that we need to
3 have the three year sunset clause, if you would have it
4 stated that way, I think that if Ninilchik feels like
5 they're not -- if a bear each season doesn't appease
6 them then they can ask for that season or harvest
7 levels to be changed. So if you can agree to that I
8 would concur as the second.

9

10 CHAIRMAN LOHSE: It's almost easier if
11 you're -- now, you want to change on the motion, it
12 would almost be easier to vote the motion down and make
13 a new motion.

14

15 MR. CARPENTER: That's what I would do
16 now.

17

18 CHAIRMAN LOHSE: Okay. Any other
19 discussion on the motion.

20

21 (No comments)

22

23 CHAIRMAN LOHSE: Question's in order.

24

25 MR. BLOSSOM: Question.

26

27 CHAIRMAN LOHSE: Question's been
28 called. All in favor of the amendment signify by
29 saying aye.

30

31 MR. CARPENTER: Aye - no, nay.

32

33 CHAIRMAN LOHSE: All opposed, signify
34 by saying nay.

35

36 IN UNISON: Nay.

37

38 CHAIRMAN LOHSE: Motion fails.

39

40 MR. CARPENTER: Mr. Chairman. I move
41 to amend this proposal to have the bag limits and
42 seasons the same as the State and that there be a 30
43 day reporting requirement after the end of each season.

44

45 MR. LAMB: I'll second it.

46

47 CHAIRMAN LOHSE: It's been moved and
48 seconded to have the seasons the same as the State with
49 a 30 day requirement for reporting.

50

1 Tricia.

2

3 MS. WAGGONER: In Unit 15C, if Port
4 Graham, Nanwalek have three bears open all year and
5 they have harvest records since '96 when that change
6 was made, if the Board gives a positive C&T
7 determination to Ninilchik they will have access to
8 three bears in the entire regulatory year in 15C, why
9 confuse the subsistence user, and we're talking
10 Ninilchik, which is 700 people, very few bear hunters,
11 why confuse the situation by telling them when they go
12 on the other side of Tustumena Lake, oops, you can only
13 take one bear in the spring and one bear in the fall
14 when opportunistic -- most of it really is
15 opportunistic hunting, or even targeted hunting, it
16 would be a meaningful opportunity to allow them to take
17 two bears at one time versus having to go out in the
18 spring and get one and having to go out in the fall and
19 get another one.

20

21 And so I would be totally against the
22 amendment.

23

24 CHAIRMAN LOHSE: Doug.

25

26 MR. BLOSSOM: Tom, your amendment here,
27 does that then go 15C has three bears?

28

29 MR. CARPENTER: The amendment is for
30 15A and B and I'll tell you why. I think that 95
31 percent of the Federal land that we're talking about is
32 in the wildlife Refuge which is in 15A and 15B. The
33 current State regulation in those two areas is one bear
34 in the spring and one bear in the fall and I think the
35 baiting restrictions that Robin talked about are --
36 that's going to be the same regardless of what the
37 season is.

38

39 I think the reason that he requested
40 that we consider having the same season is that all
41 people hunting in Unit 15A and 15B either with a State
42 permit or a Federal permit, it becomes an enforcement
43 issue and I think that it becomes easier, for either
44 the Federal enforcement and/or the State enforcement
45 and I think it makes it easier, actually, for the
46 subsistence user because they're currently hunting
47 under the amended regulations at this time.

48

49 So that's my reasoning.

50

1 CHAIRMAN LOHSE: Doug.
2
3 MR. BLOSSOM: Mr. Chair. Tom, your
4 dissertation is fine, but what I asked is 15C. We
5 presently have a three bear limit in there so does your
6 amendment say that it's two bear in 15A and B and three
7 in 15C?
8
9 MR. CARPENTER: My amendment is only
10 for 15A and 15B.
11
12 CHAIRMAN LOHSE: 15C is not on.....
13
14 MR. BLOSSOM: Okay.
15
16 MR. CARPENTER: 15C is already --
17 there's a current season, this proposal doesn't
18 actually deal with 15C.
19
20 MR. BLOSSOM: It isn't on the table.
21
22 CHAIRMAN LOHSE: No. 15C is not on the
23 table.
24
25 MR. BLOSSOM: They're going to get
26 three bear in 15C then if this.....
27
28 CHAIRMAN LOHSE: 15C already has a
29 season with three bear.
30
31 MR. BLOSSOM: Okay, good enough, that's
32 all I'm asking.
33
34 CHAIRMAN LOHSE: What we're dealing
35 with is 15A and 15B.
36
37 MR. BLOSSOM: That's all I'm asking.
38
39 CHAIRMAN LOHSE: Any other discussion.
40
41 (No comments)
42
43 CHAIRMAN LOHSE: I'll just make one
44 comment on it, Tom. and that's, it's hard for me to see
45 a meaningful priority if you give the same season and
46 bag limits and you add an extra regulation to it.
47
48 You know, currently the limit's one in
49 spring and one in fall, you don't have to have a
50 permit. And it would be hard for me to say, okay, the

1 subsistence user can have one in spring and one in fall
2 but he has to get a permit and he has to have
3 reporting. Currently you do have sealing -- you do
4 have to go seal your bear, that's true, but you don't
5 have to get a permit -- you don't have to get a permit
6 to start with. So that's why I was thinking that, you
7 know, if we're going to ask for an additional permit,
8 that if you could still keep it within the same bounds
9 of conservation, but give a meaningful preference it
10 might be preferable. I would probably vote against
11 this one.

12

13 Doug.

14

15 MR. BLOSSOM: Mr. Chair. Maybe I can
16 explain my thoughts a little on that. I think it is a
17 meaningful preference because I see restrictions coming
18 on black bear hunting on the Peninsula. So I think in
19 doing this we've assured the subsistence people they
20 have a priority there, so I think it's good to try to
21 go along with the State in that area for now, that
22 we're securing a preference when the bear population
23 and their hunting seasons go that way, like they did
24 with brown bear. So I think it is a preference and it
25 makes it easier for the regulators to do the
26 regulations.

27

28 CHAIRMAN LOHSE: Thank you, Doug.
29 Thanks for that information and thanks for helping me
30 change my mind.

31

32 MR. CARPENTER: Mr. Chairman.

33

34 CHAIRMAN LOHSE: Tom.

35

36 MR. CARPENTER: Mr. Chairman. I would
37 just agree with Doug. I think I said that to Darrel
38 earlier when he was up testifying, is it -- you hear
39 about this meaning preference and, yeah, that is what
40 ANILCA is all about, but it doesn't necessarily mean
41 that Federally-qualified people have to instantly have
42 greater bag limits. What it does mean is that when
43 there is a shortage or if the State does restrict
44 people, that they do have a higher priority to the
45 resource in that area. And I think that Doug is
46 right on, that if the State were to go and change
47 theirs at the next Board of Game meeting, that the
48 people of Ninilchik will have a higher priority with
49 the current regulation that is now.

50

1 The other thing, in regards to the
2 reporting, is I understand completely the idea of
3 sealing bears, but I think getting back to something
4 that John said and I think this goes to something
5 Darrel and the people of Ninilchik have demonstrated,
6 is that, there is a lot of under-reporting and number 1
7 it is bad for the resource, and number 2 it is very
8 hard to justify, under certain situations, a demand or
9 a need for C&T and I think that all a reporting form
10 does is help the people in the rural communities and
11 it's going to help them more in the future demonstrate
12 to the RACs and to the Federal Board that they actually
13 do have and it's going to be easier for them to justify
14 their case. That's the only reason.

15
16 I'm not trying to make it more
17 difficult for them. I just think that it would be --
18 and it could be as simple as the Refuge manager sending
19 out a, you know, a questionnaire, like they do for deer
20 hunting in Unit 6 by the State, it doesn't have to be
21 real difficult. I just think the information is
22 prudent to future discussions.

23
24 CHAIRMAN LOHSE: Tricia.

25
26 MS. WAGGONER: Thanks, Doug and Tom for
27 your comments. I would be -- and as Terry from Fish
28 and Game said, maybe a compromise of allowing the
29 subsistence hunter, you know, keeping the harvest at
30 two bear a year but allowing them to take two during
31 the year, rather than limiting them to one during the
32 fall and one during the spring which would recognize
33 their subsistence hunting ways and the travel that it
34 takes to get into some of these areas.

35
36 MR. CARPENTER: I would recognize that
37 as a friendly amendment.

38
39 CHAIRMAN LOHSE: Does your second
40 agree.

41
42 MR. LAMB: I agree.

43
44 CHAIRMAN LOHSE: So two bears a year
45 taken at any time is what you're saying Tricia?

46
47 MS. WAGGONER: Yes.

48
49 CHAIRMAN LOHSE: Okay. Any further
50 discussion.

1 MR. CARPENTER: I call the question on
2 the amendment.
3
4 CHAIRMAN LOHSE: Call the question on
5 the amendment. All those in favor, signify by saying
6 aye.
7
8 IN UNISON: Aye.
9
10 CHAIRMAN LOHSE: All those opposed,
11 signify by saying nay.
12
13 (No opposing votes)
14
15 CHAIRMAN LOHSE: Motion carries
16 unanimously. With that we have an amended motion
17 before us to allow a subsistence bear hunt in Unit 15A
18 and 15B, with two bears a year taken at any time.
19
20 MR. CARPENTER: Mr. Chairman, I call
21 the question on the amended motion if there's no
22 further comment.
23
24 CHAIRMAN LOHSE: If there's no further
25 comment, the question is called.
26
27 (No comments)
28
29 CHAIRMAN LOHSE: All in favor signify
30 by saying aye.
31
32 IN UNISON: Aye.
33
34 CHAIRMAN LOHSE: All opposed signify by
35 saying nay.
36
37 (No opposing votes)
38
39 CHAIRMAN LOHSE: Thank you. With that,
40 I'm going to call up -- we're going to take a break in
41 a minute or two, but I'm going to call up the one
42 person who has requested the opportunity to speak and
43 we're going to give him five minutes to speak to us and
44 Ed, then I think you needed to get going, right -- oh,
45 you just wanted to speak at this point in time.
46
47 MR. MOEGLEIN: I can speak any time,
48 but I'm going to listen to all this -- whatever the
49 Chairman would like me to.....
50

1 CHAIRMAN LOHSE: Well, is what you're
2 going to speak going to have an affect on the
3 discussions that we're going to make on these proposals
4 or would you prefer to speak at the end of the meeting,
5 at the end of the proposals.

6
7 MR. MOEGLEIN: I would prefer to speak
8 at the end.

9
10 CHAIRMAN LOHSE: We will be happy to
11 let you go to the end.

12
13 (Laughter)

14
15 CHAIRMAN LOHSE: Okay. Everybody, five
16 minute stretch and then let's see if we can go on to
17 WP07-17b.

18
19 (Off record)

20
21 (On record)

22
23 CHAIRMAN LOHSE: What we're planning on
24 doing is we're planning on breaking for lunch early
25 today because in order to maintain our quorum --
26 somebody has an appointment that they have to go take
27 care of and they can come back from lunch early, and so
28 I hope that doesn't goof anybody else up, we'd like to
29 put this next proposal -- we'd like to make a motion to
30 adopt this next proposal so that it's on the table for
31 our discussion when we come back. And then at that
32 time it should be about 11:30 and then we'd like to
33 break for lunch until 12:30 until.

34
35 MS. STICKWAN: We still have to do C&T
36 for brown bear.

37
38 CHAIRMAN LOHSE: That's what we're
39 going to be putting on the table.

40
41 MR. CARPENTER: Well, we can't do that
42 until all the Staff analysis and all that.

43
44 CHAIRMAN LOHSE: Yeah. When we come
45 back we'll have all the Staff analysis and everything
46 at 12:30. Oh, that's right, we can't -- I'm sorry, we
47 can't -- you're right, you're right, let's just -- I
48 don't need a quorum to break for lunch. 12:30 we will
49 return.

50

1 Thanks for that clarification, Tom,
2 it's been a long meeting.
3
4 (Off record)
5
6 (On record)
7
8 CHAIRMAN LOHSE: I'd like to call this
9 spring session of the Southcentral Regional Subsistence
10 Advisory Council back into session.
11
12 We were just starting to look at -- oh,
13 Doug.
14
15 MR. BLOSSOM: Mr. Chairman. Jerry Berg
16 says we didn't do this strong enough. He wants us to
17 authorize them to start work on it as soon as possible,
18 this Hidden Lake project. So I guess I would just ask
19 the Council to recommend to the Office that they start
20 on this as soon as possible.
21
22 CHAIRMAN LOHSE: Make a motion to that
23 and we'll pass that.....
24
25 MR. BLOSSOM: I so move that they start
26 on this as soon as possible.
27
28 MR. CARPENTER: Second.
29
30 CHAIRMAN LOHSE: It's been moved and
31 seconded, this is the Hidden Lake project, and that we
32 give it a priority and ask them to work on it ASAP.
33
34 Any discussion.
35
36 (No comments)
37
38 MR. LAMB: Question.
39
40 CHAIRMAN LOHSE: Question's been
41 called. All in favor signify by saying aye.
42
43 IN UNISON: Aye.
44
45 CHAIRMAN LOHSE: All opposed signify by
46 saying nay.
47
48 (No opposing votes)
49
50 CHAIRMAN LOHSE: Motion carries

1 unanimously.

2

3 Okay, with that we are now looking at

4 WP07-17a.

5

6 MS. WILLIAMS: I'm Liz Williams,
7 anthropologist with the Office of Subsistence
8 Management. Proposal WP07-17a was submitted by the
9 Ninilchik Traditional Council and they request a
10 customary and traditional use determination for brown
11 bear in Unit 15 for Ninilchik residents. And I'm going
12 to skip the customary and traditional use information
13 that I gave you this morning, as I mentioned during
14 16a, it's very similar, a lot of the historic
15 references are the same for black and brown bear or the
16 references don't mention which species although a few
17 do, and I'll point those out. And this analysis begins
18 on Page 105.

19

20 But as far as historic uses and the
21 community origins, that's the same for both species.

22

23 I think one important thing to note,
24 though, is the quote from Grassim Oskolkoff again on
25 Page 110 about using -- no, he's not on Page 110, he's
26 on another page, but anyway he's on Page 108, sorry,
27 about going to get brown bear in the Caribou Hills,
28 which I mentioned earlier this morning. And then on
29 Page 109 is the map for brown bear, and the printer
30 kind of mixed up the pages, so 109 is the map, 113 is
31 the sort of time distribution for the different parts
32 of the unit. And when you look at the map on Page 109
33 you will see 15A, 15B, and 15D delineated. We looked
34 at it by UCU again, and you will see that one bear was
35 taken on Federal land in UCU 0703 north of Tustumena
36 Lake in 15B, but, again, the predominate place where
37 brown bear are harvested by Ninilchik residents is
38 shown by sealing data is right near Ninilchik in 15C in
39 Unit 0201 where there were three, and 0301 where there
40 were five taken according to those records. There's a
41 little bit of Refuge land in both of those UCUs and
42 it's hard to know exactly where the bears may have been
43 taken.

44

45 So does everybody have that map page.

46

47 (Council nods affirmatively)

48

49 MS. WILLIAMS: And then there are few
50 differences in the studies. Again, the studies that we

1 talked about this morning, subsistence studies, they
2 all have one thing in common. People talk a lot about
3 competition hampering their harvest, and I think we
4 heard about that this morning.

5
6 There was a study -- not a study, but
7 there's a book called, the History of Mining on the
8 Kenai Peninsula, and it's interesting because it talks
9 about how when miners came in the 1890s that the
10 Ninilchik residents were having more difficulty
11 trapping for animals during the winter because of
12 frequent forest fires set by encroaching American
13 miners. So one point I'd like to make is, you know,
14 there wasn't a specific closure like there were for
15 fisheries in the '50s, but the more people that came to
16 the Peninsula, the habitat destruction and the crowding
17 that came with it has led to more competition. So
18 that's just another source of information.

19
20 The subsistence studies that we talked
21 about this morning, again, two by Division of
22 Subsistence, two by NTC, all different sample sizes.

23
24 And the first one I'll talk about is
25 Technical Paper 106 which was by the Division of
26 Subsistence regarding the harvest year 1982 through
27 1983. And the brown bear wasn't on the baseline
28 harvest survey for that study so people did not get
29 asked about brown bear harvest and I'm on Page 111
30 right now. A baseline harvest survey done by Division
31 of Subsistence includes almost everything that is
32 possible to harvest, including wood, mushrooms, all
33 sorts of marine invertebrates and brown bear was not
34 asked. And, again, this study was only a sample of 24
35 households, and the author wrote that there didn't
36 appear to be a stable seasonal-round, however, with
37 such a large study population but such a small sample,
38 the representativeness of the findings was difficult to
39 ascertain. But Ninilchik residents said that their
40 harvest of large land mammals was secondary to the
41 harvest of fish and seafood and some of the reasons
42 given for this included a perceived scarcity of game,
43 excessive hunting competition, short seasons, et
44 cetera.

45
46 And the next Technical Paper done by
47 Division of Subsistence, Technical Paper 253 in '98,
48 again, this was a different sample, it wasn't Ninilchik
49 proper, but it was the Happy Valley CDP, as well as
50 Clam Gulch. This study indicated that in 1998 two

1 percent, approximately eight households within the
2 entire community of 400 tried to harvest brown bear but
3 that none used, harvested, received or shared it, so
4 there was effort but no harvest. In addition to
5 harvest data, residents were asked about the location
6 of their harvest and in Table 64 on Page 133 of that
7 study, one percent of those sampled, which translates
8 to approximately four households of 400 reported
9 hunting but not successfully harvesting brown bear in
10 Unit 15B within the Kenai National Wildlife Refuge.
11 One percent also reported hunting brown bear elsewhere.
12 And there were no other brown bear hunt locations noted
13 in this table by the residents of Ninilchik. So the
14 ones that did go a lot went on Refuge land.

15
16 In contrast to some of the other
17 communities in this study like Clam Gulch and Happy
18 Valley, there was a note in the study that said
19 although Ninilchik didn't harvest, and I'm on Page 111,
20 said, only in Ninilchik were there any brown bear
21 hunters and this activity occurred within the Refuge
22 boundaries in Unit 15B and off the Kenai Peninsula, so
23 I'm repeating what I said but it's specifically noted
24 in the study.

25
26 Again, this is stuff that was not
27 available to the Board when they made their decision in
28 1996.

29
30 The Ninilchik Traditional Council
31 studies, again, '94 limited sample of long-term
32 residents, they found that 20 percent of their sample
33 of 26, which is approximately five households, and I'm
34 on Page 112 now, used brown bear, 16 percent
35 approximately four households of 26 tried to harvest
36 it, 20 percent approximately five households of 26
37 received brown bear and 20 percent approximately five
38 households of 26 shared brown bear. And they reported
39 harvesting brown bear in Units 15A, B and C within the
40 timeframe of '94 to '99. They also reported harvesting
41 brown bear in Unit 8, which is Kodiak. The '99 NTC
42 study did not include any harvest of brown bear or
43 sharing.

44
45 Alaska Legal Services, as I mentioned,
46 did affidavits in '92 and they reported one bear
47 harvest out of 11 affidavits. They presume it was a
48 black bear but they're not sure.

49
50 I've already gone over the bear sealing

1 database with you. And, again, I'd like to emphasize
2 that there's a very, very small amount of brown bear
3 harvested but that doesn't mean that it's not an
4 important part of the subsistence repertoire. As I
5 said before, subsistence economies are the ultimate in
6 diverse economies, you always have to have
7 contingencies, they're opportunistic hunts, and brown
8 bear represents that.

9

10 In the regulatory history of brown
11 bear, when this Federal Program took the State
12 regulations, in the '90s there was not any subsistence
13 hunting regulations, as we already discussed on the
14 Kenai Peninsula at all, however later the Federal
15 Program never had a no determination for brown bear on
16 the Peninsula, it was always no subsistence priority.
17 And that's a little bit different from the history of
18 the black bear, which did have all rural residents were
19 eligible.

20

21 I talked to Bill Knauer about this
22 before he left and he said that because the State thing
23 had been adopted and there hadn't been researched, it
24 was assumed that brown bear had never been used for
25 food in this area and that's just, you know, his
26 historical memory, and that's very clearly not the
27 case.

28

29 Another thing I'd like to note, again,
30 is that 24.8 percent of the households in the ADF&G
31 Division of Subsistence survey accounted for 70.5
32 percent of the take of wild foods. So, again, as has
33 been mentioned earlier, there's a small percentage of
34 the community that harvests most of the food and it
35 gets distributed.

36

37 A frustration for me in doing these two
38 analysis, is I used to be a field anthropologist and
39 now I'm a desk anthropologist, and when you talk to
40 people in a community, in spite of what's been said
41 today, if people get to know you and you're there for a
42 few years, not there, but visit over and over and they
43 know they don't get arrested after you leave, that they
44 can talk to you and they often do. Doing these
45 analysis I can't really do that and yet I know that
46 people use brown bear. I called one person and he
47 happily spoke to me and told me about his harvests
48 which were not out of order or anything but just how
49 different species of bear were used. And I told him
50 over the phone what we were doing and what it was for

1 and he was fine with it, but when I sent it to him in
2 writing to check he called me three times because I was
3 out of the office at another meeting and he said,
4 please take it out, I can't get involved in this. And
5 so I think when you look at some of, you know, the
6 stuff that people maybe haven't said, I know lately the
7 notoriety of Ninilchik and Peninsula papers may have
8 scared him off, but the absence of information in
9 writing doesn't mean that the information isn't there
10 but we just don't have the means to go and actually
11 talk to people. And they don't live in ANILCA world
12 like we do so it takes awhile to sit down with people
13 and explain and show them how reporting subsistence
14 harvest is to their benefit and not to their detriment
15 because most people think of Fish and Game as
16 enforcement, not as a way to document your subsistence
17 harvest for your benefit.

18

19 So in summary, this analysis supports
20 the proposal because of the historic and current use of
21 brown bear by Ninilchik, although it's low.

22

23 CHAIRMAN LOHSE: Any questions. Tom.

24

25 MR. CARPENTER: Yeah, I got a question,
26 Liz. I mean taking everything you said into
27 consideration and, you know, taking into consideration
28 some of the testimony I heard in regards to black
29 bears, and I know that the harvest levels are not all
30 that you can base a C&T decision on. But what I'm
31 curious is, is I listen to you and I've read this and I
32 looked at the statistics and there is constant harvest
33 in 15C, that's pretty evident. And there's been some
34 documentation by the gentleman that you quoted in here
35 as saying that they had harvested bears in the Caribou
36 Hills, which is Federal land, but it -- most of that is
37 in 15C, too. And there's been one bear that's been
38 documented to being harvested in 15B.

39

40 And I guess my question is, is when you
41 did this analysis, why did you include 15A as part of
42 your recommended area to be considered for C&T as a
43 Staff when we've actually heard of no information that
44 says that bears were typically harvested in that area?

45

46 MS. WILLIAMS: Thank you, Mr.
47 Carpenter. When I look at -- again, going back to
48 being a field anthropologist, when I interview people
49 and do mapping with them, sometimes I would ask them to
50 write on a map where they harvested and some people

1 laugh and say, well, do you want me to just color the
2 whole thing black. And so when I look at the Kenai
3 Peninsula as a whole and the history of first
4 subsistence and then mining and trapping and then
5 commercial fishing, people are out on the land all over
6 the place. And to me the boundaries that we have
7 necessarily were not there are obvious in the
8 historical record and in people's consciousness. And
9 to be honest with you, I think people harvested black
10 bear across -- I mean I know they harvested things
11 across the Inlet as well. They might have done some in
12 Seldovia, too. And to me, to have a contiguous unit
13 makes sense, and I think if we dug around more we could
14 probably find more information or people would testify
15 but we've talked about Joseph Cooper in the fishery
16 analysis as being a miner and going around to all
17 different places, but there were Kavasnakofs and
18 Oskolkoff's who were also in a mining company and they
19 were also trappers and probably other people were
20 commercial fishers, too, and so subsistence blends in
21 really well with those types of lifestyles. And to me
22 it's just kind of there.

23

24 MR. CARPENTER: All right.

25

26 MS. WILLIAMS: That 15A would be part
27 of it.

28

29 MR. CARPENTER: I guess, though, I mean
30 I just wanted to get a little bit of a clarification
31 for the record. And I guess for me personally is when
32 we have people come testify before the Council or if
33 we've, you know, where Staff has talked to elders in a
34 community and gotten some, you know, fairly clear
35 documentation, I think that's one thing, and I
36 understand that there are people -- because I know
37 people in Prince William Sound that harvest different
38 species on a regular basis and they just don't feel
39 like it's important enough for them to report their
40 harvest to the proper officials. I mean I understand
41 that takes place. But it's also hard, at least for me,
42 to accept some of what you said when there's people
43 that are willing to talk about it and tell you. I
44 think that -- I don't know -- it's hard for me to
45 accept that as testimony when they aren't willing to
46 put it on the record. I mean I assume you can
47 understand that.

48

49 But, anyway, thanks.

50

1 CHAIRMAN LOHSE: Any other questions or
2 comments.

3
4 Doug.

5
6 MR. BLOSSOM: I guess, Mr. Chair, I
7 find it interesting, I see you have Grassim Oskolkoff's
8 name in there. When I was, gosh, I don't know, maybe
9 15 years old, I actually shot a brown bear with Grassim
10 Oskolkoff but that's so long I don't even remember how
11 old I was then but I did shoot a bear with Grassim.

12
13 CHAIRMAN LOHSE: Gloria.

14
15 MS. STICKWAN: In the studies, do you
16 know how old people were.

17
18 MS. WILLIAMS: In the subsistence
19 studies?

20
21 MS. STICKWAN: Yeah, were they elders,
22 like over 70, 80 or were they younger, because I know
23 in our area the historical use is -- now, a lot of the
24 knowledge is being passed -- it's being lost because
25 the elders are passing away. We have it documented,
26 but, it's going to be really hard to get -- do you
27 understand what I'm trying to say, the older.....

28
29 MS. WILLIAMS: I'm having trouble
30 hearing you.

31
32 MS. STICKWAN: I said in our area our
33 knowledge is being -- the elders are dying off. The
34 historical use back to the late 1800s or something like
35 that, you know, we don't -- the elders are dying is
36 what I'm saying and their knowledge is going with them,
37 so I'm wondering if that's the case here too.

38
39 MS. WILLIAMS: I didn't look
40 specifically at the age. I think the length of
41 residence of the household is what the Subsistence
42 Division surveys look at, and that's a good thing to
43 look back at, and I'll do that. And then I can't
44 remember, the Ninilchik surveys I believe say how long
45 a person's lived in the community as well.

46
47 If I may add just another point to
48 that.

49
50 It's not that the person wouldn't come

1 to testify, he's 90, and it's political, and it --
2 because he's the -- I don't want to reveal too much
3 about him because it's private, but he just can't get
4 involved because of the nature of his family and the
5 notoriety, I think, Mr. Stubbs was talking about how
6 people would think he was the devil incarnate because
7 he's from Ninilchik based on some of the Peninsula
8 Clarion articles. And the other thing is it's not that
9 they won't testify, it's that they don't live in ANILCA
10 world, it's not relevant for a lot of people. And even
11 if people lived in Anchorage, the idea of these Federal
12 and State regulations, what are you talking about, we
13 just go get stuff. And I think if we had money to go
14 to Ninilchik and interview people and explain the
15 context because I could call a lot of people in
16 Ninilchik and talk to them but I would not be giving
17 them really appropriate informed consent as to what
18 this is being used for. I mean unless you sit down
19 with somebody for several hours and work with them on
20 -- I mean I've done this before, so I know. And it's
21 also counter-intuitive for people to fill out a form
22 because it's firmly entrenched that when you tell how
23 much you use it's going to be taken away from you.

24

25 I worked on a project where we had a
26 pie chart and we went to communities and explained
27 about a Board of Fish or a Board of Game meeting and
28 this is how much we're showing you use, you have the
29 priority, but you have to prove it, what number do you
30 want these people to look at, but you have to go almost
31 house to house and do that sometimes.

32

33 So I think the information is there.

34

35 And in response to Gloria's question, I
36 think there are people in Ninilchik who aren't gone,
37 who do know, Doug knows people, I'm sure, and I'm sure
38 if Greg were here he would know, and I'm sure Ninilchik
39 can speak to that. There are people who know we just
40 haven't had the mechanism to go and talk to them.

41

42 CHAIRMAN LOHSE: James.

43

44 MR. SHOWALTER: Yes. I have a comment
45 about your, shall we say, written records, and talking
46 to people of the villages.

47

48 They will talk with you, you may have
49 found this out yourself. But they're holding back a
50 whole lot of information not telling you, and the

1 people are -- and when I say, people, people of the
2 villages, are that way, but they would share it within
3 the villages, not really an outside source unless they
4 know you real well.

5
6 CHAIRMAN LOHSE: James, can I ask you a
7 question on that. Is it a little bit because of the
8 fact that it almost looks like you're bragging when you
9 start talking about what you've done?

10
11 MR. SHOWALTER: No, unh-unh, I don't
12 think it is because, you know, the knowledge of the
13 local area and that's what it is, the knowledge is
14 passing it down. And they're doing this, historically
15 and until they're regulated out. They've done it on
16 years and years past and with somebody coming in and
17 these new regulations and paperwork, they're not used
18 to that. And it's just all word of mouth.

19
20 CHAIRMAN LOHSE: Thank you, James.
21 Thank you. Alaska Department of Fish and Game
22 comments.

23
24 MR. HAYNES: Mr. Chairman. Our
25 comments begin on Page 118, and I'm going to quickly
26 summarize.

27
28 In essence, we think there's even less
29 of a case made for Ninilchik residents having a
30 customary and traditional use of brown bear than there
31 was for black bear. The levels of recorded harvest are
32 extremely low. And it seems to me, I've listened with
33 interest to the proceeding discussion, people do use
34 some caution in talking about brown bears, I'll concede
35 that point, but either State subsistence law or Federal
36 subsistence law has been on the book since 1978. State
37 law was first adopted in 1978, and Federal law in 1980.
38 And having worked for the Division of Subsistence and
39 Department of Fish and Game, we emphasize the
40 importance of people recognizing that these laws are
41 here to provide opportunities for you to conduct
42 customary and traditional activities and if your
43 customary and traditional practices didn't mesh with
44 the current regulatory scheme that you needed to make
45 your case, you needed to demonstrate how the current
46 rules didn't apply, didn't work for you. And it seems
47 to me that there are quite a few instances in which
48 people have come to the table and said, yes, we can
49 demonstrate that we've had this pattern of use and that
50 the current rules don't reflect that pattern of use.

1 So I think it's real important that at
2 some point you have to step up to the plate and I think
3 we're all sensitive to information that needs to be
4 kept, you know, you don't want to attribute it to
5 particular individuals, but if you have a -- you should
6 be proud of your customary and traditional uses, and if
7 those are something that are part of your tradition
8 then how can decision-makers make the right decision
9 without that information.

10
11 So having said that, based upon our
12 review of the available data, the Department of Fish
13 and Game concludes that the level of use of brown bear
14 in Unit 15 by residents of Ninilchik does not exhibit a
15 long-term consistent pattern of customary and
16 traditional community use as required by Federal
17 regulations. No substantial evidence is provided to
18 support a reversal of earlier customary and traditional
19 use findings by the Federal Board.

20
21 The Department opposes a finding of
22 customary and traditional use in the absence of a long-
23 term, recurring, consistent pattern of use.

24
25 And the other point was that we -- as I
26 mentioned, prior to discussion of the earlier proposal,
27 we would also recommend that action be deferred on
28 these customary and traditional use determinations
29 until a written policy has been released by the Federal
30 Board.

31
32 Thank you, Mr. Chair.

33
34 CHAIRMAN LOHSE: Tom.

35
36 MR. CARPENTER: Yeah, Terry, thanks. I
37 mean I tend to agree with you on some of that but one
38 question I have is, and we have to take this into
39 consideration when we're making these decisions is how
40 much -- I mean I'm kind of familiar with the situation
41 on the Peninsula in regards to brown bear, it's been
42 somewhat controversial over the past, you know, 10 or
43 15 years, depending on who you talk to, as to the
44 management strategy, how much interference has there
45 been from the State in regards to loss of opportunity
46 beyond the control of people on the Peninsula to
47 continue harvesting the bears? Has the season been
48 closed dramatically? Has there been loss of
49 opportunity that is beyond the control of the local
50 person?

1 MR. HAYNES: Yes, there have been some
2 years when the season has not been opened at all
3 because the -- up until -- at present it's a permit
4 hunt, but the season is not opened unless there is a
5 harvestable surplus of brown bears available. And in
6 some years the number of bears taken in defense of life
7 and property has maxed out the available surplus. So
8 there have been years in which a hunt wasn't opened or
9 the harvestable surplus was very small.

10
11 MR. CARPENTER: So that could
12 potentially be one of the reasons that sealing records
13 or harvest levels in some of these vacant years, that
14 is potentially the reason that there is none there, is
15 because the season was not open because it was closed
16 by emergency order because too many bears were taken
17 from DLPs?

18
19 MR. HAYNES: That would be true for a
20 few of -- recent years, but when I look at Table 1 I
21 see 30 years of little harvest and that lack of harvest
22 can't all be attributed to regulations.

23
24 MR. CARPENTER: Yeah, I mean I tend to
25 agree with you on a portion of Unit 15, but can you
26 explain maybe to me a little better when the Department
27 has closed the brown bear season, say in the last 10
28 years, do they close it as a unit-wide closure or is it
29 done by subunits or typically how has that been done.
30 I'm not sure exactly how the management policy or
31 strategy calls for the closures.

32
33 MR. HAYNES: Through the Chair. I'm
34 not sure if I can answer that specifically but the
35 brown bear regulations are for Unit 15, generally, not
36 broken down by subunit. And I know that in years when
37 that -- well, the hunt has not just been open in Unit
38 15, so.....

39
40 MR. CARPENTER: I guess my question is,
41 if there were too many DLPs taken last year, for
42 example, in Unit 15C, do they close the entire Unit 15
43 down or does the State only close 15C?

44
45 MR. HAYNES: And that's what I can't
46 tell you. I'd have to check that out.

47
48 MR. CARPENTER: Okay. And maybe
49 somebody else will have some information. Thanks.
50

1 CHAIRMAN LOHSE: Tricia.
2
3 MS. WAGGONER: Yeah, Terry, through the
4 Chair. In reading ahead up into 17b, it said in 1967
5 they went to one bear every four regulatory year, has
6 that been consistent since 1967 and allowed one every
7 four?
8
9 MR. HAYNES: Yes.
10
11 MS. WAGGONER: So that would be
12 another, kind of, not lost opportunity, but where State
13 restrictions have limited the availability to hunt,
14 correct, if a subsistence hunter got a bear one year
15 then he couldn't hunt brown bear for four more years?
16
17 MR. HAYNES: You want me to say yes.
18
19 (Laughter)
20
21 MR. HAYNES: Yeah, that is a regulatory
22 restriction, you could say.
23
24 CHAIRMAN LOHSE: James.
25
26 MR. SHOWALTER: Yes. You said there
27 wasn't sufficient evidence of traditional use of brown
28 bear by Ninilchik but yet there has been testimony or
29 information read or relayed here that part of the
30 Ninilchik Tribe has come from Kodiak area and -- which
31 in turn they harvested and used brown bear and no
32 matter who it is and where they come from, that's their
33 customary use, what they have been using, part of
34 moving to wherever they are and this so happens to be
35 Ninilchik on the Peninsula. So as I indicated before
36 there's people, I'm sure they'll want to relay
37 information, they've just informed that they have used
38 it.
39
40 MR. HAYNES: In response to that I
41 would just say that, you know, if people have moved to
42 Ninilchik and brought a traditional practice to them
43 from that other, that previous residence, it would be
44 very useful to know that. What we're talking about
45 here are customary and traditional uses in 15, and,
46 certainly that practice could have been developed prior
47 to them moving to the Peninsula but that would be
48 useful background information to have.
49
50 CHAIRMAN LOHSE: Thank you, Terry.

1 James.

2

3 MR. SHOWALTER: Yes. I'm sure you'll
4 get some information about that from the Ninilchik
5 Tribal Council on that -- this information on brown
6 bear usage.

7

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

10

11 (No comments)

12

13 CHAIRMAN LOHSE: Hearing none -- oh,
14 Doug's got on, Terry.

15

16 MR. BLOSSOM: Mr. Chair. Terry, do you
17 know how many years in the last 20 years brown bear
18 season has been open?

19

20 MR. HAYNES: No, I know there have been
21 several years when the brown bear season has not been
22 opened but I do not have a specific number.

23

24 MR. BLOSSOM: Mr. Chair. Okay. I sit
25 on the Central Peninsula Advisory Council and I just,
26 in the last 20 years, can't think of when we've ever
27 had a real brown bear season in the last 20 years. I
28 mean we had one a couple years ago, it was open for two
29 days and closed before we even got to the field so you
30 can't count those kinds of seasons as productive.

31

32 MR. HAYNES: Right. But it also
33 demonstrates that there's a serious conservation
34 concern so that if bears that are being killed for
35 defense of life and property end up being the number
36 that can be safely taken and not jeopardize the
37 population then that's reality, you just can't have a
38 season.

39

40 MR. BLOSSOM: Mr. Chair. For the
41 record, I disagree entirely. I have lived 60 years
42 there and we have more brown bear now than we ever had.
43 So just that's what I'll tell you.

44

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

47

48 (No comments)

49

50 CHAIRMAN LOHSE: Thank you, Terry.

1 MR. HAYNES: Thank you.

2

3 CHAIRMAN LOHSE: Any other Federal,
4 State or tribal agencies. Robin. Robin's coming up.

5

6 MR. WEST: Mr. Chair. Council. Robin
7 West, Kenai National Wildlife Refuge. And, like with
8 the black bear proposals, I really don't have a
9 position on C&T and so I'll -- although there are
10 recommendations in the material there, those are just
11 my comments if there was a season forwarded, proposed,
12 so I'll refrain from saying anything and if you act
13 positively on this portion of the proposal then I'll
14 come up and talk about biology and permits and concerns
15 and all that kind of stuff.

16

17 CHAIRMAN LOHSE: Robin, I'd like to ask
18 you a question because we notice there wasn't any
19 documentation in 15A. Is that portion of the Refuge in
20 15A, does that have a reasonable population of brown
21 bears or is that mostly black bear country?

22

23 MR. WEST: There are a few areas in 15A
24 that have a fair number of brown bears but it's all
25 relative, Mr. Chair. I think, in general, you're going
26 to find more bears in the mountains but the Mystery
27 Creek area and so forth does have some fair numbers of
28 brown bears in 15A.

29

30 CHAIRMAN LOHSE: And those are not just
31 in 15A, but they're in 15A on Federal land.

32

33 MR. WEST: Correct.

34

35 CHAIRMAN LOHSE: Because sometimes we
36 get a little bit off the track and that's the fact that
37 we do have to recognize that we're looking at use on
38 Federal land in these areas, you know.

39

40 James.

41

42 MR. SHOWALTER: Yes. Well, I guess
43 I'll have to be corrected because you just said on
44 Federal land but there is a big influx of brown bear in
45 15A, because they've even been coming down to Sterling,
46 into Soldotna, so I don't know if it's just for food or
47 over -- chased out of other areas and trying to
48 relocate. But according to the last few years, at
49 least, there's been quite a lot of brown bear in that
50 vicinity. So that's the local area.

1 CHAIRMAN LOHSE: Thank you, James.
2 Okay, any other questions for Robin. Tricia.

3
4 MS. WAGGONER: Just a quick one. Does
5 -- are there brown bears taken on the Refuge in 7, that
6 portion of the Refuge that's located in Unit 7?

7
8 MR. WEST: Well, for all practical
9 purposes there really isn't much of the Refuge in Game
10 Management Unit 7 so it's remote, and away from trails
11 and stuff like that, we're pretty much Game Management
12 Unit 15. And brown bear harvest, as suggested here,
13 for the last couple of decades, legal harvest, has been
14 minimal, the DLP numbers have been significant, but
15 legal harvest has been minimal.

16
17 CHAIRMAN LOHSE: Any other questions
18 for Robin.

19
20 (No comments)

21
22 CHAIRMAN LOHSE: Thank you, Robin. Any
23 other State agencies.

24
25 (No comments)

26
27 CHAIRMAN LOHSE: Tribal agencies.

28
29 MR. WILLIAMS: Mr. Chairman. Darrel
30 Williams, Ninilchik Traditional Council.

31
32 I'm going to try to be very brief, I
33 believe we covered everything earlier. There are a few
34 things that I'd like to touch on associated with this
35 C&T determination.

36
37 The bear hunting that we've covered
38 several times is usually in conjunction with other
39 activities. One of the good examples is berry picking,
40 you tend to find bears where you find berries. That's
41 some of the things to justify the different places
42 people go to be able to harvest different foods and try
43 to coordinate their activities.

44
45 Just to be really, really
46 straightforward, Mr. Carpenter was saying some people
47 have to step up to the plate. I've shot a brown bear,
48 it's not in this book, and that's all you need to know,
49 you know, really, yeah, I'll step up to the plate. But
50 that's as far as it goes because the relationship

1 that's been established between the rural residents and
2 the enforcement people, it isn't poor, it's horrible,
3 truly. You know there are some things that need to be
4 done to repair that relationship.

5
6 I hear a lot about the defense of life
7 and property, bears, that's come up, I haven't heard a
8 number yet. How many defense of life and property
9 bears are there. Why should the subsistence users bear
10 the burden of sustaining defense of life and property
11 bears, there's bear-proof trash cans, there's bear
12 pepper spray; it's a question I don't have an answer
13 for but I do have to kind of scratch my head about
14 these high numbers of defense of life and property.
15 And it's just like what Mr. Lamb said and he said it
16 best, if we don't do our jobs now, the kids aren't
17 going to be able to participate in this stuff. Well,
18 on this particular issue we are the kids and that's
19 what's kind of tough about the whole thing. And I was
20 glad to hear Mr. Blossom talk about Grassim Oskolkoff.
21 Grassim's son, Bruce, had come and testified on a
22 couple of issues previously and it's a real shame to
23 see things like that lost to the community, and it
24 truly is, the man, he's passed and we can't do anything
25 about it, and it's sad. And that's where, on the
26 customary and traditional side of the issue, we'd
27 really like to be able to participate in this and I
28 think it'd be a good reason also to hold some of the
29 agencies feet to the fire and they need to do their job
30 and everybody getting really hot and shooting bear
31 isn't that the answer, maybe that should be addressed
32 so they can look at this. The bear hunting season they
33 had and they met their threshold, in what, I believe it
34 was three days, you know, that's an indication of what
35 the population truly is. Where's the population data
36 coming from. In 1970s aerial surveys was really cool,
37 this is not 1970 no more, and it's starting to come
38 down to things like, issues like money and budgets and
39 who can afford to do what and it makes it really
40 difficult for rural residents because it's the same
41 thing, we don't enjoy the urban economy, that's one of
42 the eight factors, you know, we don't enjoy that urban
43 economy, how can we participate and held accountable
44 for the urban economy-type issues. It makes it really
45 difficult.

46
47 But not to go over things over and over
48 again, that's really all I had to add.

49
50 Well, one more thing.

1 When we're looking back, also, at the
2 extent of time we're talking about, when there's
3 changes and regulations, in Ninilchik proper, I'd like
4 to consider some of the other things that were going on
5 in the community, too. Another thing that happened was
6 the exploratory drilling and the third pad that was put
7 in there, the different oil wells, the third pad is
8 where people go up and park their cars now to go
9 snowmachining in Caribou Hills, you know, and there's
10 this influx of people who had come to work with the oil
11 field and there was some criticism and some other
12 things that happened and some things where people were
13 working where it changed for awhile how and where you
14 could harvest. Jobs, and since it is a rural economy
15 and it's not a real strong economy, that was very
16 important to people, too, so there were some things
17 that were going on that was difficult for a long time
18 for folks. But now, today, some of that has stuck with
19 us but we're still trying to be able to preserve some
20 of this culture that we enjoy.

21

22 Thank you.

23

24 CHAIRMAN LOHSE: Tom.

25

26 MR. CARPENTER: Yeah, Darrel. I'll
27 make a couple of comments and this has something to do
28 with what I spoke to earlier. I think this proposal
29 right here gets back to the idea of meaningful
30 preference, you know, it is not Ninilchik's fault that
31 there's been political confusion about how and this is
32 my opinion, political confusion on how to manage the
33 brown bear population on the Kenai Peninsula. It's not
34 Ninilchik's responsibility to try and justify that. It
35 is the -- and I feel strongly about this in several
36 places around the State, I think the State has been
37 negligent in the fact that they don't have any idea
38 about some of these populations and I think proposals
39 like this are going to put a little bit of a fire under
40 their feet to try and make them try and do something
41 about that.

42

43 The only part of this proposal that I
44 have a problem with is that, you know, it appears to me
45 listening to what the Refuge manager had to say that
46 there are brown bears available for harvest, you know,
47 when the season was to be opened in 15A, and
48 understanding the fact that not everybody fills out
49 harvest reports and seals their animals the way they're
50 supposed to, but I would think that at least one, one

1 bear in the time since reporting has been available in
2 15A, there would have been at least one bear that
3 showed that that was an area in which people from
4 Ninilchik traditionally would go and look for bears at.
5 15B and 15C, I think it's a lot more justifiable in my
6 mind.

7

8 So I mean I hope you don't think that
9 I'm just ripping this proposal apart, I do believe in
10 what you say, I'm just trying to justify the thing as
11 an entire proposal.

12

13 MR. WILLIAMS: Mr. Chairman. Mr.
14 Carpenter. I'm glad you brought that up, the
15 population information, I mean we touched on that
16 earlier, you know. I'm really hoping that there'll be
17 some better information that's going to come along out
18 of this, too.

19

20 As far as the 15A, when we were
21 crafting this proposal, one of the things we considered
22 was where is the Federal land going to be and in order
23 to have an area to be able to go hunt, personally, I
24 don't hunt 15A anymore, it's too crowded for me. I've
25 been up there moose hunting, you see a lot of other
26 people and it's kind of a scary situation, personally.
27 But what we thought is when and if we have the ability
28 to perform this, we may have to move to an area that
29 has a stable population, that has some what adequate
30 access and the key point was Federal land, and that was
31 one of the reasons we had approached it that way.

32

33 MR. CARPENTER: Just a follow up.

34

35 CHAIRMAN LOHSE: Go ahead, Tom.

36

37 MR. CARPENTER: I think that brings up
38 an interesting point. And as of right now I'm not sure
39 I can disagree with you because I have yet to have been
40 told -- I don't know how the management -- is Unit 15
41 managed as a whole for brown bear population or is it
42 managed subunit-wise, after there's so many killed in
43 each subunit, is the subunit shut down, is the entire
44 unit shut down because that would make a difference in
45 what you just said. If it's managed as a whole, it
46 wouldn't. So, you know, if somebody can bring that
47 information forward about how the State has managed it
48 in the past or how the Refuge would manage it in the
49 future if there was a subsistence fishery [sic], that
50 would be great information, and I see Robin's there so

1 maybe we'll get it.

2

3 MR. WEST: Just real quickly, through
4 the Chair. Basically my understanding of the way the
5 State has managed brown bears in recent times has been
6 Peninsula-wide. So there's a registration hunt that
7 combines both Unit 7 and all of 15, and it's open or
8 closed until the quotas are reached.

9

10 Thank you.

11

12 MR. CARPENTER: So maybe just a follow
13 up then, I would assume that if there was a C&T given
14 and a season recognized, that the Federal managers
15 would have to first consider the amount of DLPs that
16 have been taken, like the State has done in the past
17 and then they would have to figure out if there was a
18 harvestable surplus left on Federal land to open the
19 season?

20

21 MR. WEST: Yes, and a lot more. I
22 think if we, you know, if you move on to the next
23 proposal I have some considerable discussion on that
24 issue.

25

26 MR. CARPENTER: All right, thanks.

27

28 CHAIRMAN LOHSE: Darrel, can I ask you
29 a question.

30

31 MR. WILLIAMS: Yes, sir.

32

33 CHAIRMAN LOHSE: Now, we've just heard
34 that 15 and 7 are treated as one area but the State
35 which kind of throws things a little bit different,
36 we've been trying to find out whether -- we've been
37 looking at Federal land and we've been saying 15A, 15B,
38 15C, but if it's treated as one area then 15A and 15B
39 are on the same Refuge, are they not?

40

41 MR. WILLIAMS: That's my understanding
42 at this time.

43

44 CHAIRMAN LOHSE: Because that kind of
45 shoots the question that I was going to ask, which was,
46 in your opinion, has there been much use by Ninilchik
47 of 15A for brown bear, but if 15A is part of 15B and
48 it's just part of the same Refuge, then that question
49 really doesn't apply.

50

1 MR. WILLIAMS: Mr. Chairman. Actually
2 for the C&T determination I believe it does, somewhat.
3 And I think one of the things that we need to consider
4 was the actual highway that was originally put in that
5 was the corridor from the Peninsula to Anchorage and
6 Seward, the Deep Harbor and, you know, the logistics of
7 getting things and things like that. It actually took
8 -- it went through the Refuge and things have --
9 through the Hidden Lake area and what not and things
10 have changed drastically since then.

11
12 My understanding is a lot of the older
13 folks had utilized that area quite a bit, back when it
14 was a gravel road, which a lot of people don't think
15 about anymore, it was a long trek to be able to make
16 that trip. And that was one of the concerns that comes
17 up when we look at the Federal lands that has been used
18 and then we get into the whole time thing, whether it
19 was used recently enough to be considered or not
20 recently enough, but, however, it is a really big
21 consideration.

22
23 I'd like to see it considered, you
24 know, management-wise, it's really tough in our
25 position because we don't have any kind of active role
26 in trying to help with the management or doing anything
27 like that so it's really kind of out of our hands, so
28 to speak, but what I would like to see come out of this
29 is, you know, one example is the defense of life and
30 property bears. You know, gosh guys, I'm sorry, but
31 really I don't see any excuse in it, we've got bear
32 proof dumpsters, we've got pepper spray, we've got, you
33 know, they've got the bird bombs, the rubber slugs,
34 they've got all kinds of non-lethal ways to address
35 these kind of things. And I understand that some of
36 these people are home owners and stuff but, you know,
37 what we boil down to the root of the problem it's the
38 same thing, it's urban and rural. And if you're -- if
39 we had ranchers who lived here raising cattle, you
40 know, or something like that happened, you know, I'd be
41 more apt to understand something like that but if I saw
42 a bear going after a cow, I'd assume it's a sick bear,
43 something's wrong, it ain't right. So, you know, when
44 we see a bear at a dumpster, you know, okay, maybe it's
45 a sick bear, maybe it's a three year old, kind of that
46 teenager problem stage they go through, there's a lot
47 of different things that could happen but the bottom
48 line is it's not the rural user's problem, literally.
49 That's none of our business.
50

1 But I will say if you want to look at
2 harvestability information and sustainability
3 information, technically, when you put it in those
4 perspectives, there's a harvest every year and it's
5 called DLP and until they, they being somebody else
6 other than me, gets DLP under control, you know, I
7 don't know what to do about that.

8
9 CHAIRMAN LOHSE: That brings up a
10 question then and I'm sure that that happens also in
11 Ninilchik, and if that happens in Ninilchik is that a
12 case of shoot, shovel and shut up, or is that a case of
13 here's something that we salvage for subsistence.

14
15 MR. WILLIAMS: Mr. Chairman. A
16 completely honest answer, I don't know anybody -- well,
17 I take that back, I know one lady who shot a black bear
18 and had taken it in, that's it.

19
20 And I know of many more bears that have
21 been taken and it's really funny because we touched on
22 the thing about the relationship with the enforcement
23 agencies there, part of my job is we also manage 64,000
24 acres down on the Kenai Peninsula, and it's really
25 interesting because in the spring, you go out there and
26 you find grain in different places where people have
27 been, I don't know who and I don't know why but people
28 are out there hunting it, they're baiting bear, it's
29 not a place where you can bait bear, but this activity
30 happens on a regular basis.

31
32 And Mr. Showalter brought up a very
33 good point earlier, this is not something you discuss.
34 The threat of going to jail is kind of taken seriously,
35 and people don't like to be in that position. And, you
36 know, people don't talk about it, very close family,
37 very close-knit. Liz also had a very good point, you
38 know, the only reason I'm going to say something about
39 the things I've done is because I was asked to and I'll
40 do that and, you know, same thing, I don't want to get
41 in trouble, I don't want to have a problem, that's not
42 the intent, but it's real life.

43
44 CHAIRMAN LOHSE: Okay, I have one more
45 question then for you Darrel. And I was reading
46 through this and it said a legal opinion stated in the
47 letter to the State of Alaska from the Secretary of the
48 Department of Interior, that there are no unimportant
49 subsistence uses. So basically no matter how low
50 customary and traditional use might be, however

1 unimportant it might seem to us, basically it's saying
2 there are no unimportant subsistence uses.

3

4 Do you view brown bear in that light?

5

6 MR. WILLIAMS: Mr. Chairman, yes, I do.
7 and I'd like to give you an example to go with that.
8 When you see the, quote/unquote, the chief of the tribe
9 come here, did you notice what he wears around his
10 neck. Yeah. And it is, and there's also craft things,
11 and the making of snowshoes that was covered and things
12 like that, that traditionally these things have been
13 used for, and as a cultural aspect, rural residents end
14 up paying the price for things that are happening in
15 the urban community. Something has to be done at some
16 point in time to address those kind of issues.

17

18 CHAIRMAN LOHSE: Any other questions
19 for Darrel.

20

21 (No comments)

22

23 MR. WILLIAMS: Mr. Chairman, thank you
24 very much.

25

26 CHAIRMAN LOHSE: Okay. With that we go
27 on to InterAgency Staff Committee comments.

28

29 MR. KESSLER: No comments.

30

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

33

34 Ed.

35

36 MR. MOEGLEIN: Thank you, Mr. Chairman.
37 This is one I can speak to because we just recently
38 reviewed this in our AC committee and asking for an
39 increase in the TLB (ph) because recognizing that there
40 is a bear problem, it is managed as the whole Unit 15,
41 unfortunately, and in our AC we tried to target areas
42 in each one of these areas to make hunts of A, B and C.
43 I don't know if it got approved by the Board of Game.
44 I'm the subsistence member so I went to the
45 subcommittee meetings. They have asked for an TLB
46 (ph), they're trying to place hunts for the spring in
47 those areas in trying to target the areas where there's
48 most interaction between bears and animals. Again,
49 it's a population problem and not a subsistence
50 problem.

1 The reason why I say that is I got a
2 bear baiting license to obtain bear meat for personal
3 use and increasing my opportunity but there is a bear
4 problem, I find it real -- what pops out in my mind is
5 the divisions between Units 15A, B and C are right
6 along the flowages of the Kenai and the Tustumena
7 drainages and where the problems are arising. And back
8 in the '70s and '80s bear season was included in moose
9 season and recognizing it as an opportunity hunt I used
10 to carry a brown bear tag, that if the opportunity ever
11 arose to defend my meat against the bear, I would
12 harvest the bear and report it as a kill under a
13 licensed -- they changed bear season outside of moose
14 season which took away that opportunity. And I heard
15 of the three S's mentioned quite often defending their
16 game, shoot, shovel and shut up.

17

18 Thank you, Mr. Chairman.

19

20 CHAIRMAN LOHSE: Thank you. Okay,
21 summary of written public comments, do we have any
22 Donald.

23

24 MR. MIKE: No written comments, Mr.
25 Chair.

26

27 CHAIRMAN LOHSE: Public testimony. We
28 had just Ed for the AC, I don't think we have any other
29 cards for public testimony, do we.

30

31 MR. MIKE: No public testimony.

32

33 CHAIRMAN LOHSE: Okay. At this point a
34 motion to adopt WP07-17a is in order so that we can
35 have it on the table to discuss it.

36

37 MR. CARPENTER: So moved.

38

39 MR. BLOSSOM: Second.

40

41 CHAIRMAN LOHSE: It's been moved and
42 seconded to adopt WP07-17a. Any discussion.

43

44 (No comments)

45

46 MR. CARPENTER: Question.

47

48 CHAIRMAN LOHSE: Question's been
49 called. All in favor signify by saying aye.

50

1 IN UNISON: Aye.
2
3 CHAIRMAN LOHSE: Opposed signify by
4 saying nay.
5
6 (No opposing votes)
7
8 CHAIRMAN LOHSE: Motion carries. We
9 have WP07-17a on the table for discussion, amendment,
10 modification or anything we'd like to do with it.
11
12 Doug, were you going to speak to 17a.
13
14 MR. BLOSSOM: Yeah, Mr. Chair, I guess
15 I'll start off. Yeah, we have the slimmest of C&T that
16 we can probably stand but I think you've pointed it out
17 a lot clearer in that one statement, that it isn't the
18 amount, it's -- and in this case here, they haven't
19 really been allowed to even get a bear in a long time.
20 There's been no meaningful way to go get a brown bear.
21 Even the years that they have a season, they don't
22 allow you a chance to go hunt them.
23
24 So the only thing I was toying in my
25 mind was, and I'm not going to make a motion at this
26 time, on record here they show more hunting in 15C than
27 they do in A and B, as far as on Federal land. So
28 that's a possibility.
29
30 But I do see that they -- I know they
31 used to get brown bear quite often, and as the season
32 shortened and it got tougher to get them they've gotten
33 less so that's all I'll say for now.
34
35 CHAIRMAN LOHSE: Doug, do you feel that
36 a fair percentage of bears that they took were on what
37 is now Federal land or was most of the bear taken down
38 near the coast and that?
39
40 MR. BLOSSOM: Mr. Chair. I would say
41 that most of them were taken on Federal land for the
42 simple fact that most of the bears I know of that are
43 taken or were taken were during hunting season. People
44 went to the Caribou Hills for instance and hunted on
45 Refuge land up there and that's where the brown bear
46 were. There was no doubt some taken lower land, but I
47 would say the majority was in adjacent to hunting which
48 was higher country in the fall.
49
50 CHAIRMAN LOHSE: So traditionally the

1 people from that area have gone to the high country to
2 hunt their moose instead of hunting them down right
3 where they're at then, uh?

4

5 MR. BLOSSOM: Mr. Chair. They hunt
6 them all over but I would say more people hunt the
7 Refuge in 15C -- and 15B, whenever they can get up
8 there, so those two areas get hunted on Refuge land, on
9 Federal land.

10

11 CHAIRMAN LOHSE: Thank you, Doug.
12 Anybody else, discussion, comments, amendments.

13

14 Gloria.

15

16 MS. STICKWAN: I think we never had
17 15A, 15B, 15C historically until regulations came in
18 place. and people traditionally hunted anywhere and
19 everywhere they could have. So I don't -- just because
20 boundary lines were drawn by Federal and State
21 management, you know, doesn't mean that they didn't
22 hunt there and because they didn't get a bear, that
23 doesn't mean that they didn't go out and hunt there.
24 And we don't need to be looking at numbers, we need to
25 be looking at historical use, whether they hunted there
26 or not, and I think that they should be getting
27 customary and traditional use in all A, B, C -- 15A, B,
28 and C.

29

30 CHAIRMAN LOHSE: Thank you, Gloria.
31 Anybody else. Some comments, amendments, discussion.

32

33 MR. CARPENTER: I'll make a comment.

34

35 CHAIRMAN LOHSE: Tom.

36

37 MR. CARPENTER: I'll just make a quick
38 comment. I mean I think that Ninilchik's demonstrated
39 that 15C and 15B, you know, through the testimony,
40 written testimony, oral arguments, that they've -- in
41 my mind they've demonstrated a customary and
42 traditional use there. And one of the things that I'm
43 taking into account is the idea in the last 20 years or
44 30 years that they haven't had the opportunity that
45 they might have had if the population was managed
46 differently.

47

48 I'm just not convinced myself and I'm
49 listening to other people, I mean, I just -- I take the
50 C&T thing pretty seriously, I mean I think everybody

1 does, but I just don't like to just blank -- just give
2 out C&T for an entire unit unless it's warranted. And
3 I really just believe, myself, that B and C are the two
4 warranted portions of this unit that Ninilchik has
5 demonstrated C&T on.

6

7 So that's where I'm at.

8

9 MS. STICKWAN: Can I say something.

10

11 CHAIRMAN LOHSE: Gloria.

12

13 MS. STICKWAN: I think we're looking at
14 it from different viewpoints. I guess I'm looking at
15 it traditionally and customarily. Historically there's
16 an area that was used by them and that's why I look at
17 it. I'm not looking at numbers, if they used it in the
18 last 20 years or even 50 years, I'm looking at it in
19 the fact that they've lived there all of their lives
20 and they -- I just know that people use and
21 traditionally our own people use an area, it -- we
22 never referred to 13A, B, C and D, we use our
23 traditional lands and that's how we define our hunting
24 areas is through our traditional areas and if you don't
25 look into that and take that into consideration then
26 you're not going to agree that 15A was customary and
27 traditionally used. That's what you need to be looking
28 at, don't be looking at numbers.

29

30 CHAIRMAN LOHSE: James.

31

32 MR. SHOWALTER: Yes, I believe I
33 remember someone saying that they did harvest brown
34 bear in the 15A portion, but I thought that was one
35 brown bear. But even though it's one brown bear it was
36 still harvesting. And we also along with that, we got
37 to remember, reasonable access. Because even though in
38 prior history they hiked or boated to get to a
39 location, that doesn't mean they can't use the road
40 system because it's there now. Whereas, you know,
41 before they used to use bow and arrows, and pointed
42 sticks, they're using rifles now, it's the same
43 difference when the people hit the East Coast of the
44 United States, they used horse and wagons, what are
45 they using now, cars and airplanes, along with us or,
46 we, along with them. So we got to -- according to the
47 information we've got to provide a reasonable access.

48

49 CHAIRMAN LOHSE: Any other comments.

50

1 (No comments)

2

3 CHAIRMAN LOHSE: I'll make a comment
4 then. I think that Ninilchik has shown that they've
5 used brown bear on the Kenai Peninsula. It was kind of
6 interesting to me that we're looking at A, B and C for
7 Ninilchik but the State treats the Kenai Peninsula as a
8 unit. And the brown bear harvest is unit-wide, not
9 even just a unit but two units, 15 and 7, and they look
10 at it as the Kenai Peninsula.

11

12 I'm sure that usage has been
13 demonstrated on the Refuge which extends from all those
14 uni -- if I remember, right, Robin, crosses all those
15 units, so they're on that same Refuge but that Refuge
16 goes across A, B and C.

17

18 This is some of the weakest
19 demonstration for amounts of animals taken that I would
20 ever think of voting on a positive but I also recognize
21 the animal and use and to go back and think of the
22 practices of the village that I stayed in, and I'll
23 have to say the practices of myself and my neighbors 40
24 years ago, and I don't know, maybe I'm one of the few
25 people in this room that, you know, lived in a place
26 where brown bear was the customary food because there
27 wasn't any other meat and I've never had any problem
28 eating brown bear and so I still don't have any problem
29 eating brown bear. And I know that 30, 40 years ago if
30 somebody shot a brown bear and all they were going to
31 do is eat it, they didn't even put it in the context of
32 a trophy. Out of all of the brown bear that I've ever
33 eaten meat off only one of them that I ever know of had
34 the hide salvaged because the people involved were
35 looking for meat.

36

37 And so I just would have to say that I
38 would, you know, I would probably, for brown bear, look
39 at Kenai as a whole, since that's what the State's
40 looking at it, and from that standpoint I'd have to
41 give C&T to Ninilchik because as a rural community I'm
42 sure they use the resource no matter how small it was.
43 And that would be my justification.

44

45 If the State had theirs broken down and
46 were actually managing it by smaller units it's
47 possible that we should have to go that far, but as
48 long as they look at it as a whole, I think we can look
49 at it as a whole and I'm going to vote in favor of this
50 motion.

1 Tom.

2

3 MR. CARPENTER: Mr. Chairman. In light
4 of that, that does bring up an interesting concept and
5 I do have to agree with you. And maybe I was just
6 focused in too much on the subunits, maybe we do
7 characterize management -- I mean that's just -- but
8 that's what I'm used to.

9

10 CHAIRMAN LOHSE: Uh-huh.

11

12 MR. CARPENTER: So it's hard for me to
13 get away -- I understand exactly what Gloria was
14 talking about and I understand what James was talking
15 about and, you know, I guess I would have to agree,
16 that if the State did manage this unit to unit that you
17 would have to take into consideration the fact that
18 maybe this ought to be looked at this way.

19

20 But I do agree also that this is -- I
21 mean I got to be honest with you, when you look at the
22 harvest data, and I mean I'm sure the Federal Board is
23 going to look at this, 01 and one, in three-quarters of
24 the entire Kenai Peninsula, but granted that's not
25 taken as a whole and we're basically talking about 10
26 bears harvested, you know, the recorded harvest, in the
27 last 30 years, recorded harvest. So I mean it's pretty
28 limited -- I mean but there has been things that -- I
29 mean like I said, in regards to management, that was
30 beyond the control of the people that lived on the
31 Kenai Peninsula so I'm trying to justify my vote to
32 myself, but I will vote in favor of that based on what
33 you said.

34

35 CHAIRMAN LOHSE: Tricia.

36

37 MS. WAGGONER: I will be voting in
38 favor of the C&T determination for Ninilchik but I just
39 wanted to get one other thing on the record. Based on
40 this table that we're looking at in Table 1 on Page
41 113, that entire table represents a one every four
42 regulatory year licensing. So I mean I'm sure that
43 that has a huge impact on the numbers because during
44 the entire years that this table represents the users
45 were restricted.

46

47 MR. CARPENTER: Yeah, that's a good
48 point.

49

50 CHAIRMAN LOHSE: Doug.

1 MR. BLOSSOM: Mr. Chair. I guess I
2 will be voting in favor also. I think it's been lost
3 opportunity forever that more brown bear haven't shown
4 up. I'm sure if they were given a season and they were
5 allowed five bear, five bear would be recorded next
6 year. I think it's that drastic that they have not had
7 the opportunity to harvest brown bear like moose or
8 something else in this rural area.

9

10 CHAIRMAN LOHSE: Any other discussion.
11 Any amendments to be offered.

12

13 MR. CARPENTER: No, I'd just make one
14 final comment, I think this RAC has demonstrated, for
15 the record, it's position pretty clearly. And if
16 there's no further comment, I'll call the question.

17

18 CHAIRMAN LOHSE: The question's been
19 called. All in favor of WP07-17a signify by saying
20 aye.

21

22 IN UNISON: Aye.

23

24 CHAIRMAN LOHSE: All opposed signify by
25 saying nay.

26

27 (No opposing votes)

28

29 CHAIRMAN LOHSE: Motion carries. At
30 this point we go on to WP07-17b.

31

32 MR. RISDAHL: Mr. Chairman. Members of
33 the Council. Greg Risdahl, wildlife biologist with the
34 Subsistence Management Office. Wildlife Proposal 17b
35 begins on Page 120 of your books. And I want to make a
36 note here before I get started with our presentation.
37 Because of recent actions by the Board of Game, in
38 fact, yesterday the Board of Game adopted a proposal
39 that the Alaska Department of Fish and Game put out
40 there to create a spring and fall harvest season for
41 brown bears on the Kenai Peninsula, therefore, and I'll
42 get to this at the end of our presentation, but what
43 I'm going to say is that we will be revising our
44 proposal to, in some respects, mirror that Board of
45 Game proposal that was approved. So just keep that in
46 mind. And some of the figures here that I'm going to
47 give you guys will hopefully answer some of the
48 questions that you've been asking about numbers of
49 harvest and things like that. And I do have some
50 personal history with the brown bear population there

1 starting in 1984 when the brown bear study team started
2 up so I can probably give you a few additional ideas
3 about that population.

4
5 So the proposal that we're talking
6 about here, 17b, was submitted by the Ninilchik
7 Traditional Council and they're requesting that a
8 season be established for the harvest of brown bears in
9 all of Unit 15. The season would run from August 20th
10 to November 10th, with the harvest of one bear every
11 four regulatory years. There's currently no Federal
12 subsistence priority for brown bear in Unit 15,
13 however, this proposal that you've been discussing
14 requests a positive customary and traditional use
15 determination for brown bear for residents of
16 Ninilchik.

17
18 If 17a is rejected by the Federal
19 Subsistence Board no action would be necessary on this
20 proposal.

21
22 Brown bears were first given game
23 status in Alaska in 1902. At the time of statehood the
24 harvest limit was one brown bear on the Kenai
25 Peninsula. In 1937 and '38 the season lasted from
26 September 1 to June 20th, with a harvest limit of brown
27 bears in coastal areas but no harvest or season limits
28 in other areas. The harvest limit was reduced in 1967
29 for the first time to one brown bear every four years.
30 Sows and cubs were protected in the early 1970s and in
31 1978 a 10 day spring season was opened in Unit 15,
32 which was subsequently extended to a 15 day season in
33 1980. In 1984 representatives of the Alaska Department
34 of Fish and Game, the U.S. Forest Service, the Fish and
35 Wildlife Service formed what is known as the
36 InterAgency Brown Bear Study Team and it's still active
37 today. Their main purpose was to discuss brown bear
38 management and research needs on the Kenai Peninsula
39 and probably what brought people together was the fact
40 that there were more and more brown bear/human
41 interactions taking place on the Kenai because it was
42 pretty well recognized that the population had been on
43 the increase for quite a few decades. In 1990 the
44 National Park Service joined the InterAgency Brown Bear
45 Study Team as well.

46
47 More restrictive regulations were
48 enacted in 1989, which reduced the fall season by 14
49 days. This change was made to reduce the incidental
50 take by moose hunters, as a couple of individuals have

1 pointed out, that you used to could hunt moose and take
2 brown bear at the same time.

3
4 In 1994 the Alaska Board of Game moved
5 the fall season to October 1 through 25 in response to
6 continued high harvests. Then, because of high levels
7 of non-hunting human caused mortality, what we're all
8 calling DLPs, in the fall of 1995 through '98 seasons,
9 as well as the 1999 spring season the Fish and Game
10 Department closed all brown bear hunting on the Kenai
11 Peninsula by special emergency order.

12
13 In 1997 the registration permit system
14 was implemented and the season was shortened and
15 changed to what we have today, October 15 through
16 October 31st.

17
18 And, of course, most people know that
19 the Kenai Peninsula brown bear were listed as a
20 population of special concern in 1998.

21
22 The current Alaska Department of Fish
23 and Game management objectives for brown bear on the
24 Kenai Peninsula are simply to maintain a healthy brown
25 bear population and minimize negative brown bear human
26 interactions on the Kenai Peninsula.

27
28 Since March 2003 hunting for brown bear
29 is administered through a straight registration permit
30 system and occurs only if the number of non-hunting
31 human caused brown bear deaths is below the maximum
32 allowable mortality which has been identified to be
33 between 14 and 20 bears. They have a sub-quota in
34 there, it's not that important at the moment, but I'll
35 mention it for the record, of eight females older than
36 one year of age, calculated from the annual mortality
37 of the most recent three years. As a consequence, no
38 permits have been issued for brown bears since 2002 on
39 the Kenai Peninsula.

40
41 Hunting opportunities are likely to
42 remain limited in the foreseeable future and remain
43 dependent on levels of human caused mortality prior to
44 October 15th unless the Department changes its
45 regulations and as I mentioned, the Board of Game has
46 adopted a proposal to open a new season again in the
47 spring. And I'll talk about that in a moment.

48
49 The major causes of non-hunting human
50 caused brown bear deaths are from vehicle collisions,

1 in defense of life and property at residences, in
2 defense of life and property at residences, in defense
3 of life by recreationalists and mistaken identity while
4 hunting other game. So it's a variety of things, not
5 just DLP.

6
7 Brown bears are found primarily in the
8 remote low land forest and inter-mountain valleys of
9 the Kenai Peninsula. Historical brown bear habitat
10 remains occupied except in the more developed areas and
11 that's even kind of up for question because we see them
12 fairly regularly in developed areas.

13
14 Field observations indicate that brown
15 bear densities are the highest in the forested low
16 lands and sub-Alpine areas west of the Kenai Mountains.
17 Because of concern about the long-term conservation of
18 the Kenai, the InterAgency Brown Bear Study Team began
19 developing baseline inventories of salmon streams and
20 other known high use areas in 1984. Their initial
21 research was to assess brown bear habitat, evaluate a
22 cumulative effects model to identify habitat at risk
23 from human development, estimate survival and enumerate
24 the Kenai brown bear population through a computer
25 modeling program. The study team also looked at brown
26 bear dietary requirements, the importance of marine
27 nitrogen and effects of diet on reproduction.

28
29 Since 2002 the ecological studies of
30 the Kenai brown bear population have continued because
31 of concern that the population may be at risk due to
32 the cumulative impacts of hunting harvest, genetic
33 isolation, illegal killing, defense of life or property
34 mortalities, loss of habitat from development and
35 logging, and displacement from salmon streams by
36 recreational fishermen.

37
38 The Kenai Peninsula brown bear
39 population was first estimated in 1989 at somewhere
40 between 150 to 250 animals, using this model that I was
41 talking about. In 1992 that number was refined further
42 to 277 animals, based on additional information, that's
43 for the entire Kenai Peninsula, Units 15 and 7.

44
45 Based on the amount of suitable habitat
46 on the Kenai Peninsula the estimated size of the brown
47 bear population allowable harvest was then suggested at
48 about seven percent or 14 to 21 brown bears annually.

49
50 From 1999 to 2006 there has been, on

1 average human caused brown bear mortalities every year.
2 In 2006 there were actually 26. However, only eight of
3 those bears since 2000 have been legally harvested by
4 hunters in Unit 15, six of which were harvested in the
5 year 2000 and two in the year 2001. And on the books
6 there's a season still open, it has not been opened
7 because we've reached that DLP limit each year.

8

9 The only other thing that I would
10 mention about biology and I suspect this is one of the
11 reasons, a couple of the reasons why the Department has
12 been managing the brown bear population as a whole on
13 the Kenai Peninsula is because the brown bear is a
14 large carnivore that has a very large home range and
15 they travel extensively. Doing radiotelemetry studies
16 we found that they can go from one end of the Kenai
17 clear across to the other in just a few days and they
18 do that based on the food resources, because those
19 bears learn those food resources from other bears, and
20 they know very specifically at what time a certain
21 salmon stream is going to have salmon and when that
22 salmon population begins to decline in terms of
23 spawning they'll move over to another one. So those
24 bears move very extensively. They have very large home
25 ranges. It would be more difficult to try to manage
26 those bears in a small area like that.

27

28 There was an additional alternative
29 considered that would require the use of a Federal
30 registration permit similar to the State's registration
31 permit system but the Subsistence Management Office
32 considered it, but rejected it, because it was
33 considered impractical, expensive and really
34 unnecessary at this time. And in this instance hunters
35 would be required to have two permits if they were
36 hunting on both Federal and non-Federal public lands.
37 They'd have to have the State registration permit and a
38 Federal registration permit. It would require
39 additional work and expense for both Federal and State
40 agencies in issuing permits, collecting and sharing
41 harvest data and coordination to reduce duplication of
42 effort. It would also increase the complexity of the
43 brown bear regulations making it more difficult for
44 Federally-qualified subsistence users to hunt on
45 Federal public lands.

46

47 The effects of the immediate proposal
48 would be that they would likely allow at least some
49 hunting of brown bear on Federal public lands prior to
50 the time when non-hunting human caused mortality is

1 taking place. However, because of the isolated nature
2 of brown bears on the Kenai Peninsula, the difficulty
3 in assessing true population levels, the perceived high
4 levels of non-hunting human caused mortality and
5 obvious impacts associated with increasing human
6 development, opportunities for a Federal subsistence or
7 general harvest of brown bears in Unit 15 under the
8 State regulations would probably still be limited.

9

10 Extending the season beyond October
11 31st would not result in additional harvest because
12 bears, for the most part, are denned up by then.

13

14 The proposal, as presented, would
15 increase regulatory complexity and not be entirely
16 consistent with State brown bear regulations. Brown
17 bear harvested under the proposed Federal subsistence
18 regulations would be subject to salvage requirements,
19 including the sealing of hide and skull by the Alaska
20 Department of Fish and Game and the salvage of all
21 edible meat maintaining the evidence of sex naturally
22 attached to the carcass as well.

23

24 Handicraft articles, I hate to bring
25 this up but it's probably necessary just so everybody
26 knows, and for the record, made from the skin, hide,
27 pelt, fur, bones, teeth, sinew, claws or skulls of
28 brown bears taken in Unit 15 under Federal subsistence
29 regulations could ont be sold. Harvest of a brown bear
30 under Federal subsistence regulations in Unit 15 would
31 apply to the harvest limit of one bear every four
32 regulatory years under both State and Federal
33 regulations as proposed.

34

35 The Subsistence Management Office's
36 preliminary conclusion is to support the proposal with
37 modification to allow a to be announced harvest
38 opportunity on October 15th through October 31st
39 instead of the August 20 through November 10th date
40 that was originally presented -- proposed by the
41 Ninilchik Traditional Council.

42

43 Justification. Starting the Federal
44 subsistence hunt on October 15th simultaneous with the
45 start of the State brown bear hunting season would
46 allow managers an opportunity to determine the status
47 of the population. In other words, Federal subsistence
48 hunting opportunities would occur only after all other
49 forms of non-hunting human caused mortality have been
50 assessed, same thing as with the State regulations, and

1 then only if a harvestable surplus still existed.

2

3 That said, as I mentioned at the
4 beginning, because the Board of Game adopted a proposal
5 that the Alaska Department of Fish and Game presented
6 yesterday, this is actually Proposal No. 30, they are
7 planning to have a drawing hunt that would take place
8 in May and June and the hunt would begin this fall and
9 it would depend on whether or not there's any surplus
10 left over. So it's likely that if the DLP situation
11 takes place as it has over the past however many years,
12 there won't be a fall hunt, however, that said, those
13 individuals that drew a permit for the fall hunt, it
14 would also be useable during the spring. And likewise
15 if there was a fall hunt and individuals harvested a
16 bear, those individuals that did not harvest a brown
17 bear could take that permit and hunt next spring.

18

19 So we would probably be recommending
20 something like this, that our season would run at the
21 same time as the State hunting season, general hunting
22 season, where they give out the permit, drawing permit,
23 however, we would probably keep the Federal season open
24 until at least, say, one or two bears were harvested on
25 Federal public lands. We would try to make sure that
26 there was at least some opportunity for Federally-
27 qualified subsistence users to take a brown bear. So
28 in other words if the quota of 20 was nearing and the
29 State decided to close the season, maybe they would
30 close it at 18 or something because they knew it was
31 coming up, we would not close our season right away, we
32 would wait until the season ran its course and people
33 at least had an opportunity from -- Federally-qualified
34 subsistence users to harvest a brown bear during that
35 time period.

36

37 Any questions, thank you.

38

39 CHAIRMAN LOHSE: Yeah, I have one
40 question. Under the proposed State season, you said if
41 they have a tag for fall and they don't get a bear,
42 they get to use that tag for next spring, but that's
43 only if there was a harvestable surplus this fall. I
44 mean they don't start over next spring -- I mean if
45 there was no harvestable surplus this fall, then there
46 would be no harvestable surplus in spring, would there?

47

48 MR. RISDAHL: Mr. Chairman. The way I
49 understand it is they would begin counting again at the
50 beginning of the year so that if the harvestable

1 surplus was completely taken by defense of life and
2 property or vehicle collisions or even a couple of
3 hunters in the fall, they would start the season again
4 next year January 1 or whenever the season would -- is
5 planned to begin.

6
7 CHAIRMAN LOHSE: So what -- that's the
8 part that I was having trouble with because that would
9 mean that the reason they're waiting until fall is so
10 they can get the count of the DLPs over the course of
11 the summer to see if there's a harvestable surplus but
12 unless they use that same number for the spring hunt,
13 if they started in January they will not have
14 sufficient DLPs by May and they could take their hunt
15 but then you'd have to throw that in and there
16 definitely wouldn't be enough left for fall, if I
17 understand right.

18
19 MR. RISDAHL: Are you speaking then,
20 Mr. Chairman, of the fall in 2008? See, 2007, there's
21 a good chance, I'm guessing, that there won't be a
22 hunt. I mean obviously if 20 bears are taken in
23 defense of life and property, however, that will not
24 preclude the hunt taking place beginning in the spring.

25
26 CHAIRMAN LOHSE: Okay.

27
28 MR. RISDAHL: Okay.

29
30 CHAIRMAN LOHSE: So the spring hunt
31 will take place prior to the full count.....

32
33 MR. RISDAHL: That is correct.

34
35 CHAIRMAN LOHSE:and then that
36 will just be added into the full count for that year.

37
38 MR. RISDAHL: That is correct. So I
39 guess in this sense it would be calendar year in terms
40 of how they're counting the quota of the harvest of
41 those bears.

42
43 CHAIRMAN LOHSE: Well, it would seem to
44 me like, you know, if there's a concern, if this is a
45 stock of concern, to have a spring hunt prior to the
46 DLPs, then I suppose what you'd have -- they must have
47 some mechanism where they then carry that over into the
48 following year. Let's say they have -- I don't know
49 what's happening, but let's say they have a spring hunt
50 where they allow five bears and they take five bears in

1 spring, and then they have 18 DLPs over the course of
2 that year, that's 24 bears, that would mean that there
3 definitely be a fall hunt if there was 24 bears taken
4 before fall. But then would they carry over the fact
5 that they took 24 this year into next year or would
6 they start over again for next year?

7
8 MR. RISDAHL: Well, Mr. Chairman, I
9 could only speculate. I can tell you this, that I do
10 know that the scientists are all working together
11 trying to come up with a more realistic number for the
12 density of bears on the Kenai. And they're trying to
13 come up with a more realistic number for really the
14 harvestable surplus. And in a sense this move that the
15 Board is taking is kind of a risk, they really don't
16 know what is going to happen, but I guess if were to
17 guess, they are hoping that they can take some bears --
18 provide some opportunity for hunters in the springtime,
19 maybe that would even alleviate some of the DLPs that
20 would normally occur during the summer so they would
21 actually be having a hunting season taking place and,
22 you know, they may get a little bit better idea somehow
23 as to what the population can really withstand. At
24 least they're doing something wherein the past seven
25 years they really haven't had a season.

26
27 CHAIRMAN LOHSE: Okay.

28
29 MR. RISDAHL: Thank you.

30
31 CHAIRMAN LOHSE: Any other questions.
32 Doug.

33
34 MR. BLOSSOM: Mr. Chair. That thing
35 they're coming up with, that's a permit hunt where you
36 all put your name in the basket and they draw out,
37 right, so your chances of getting one are slim and next
38 to nothing.

39
40 MR. RISDAHL: Yes, Mr. Blossom, I
41 believe that is going to be the case. It will be a
42 random drawing and depending on how many people apply
43 for those permits, it could be one in 50, it could be
44 one in 100, it could be one in, you know, who knows how
45 many. I mean you could look at those -- the interest
46 in drawing hunts like that in other areas and you could
47 get some idea. And obviously the Kenai is close to
48 Anchorage. It's known there are big bears there, as
49 far as accessibility goes throughout the state, it's
50 probably one of the most accessible areas, it's very

1 beautiful and I would say every guy and his dog is
2 going to put in for a brown bear permit down there.
3 But, you know, until that happens you really don't
4 know.

5
6 And it depends on, I suppose, how well
7 advertised it is. Sometimes the first year a lot of
8 guys don't know it and then they go, wow, gee, I missed
9 out on an opportunity.

10
11 CHAIRMAN LOHSE: Well, seeing that,
12 though, with that kind of hunt in place and recognizing
13 that they're trying to do that kind in the future, and,
14 if, and this is just an if, if we would end up making a
15 subsistence season of one every four regulatory years,
16 do you feel like we should put a cap on how many -- if
17 it's a registration hunt, how many bears can be taken
18 in that hunt, so that that could be put into their
19 figures as they figure out how many bears they're going
20 to allow?

21
22 MR. RISDAHL: Mr. Chairman. Are you
23 asking specifically about Federally-qualified
24 subsistence users or.....

25
26 CHAIRMAN LOHSE: Right.

27
28 MR. RISDAHL: I would presume that OSM
29 would get together with the Department of Fish and Game
30 and other interested personnel, the InterAgency Brown
31 Bear Study Team, for example, and try to come up with a
32 reasonable sub-quota, if you will, for subsistence
33 users like there has been done in other areas where
34 they have a permit system.

35
36 CHAIRMAN LOHSE: Tricia.

37
38 MS. WAGGONER: Yeah, through the Chair,
39 in looking at the spring season with the State, there
40 is currently no requirement under a State drawing
41 permit or registration permit to salvage the meat,
42 correct?

43
44 MR. RISDAHL: I believe that is
45 correct, yes.

46
47 MS. WAGGONER: Okay.

48
49 MR. RISDAHL: But of course under these
50 regulations they would be required to salvage the meat

1 under Federal regulations.

2

3 MS. WAGGONER: Right. So a follow up
4 question. Has OSM looked into any, you know,
5 edibility, differences, whether the bear is a spring
6 bear or a fall bear, I mean have they -- I mean is it
7 proper saying you have to salvage meat from a brown
8 bear to take the bear in the fall versus the spring,
9 have you guys looked into that, or was the decision to
10 base the season based on what the State had?

11

12 MR. RISDAHL: Ms. Waggoner. We have
13 not specifically looked into any kind of a study or
14 anything like that, and I would say that if it's like
15 -- well, moose, for example, some people say a moose in
16 the rut is inedible, other people say I've been hunting
17 moose in the rut my whole life and they're just fine.
18 I think that's kind of a personal issue. And each bear
19 is an individual, too, honestly it depends on what
20 they've been eating as to what they taste like, so I
21 don't think we would get into that element of it but
22 then you never know.

23

24 Dan, have you got something more you
25 could add.

26

27 MR. LAPLANT: Mr. Chairman. For the
28 record my name is Dan LaPlant with OSM.

29

30 Greg answered that question exactly as
31 I would have. I just wanted to state that those
32 salvage requirements are statewide salvage requirements
33 so we haven't looked at applying them any differently
34 for this unit. I think most subsistence users would
35 tell you that the edibility of bears is preferable in
36 the spring, spring harvested bear than fall, but those
37 salvage requirements are applicable throughout the year
38 statewide.

39

40 Thank you.

41

42 CHAIRMAN LOHSE: Doug.

43

44 MR. BLOSSOM: Mr. Chair. So you don't
45 think we should just come up with, you know, if we
46 allow a bear hunt, to come up with a number, you want
47 to be in conjunction with the State.

48

49 MR. LAPLANT: Again, Mr. Chairman, I
50 could -- I think we should honor the InterAgency

1 Working Group's recommendation on the harvestable
2 surplus until they have a chance to get together and
3 reevaluate that number and determine whether it's
4 appropriate to increase it. They're looking into that
5 now, to get together and reassess that situation.
6 Everybody agrees that there is more bear on the --
7 potentially now than there has been in the past, the
8 population's increasing. So whatever that number is
9 the State is using through the InterAgency Group, I
10 think the Federal regulations should honor that as well
11 and have a season -- again, the recommendation that
12 Greg provided you was a recommendation that we would
13 like you to consider instead of the one that's in the
14 book, knowing now what we do about what the State
15 adopted in providing that spring season.

16
17 But if we have a Federal season that
18 matches the same dates as the new State season in the
19 spring and then again in the fall we'll be able to tell
20 what participation is made by the Federal subsistence
21 users, how much use they'll make of that season, what
22 their harvest will be, we don't really know at this
23 time what the Federal -- what the subsistence needs are
24 by Federal users. So to be able to identify a quota at
25 this time, I think, is a little premature. So for
26 example that first -- if there's a season in the
27 spring, the first spring season, if 18, 20 bears are
28 harvested and it's appropriate to close both the State
29 and Federal season, if a couple of those bears were
30 taken by Federally-qualified subsistence users, we'd
31 have an idea then of what that need would be. If all
32 the harvest was taken by folks under the State
33 regulations and there was no Federal harvest taken then
34 it's probably appropriate to keep the Federal season
35 open a little bit longer to give additional opportunity
36 for a Federal harvest to take place.

37
38 That's just an option we're asking you
39 to consider. I know the Refuge manager has some
40 suggestions for you as well to consider. That's the
41 suggestion at this time.

42
43 CHAIRMAN LOHSE: If I'm understanding
44 what you're saying right, then what you would say is
45 that a Federal registration hunt would be taking place
46 at the same time as the State drawing hunt.

47
48 MR. LAPLANT: That's correct, Mr.
49 Chairman.

50

1 CHAIRMAN LOHSE: The only difference is
2 there's a limit on how many drawings and there's no
3 limit on how many registrations.

4

5 MR. LAPLANT: That's correct, yes.

6

7 CHAIRMAN LOHSE: Tom.

8

9 MR. CARPENTER: I hate to be -- you
10 know, to me, this is what is so confusing about this
11 process. We've sat here for four days and we've talked
12 about meaningful, you know, here's a perfect example of
13 how the State has mismanaged this brown bear issue for
14 the last 20 years. We just voted to give the people
15 from Ninilchik a positive C&T and now we're trying to
16 say we're supposed to manage it based on what the State
17 is going to do with their drawing hunt. See, I totally
18 disagree with that recommendation. I think it's this
19 Advisory Council's responsibility to recognize the fact
20 that the people from Ninilchik have a C&T now or could
21 if the Federal Board approves it and that it is our
22 responsibility to offer up some suggested language for
23 a season that guarantees that the people of Ninilchik
24 are allowed to harvest the harvestable surplus of brown
25 bears up to a certain number, and that the State is
26 going to have to figure that into their management
27 strategy because that is what the Federal subsistence
28 priority is all about. I mean this is actually the
29 first instance this entire meeting where I could say
30 that this is what this process is for, and now we get a
31 recommendation that we shouldn't do it.

32

33 See this is what confuses me about this
34 process.

35

36 CHAIRMAN LOHSE: Dan.

37

38 MR. LAPLANT: Mr. Chairman. Mr.
39 Carpenter. If I could respond to that.

40

41 CHAIRMAN LOHSE: Yes.

42

43 MR. LAPLANT: I'm not suggesting that
44 we follow the State season exactly, I'm saying that
45 would be a starting point. The Federal season would
46 have season concurrent to the State until we know what
47 the Federal subsistence needs are. At this time we
48 don't know what the Federal subsistence needs are. If
49 the complete -- if the State completes its season and
50 there's been no Federal subsistence take, I think it

1 would be appropriate to keep the Federal season open
2 longer until there is a Federal take to find out what
3 that need is and what participation there would be by
4 the Ninilchik residents.

5
6 MR. CARPENTER: Yeah, I mean I
7 understand that. But I think it's our responsibility
8 to set a season, set a bag limit for the Refuge manager
9 up to a certain, you know, of course based on his
10 recommendation and that the State should figure out if
11 they want to allow for a drawing hunt based on what we
12 do to provide for an opportunity for the people that
13 haven't been able to harvest a bear in the last 20
14 years because the State hasn't allowed them to. That
15 is what I think we should do. So I want to hear what
16 the Refuge manager has to say and Ninilchik and, you
17 know, everybody else, but I mean seriously I mean this
18 is one of the reasons that we have Federal subsistence
19 is because people have not been able to because of
20 management reasons, been able to participate or harvest
21 animals in certain areas around the state.

22
23 I mean I just don't -- you know, I
24 don't get it, I just don't get why we've -- we've sat
25 here for four days and we finally came to a point to
26 where we should be giving somebody something and we're
27 -- anyway, I'm done.

28
29 MR. RISDAHL: Mr. Chairman. Mr.
30 Carpenter. If I might add one thing, in this instance
31 it's a little bit unique, in that, the brown bear
32 population on the Kenai Peninsula is really under the
33 watchful eye of everybody, not just here in Alaska,
34 there are people that are concerned about the
35 population and one of our first priorities in addition
36 to providing a meaningful subsistence hunting
37 opportunity is also the conservation of that species.
38 And because everyone agrees that the best available
39 science out there doesn't exist for the brown bear
40 population right now, and people are working together
41 cooperatively to try to come up with those numbers,
42 we're kind of being hesitant to come out and say this
43 is how many brown bear permits we think -- or brown
44 bear that the subsistence users should be able to use
45 and harvest. We feel that this cooperative effort is
46 very important, too, to come up with a harvest scenario
47 that really works well for everybody involved,
48 including the subsistence users.

49
50 CHAIRMAN LOHSE: Tom.

1 MR. CARPENTER: Yeah, I'm done.

2

3 CHAIRMAN LOHSE: I'll make a comment on
4 that and then we'll let you guys go.

5

6 I listened to what Tom said and that
7 was kind of my idea, too. Basically what we've had is
8 we've had the State Board of Game say that they foresee
9 a harvestable surplus, we look at the record of take
10 from Ninilchik and it's not big. We're talking about
11 putting them in a season to give them a registration
12 hunt with the State, I would think that if the State
13 feels that there's a harvestable surplus, then a
14 portion of that harvestable surplus should be reserved
15 for those that have a priority. And it doesn't have to
16 be a very big portion of that harvestable surplus, but
17 I think that Tom is right, I think that if we are going
18 to say that, you know, there should be a subsistence
19 hunt with no more than one every four years, we should
20 say that, you know, at least one, at least a percentage
21 or something of what the State finds is a harvestable
22 surplus should be reserved for subsistence use. And if
23 the State feels that there is a sufficient amount that
24 they can have a hunt, the subsistence users should have
25 a hunt, too, and that should be kind of a guarantee.

26

27 And I think Tom is right in that
28 standpoint, you know, that we finally got something to
29 the point where what we're looking at is here's
30 something that's been closed for all this time,
31 nobody's got to use it, subsistence or others, if
32 subsistence is a priority, then the first portion of
33 the hunt should go to subsistence if there is an
34 excess.

35

36 And I kind of want you guys to chew on
37 that because, you know, we're going to come back to you
38 for advice and it's possible that it will be thrown in
39 your lap to make those final decisions as to what the
40 numbers and everything are. But I think this Council
41 is going to, if it decides to go this way, is going to
42 have to do something to guarantee that a portion of
43 that surplus goes to subsistence, and I'll leave it at
44 that.

45

46 Have you got a reply to me on that.

47

48 MR. LAPLANT: Yeah, Mr. Chairman, I
49 don't think what you're suggesting is different than
50 what we were suggesting, that the Federal season be the

1 same time as the State and continue on until there's
2 been a Federal harvest, we don't know what that Federal
3 harvest would be for the first few years until we find
4 out what the participation by Federal users would be.
5 You know we'll get an idea of whether it's one bear,
6 two bears, five bears, and after we've been in this for
7 a few years we'll be able to identify what the Federal
8 quota should be. But to start with we should have the
9 seasons concurrent and the Federal season should go
10 beyond the State if there hasn't been any Federal
11 harvest when the State gets ready to close their
12 season, and give that additional opportunity to Federal
13 users.

14

15 I don't think it's much different than
16 what you and Mr. Carpenter were saying.

17

18 CHAIRMAN LOHSE: Doug.

19

20 MR. BLOSSOM: Mr. Chair. In other
21 areas where I've been looking at it here, the Federal
22 people were given an amount and then later in time if
23 they didn't use that amount then the State came back in
24 and said we want part of that, and I think that's the
25 way it should be. You know, I think you should start
26 off with a brown bear quota of 10 bear and if they
27 don't use the 10 bear then the State can come back in
28 and take part of that quota. That's how it's worked in
29 other areas. So I see that as a way that you should
30 look at this, rather than -- well, for instance, the
31 Central Peninsula Advisory Committee, a State
32 committee, their proposal is 50 bear a year, that's how
33 much they think differently than what you're hearing
34 and they're the people that live in the area.

35

36 MR. LAPLANT: Mr. Chairman. Mr.
37 Blossom. I don't disagree with you, that's an option
38 to consider as well. But considering the fact that the
39 Federal lands are not as accessible, you know, whether
40 10 bear is too excessive, you know, whether they would
41 ever use that much, I don't know. What basis you would
42 use to come up with a number to start with I don't know
43 either, that's why we were suggesting just keep it open
44 the first few years consistent with the State and
45 beyond a bit to find out what the Federal participation
46 would be, it may be 10 bear, but with the
47 inaccessibility of the Federal lands, I would think
48 that the majority of the harvest is probably going to
49 take place off of Federal lands.

50

1 CHAIRMAN LOHSE: John.

2

3 MR. LAMB: Does anybody know the
4 numbers of the -- or the percentages of bears that
5 typically travel across to Federal lands you're on and
6 that are now on State land. I mean if only two percent
7 of the bears in the Kenai Peninsula that are going
8 through Federal land, they're not going to get the
9 numbers up.

10

11 MR. LAPLANT: Well, I just wanted to
12 make the point that State regulations apply to both
13 Federal and non-Federal lands. So if we're just
14 talking about, you know, the two bear, just throwing
15 that number out, that would be just for Federally-
16 qualified users on Federal land. But the rest of the
17 harvest could be taking place under State regulations
18 on both Federal and non-Federal land.

19

20 CHAIRMAN LOHSE: Okay, any other.....

21

22 MS. STICKWAN: I got a question.

23

24 CHAIRMAN LOHSE: Gloria.

25

26 MS. STICKWAN: So if they don't have a
27 harvestable surplus then the season wouldn't be open
28 for the Federal, is that what you're saying, if the
29 State determines there's no harvestable surplus in the
30 spring?

31

32 MR. LAPLANT: Ms. Stickwan, through the
33 Chair. By having the season in the spring there will
34 be a harvestable surplus, it's unlikely that there
35 would be enough human caused mortality. They start
36 counting the DLPs or the human caused mortality at the
37 beginning of the calendar year. So if they're starting
38 out in January with 20 bear as the harvest quota and
39 it's unlikely there would be many of those taken by the
40 time the season would begin on the 1st of April, so the
41 season would open for both -- for all users on the 1st
42 of April. And, again, it's unlikely that there would
43 be 20 DLP bears taken by that time. I suppose it's
44 possible, but very unlikely.

45

46 MS. STICKWAN: Well, I don't -- I don't
47 understand.

48

49 CHAIRMAN LOHSE: Basically what he's
50 saying is that -- if I understand correctly, what

1 you're saying is that there probably always will be a
2 spring season because there won't be that many DLPS
3 taken prior to the spring season?

4

5 MR. LAPLANT: That's correct. That's
6 the whole intent by the Department to open up the
7 spring season so it's -- because it's likely there
8 always will be that opportunity in the spring.

9

10 MS. STICKWAN: But in the falltime.....

11

12 MR. CARPENTER: Microphone.

13

14 MS. STICKWAN: But in the falltime they
15 may not have a harvestable surplus so it may not be
16 open in the falltime.

17

18 MR. LAPLANT: That's correct. In the
19 fall it's more than likely that the harvestable surplus
20 will be taken up by then so there probably wouldn't be
21 as State but that's not to say there couldn't be a
22 Federal season if we've identified a Federal harvest
23 quota at that time, a Federal season could occur in the
24 fall as well.

25

26 CHAIRMAN LOHSE: That's kind of
27 interesting to me, too, because most of the
28 sporthunting is done in spring, most subsistence
29 hunting for bears, as we've heard, is opportunistic, it
30 takes place while you're berry picking, while you're
31 fishing, while you're hunting moose or something like
32 that, which are all fall activities.

33

34 Yeah, I'm not going to get into an
35 argument as to whether bear meat's better in spring or
36 better in fall, I'll just say that I know you can eat a
37 bear that's on a salmon stream that smells so bad you
38 can't hardly stand to skin it out and if you're careful
39 you can't even tell in the meat that it was eating
40 fish. And so from a subsistence standpoint, most of
41 the testimony that I've heard is how they ate bear in
42 fall. And the subsistence people I knew that took
43 bear, took bear in fall, you wanted fat, you weren't
44 looking for skinny, you were looking for fat. And it
45 would be interst -- to me it would be a provision of
46 the subsistence hunt to make them have to take their
47 bear in spring at the time when the sporthunters take
48 their bear when the time that they normally take a bear
49 for food is fall, you know. It's pretty hard to keep
50 bear when the weather's getting warmer. It's a lot

1 easier to keep bear when weather's getting colder.

2

3 Okay, I think -- oops, James.

4

5 MR. SHOWALTER: Yes. How many hunters
6 harvested bear do you have per season.

7

8 MR. RISDAHL: Parson me, Mr. Showalter,
9 I didn't quite hear you.

10

11 MR. SHOWALTER: Okay. How many bear is
12 allowed per season through the State permitting?

13

14 MR. RISDAHL: How many are allowed per
15 year. The quota that the Department of Fish and Game
16 currently uses is 20, and often times when they're
17 nearing that number, 20, they will close the season
18 down prior to reaching that number.

19

20 In the past few years that number has
21 primarily been reached through vehicle collisions,
22 defense of life and property by home owners or
23 recreationists or by misidentification on -- you know,
24 by other hunters, that type thing. But it's been
25 approximately 20 each year and I don't have the long-
26 term data, but the numbers vary between say 15 and
27 slightly over 20, up to last year, I believe was the
28 largest DLP year where 26 bears were taken.

29

30 MR. SHOWALTER: Okay. Let's see that
31 is bears that's allowable to be killed. And here,
32 we're sitting here, like we were saying all day
33 fighting, or don't say -- verbally, and according to
34 this proposals one brown bear every four years, and
35 we're hollering and screaming -- not we, but we got
36 opposition to it, so I don't know, I can't quite see
37 it.

38

39 MR. RISDAHL: Mr. Chairman. Mr.
40 Showalter. I'm not exactly sure what you're getting at
41 there, but what I'm -- the reason why we have presented
42 the proposal as such is because the Ninilchik
43 Traditional Council specifically asked for one brown
44 bear every four regulatory years. Now, that doesn't
45 mean that you folks or anybody else couldn't suggest
46 something else, one brown bear every year for those
47 brown bear hunters that want to get out there and
48 provide that food source for their tribe or whatever,
49 but we presented what the proposal was originally --
50 how it was originally given to us.

1 Thank you.

2

3 MR. SHOWALTER: Okay, thank you.

4

5 CHAIRMAN LOHSE: Thank you. Any other
6 questions, discussion that you need to ask them for.

7

8 (No comments)

9

10 CHAIRMAN LOHSE: Let's go on to the
11 Alaska Department of Fish and Game then.

12

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

14 Our written comments begin on Page 127. However,
15 because of the recent action by the Board of Game, I
16 think what you heard from OSM Staff is right, that
17 we're going to need to sit down and look at how to
18 coordinate these two hunts assuming that a positive C&T
19 finding is made for brown bear in Unit 15, which we
20 object to and we will object to a Federal season. But
21 we acknowledge that if a C&T finding is made you are
22 probably going to recommend establishment of a Federal
23 season.

24

25 I think -- I want to correct a couple
26 of statements I heard members make that people in
27 Ninilchik have not had opportunity to hunt brown bear
28 for 20 years or some period of time. We'll concede
29 that there's been limited opportunity but, for example,
30 in 2004, the last year that that hunt was open there
31 were 254 registration permits issued on the Kenai
32 Peninsula for that hunt on the Kenai Peninsula, eight
33 of which were issued to residents of Ninilchik. They
34 reported no harvest. Between 1996 and 2005 during
35 other years that that hunt was open, residents of
36 Ninilchik obtained 11 of 219 registration permits that
37 were issued. They did not record any harvest for
38 those. So there's -- there has been some opportunity
39 provided to Ninilchik residents. It has been limited
40 because of other factors, beyond their control in some
41 cases.

42

43 But I would take exception to trying to
44 establish a Federal quota based on what we know about
45 their harvest of brown bear. There's just very little
46 documentation that they're harvesting brown bear. And
47 if they're not reporting the harvest they're in
48 violation of the law and that needs to be addressed.

49

50 I believe that another piece of this

1 new drawing hunt that the State is establishing, I
2 believe, and Dan may have some thoughts on this, too, I
3 think there may be several drawing hunts established so
4 that we're not going to be talking about a Unit 15
5 drawing hunt, and a Unit 7 drawing hunt, there'll be
6 several hunts, hunt areas created. And so I would
7 imagine that some of those hunt areas will include more
8 or less Federal lands so we'll need to take that into
9 consideration in trying to decide how to allocate the
10 harvestable surplus.

11
12 So at this point I think what we will
13 have to do is sit down with Federal Staff and try to
14 come up with something that insures that we're, number
15 1, we're conserving the resource and doing everything
16 we can to minimize the possibility of overharvest, but
17 secondly, if a Federal hunt is established that it make
18 sense with based on what we know about the harvest of
19 brown bears by residents of Ninilchik. And I would
20 imagine that we would have more information to present,
21 obviously to the Federal Board, but probably when the
22 InterAgency Staff Committee sits down to make its
23 recommendations to the Federal Board next month that we
24 would have more details to present then.

25
26 Thank you.

27
28 CHAIRMAN LOHSE: Thank you, Terry.
29 Tom.

30
31 MR. CARPENTER: Terry, has the State
32 changed the way it calculates the harvestable surplus
33 for brown bears in Unit 15 recently or is it still --
34 how does the State determine that?

35
36 MR. HAYNES: I don't know specifically
37 how that's determined but I don't know that it would
38 have changed its procedures.

39
40 MR. CARPENTER: Well, I guess the
41 reason I ask that is, is obviously the Board of Game
42 has realized that there is a growing population because
43 they have offered up a hunt that hasn't -- a drawing
44 hunt, limited as it may be for the upcoming year
45 depending on, obviously the amount of DLPs, things like
46 that to consider.

47
48 MR. HAYNES: Well, part of the reason
49 for changing -- this was a Department proposal to
50 change the registration hunt to a drawing hunt.

1 MR. CARPENTER: Uh-huh.

2

3 MR. HAYNES: Part of the reason for
4 that was the frustration that hunters have, if you have
5 a two or three day season, you know, it's very
6 difficult to plan for a hunt or even know if a hunt's
7 going to occur, under that scenario. Under a drawing
8 permit system as they're envisioning it, it will be
9 much easier to provide some degree of confidence that
10 there will be a hunt, number 1, and that you'll have
11 some sense of where you can hunt if you obtain a
12 drawing permit. And that at least part of the intent
13 here is to hopefully improve hunter satisfaction.

14

15 MR. CARPENTER: So I would assume that
16 these drawing permits are going to be -- you know if
17 they pick three different areas on the Kenai Peninsula,
18 for example, where there might be the drawing hunt
19 areas, I would assume that there couldn't be more than
20 like one permit in each area, taking into account the
21 amount of DLPs every year?

22

23 MR. HAYNES: I don't know, Mr.
24 Carpenter, just how those permits will be allocated and
25 I'm sure they're just going to have to look at what
26 they know about the bear population in each defined
27 area, determine what the potential for bears being
28 killed by other means would be, and to use the best
29 available information to develop their harvestable
30 surplus.

31

32 MR. CARPENTER: Yeah, I mean I guess
33 the reason I'm asking is, I heard the number 20, that
34 the number 20 was the amount of bears they'd like to
35 see harvested before either a hunt was closed or -- and
36 depending on how many permits they decided to give out,
37 I was trying to figure out if the Department of Fish
38 and Game and the Board of Game had decided that this
39 was a growing population of bears and that they were
40 intending on trying to harvest more because if that was
41 the case, I was wondering why that number 20 hadn't
42 gotten larger?

43

44 MR. HAYNES: Mr. Chairman. I wasn't at
45 the Board of Game meeting when this proposal was
46 discussed so I don't know if they were talking about
47 population growth or if that was a consideration in
48 adopting this proposal.

49

50 MR. CARPENTER: Okay, thanks.

1 CHAIRMAN LOHSE: Thank you, Terry.
2 Terry, I think in what you were saying that you
3 answered a question that -- when you said before that
4 they did have opportunity and yet you just finished
5 saying that in a registration hunt it can happen so
6 fast that basically if you're planning on going hunting
7 the hunt can be over before you get your stuff ready
8 unless you're one of the well prepared ones and that
9 there'd be more satisfaction in the drawing hunt
10 because you can at least plan for it. And that's one
11 of the comments that had come up earlier from one of
12 the subsistence users in the area, was that, they had a
13 registration hunt in 2004 -- 1999 I think it was, but
14 before they could even get around to going hunting the
15 hunt was over, you know, because you had 218 other
16 people you were competing with or you had 274 other
17 people you were competing with and some of those were
18 probably better equipped and more organized than some
19 of our subsistence hunters and the hunt was over before
20 they even got started.

21
22 So I agree with you I think it'd be
23 more satisfaction on a small hunt if you have a permit
24 drawing because a registration hunt is pretty hard to
25 do.

26
27 So, thank you, for that observation.

28
29 Doug.

30
31 MR. BLOSSOM: Mr. Chair. Because you
32 picked a fight with me, I'll get you.

33
34 (Laughter)

35
36 MR. BLOSSOM: I participated along with
37 probably six in my family in that 250 permit thing and
38 we went out immediately, but because of the season
39 timing, which is fine, October, the bear by then are in
40 the high country, which meant in our part of the world,
41 the Refuge, so you get there, there's no vehicles, you
42 have to walk or take a horse or do something. Before
43 we could even -- we went up immediately and set up camp
44 to get going and before we could ever get in to where
45 the bear tracks were headed to, the season was over.

46
47 So I, personally, and a bunch of my
48 family tried, there's no opportunity in that type of a
49 hunt, absolutely none. So I don't want to hear that
50 one anymore.

1 But I'm amazed that the Department of
2 Fish and Game now has all of a sudden decided that we
3 can have a hunt because we haven't had one. I mean
4 what's -- have they figured out that there's more bear
5 or what's the deal.

6
7 MR. HAYNES: Through the Chair. Again,
8 as I mentioned earlier, the primary reason for creating
9 this, changing from a registration permit to a drawing
10 permit hunt was to try to avoid situations that you
11 experienced, to provide opportunity to harvest bears,
12 you know, a real opportunity to harvest bears. Again,
13 I don't know if there's been changes in population
14 estimates that led to that decision, I wasn't at the
15 meeting to hear the discussion of that proposal. I
16 will try to find that out, though.

17
18 CHAIRMAN LOHSE: Any other questions
19 for Terry.

20
21 (No comments)

22
23 CHAIRMAN LOHSE: Thank you, Terry.

24
25 MR. HAYNES: Thank you.

26
27 CHAIRMAN LOHSE: Okay, any other
28 Federal agency. Robin.

29
30 MR. WEST: Mr. Chairman. Robin West,
31 Kenai National Wildlife Refuge.

32
33 I'm going to give you kind of a brief
34 story, I guess, there is no single wildlife species
35 that has more social biological and political probably
36 outcry associated with it than brown bear on the Kenai
37 in my 12 year tenure there.

38
39 As Mr. Blossom pointed out earlier, you
40 know, bears are much more numerous than they used to
41 be, and I think everybody will agree with that. But
42 play it back in time about 100 years, a time when the
43 Kenai Peninsula was first really rapidly being
44 developed, it was a time when caribou were extrapolated
45 entirely and brought back in with the Fish and Wildlife
46 Service and Fish and Game's efforts in the '60s and
47 '80s. Wolves were totally eliminated in the '30s, they
48 came back on their own in the '60s and '70s to a
49 certain degree. Bears were hammered pretty hard. And
50 there was open seasons for extended periods of time, a

1 lot of unreported harvest, also poisoning going on for
2 predator control and that kind of thing, and so bear
3 numbers were largely depressed. And into the '60s and
4 '70s fairly liberal opportunities to hunt.

5
6 And I would say kind of post-statehood
7 with more of a modern look at wildlife management
8 recognizing that brown bears are on the far extreme of
9 what you could allow extensive harvest for, say
10 snowshoe hares over here, lots of production, you know,
11 you can't really harm the population by shooting to
12 something in the middle like moose, that has a calf,
13 you know, after a year and a half or so and replaces
14 itself fairly quickly to brown bears that are long
15 lived and don't produce very many young, there was a
16 lot more caution and harvest regimes that were proposed
17 brown bears, they got game status, and also I'd say
18 more respect for the species as a game animal. It had
19 been a fur animal, and a predator historically.

20
21 So some changes and politics and ethics
22 and social views plus a fairly depressed bear
23 population.

24
25 Then about in the '80s when numbers
26 were still depressed from what they are now, a group of
27 folks kind of looked at brown bears and said, hey,
28 what's going on on the Kenai with the kind of rapid
29 urbanization with roads and industry and so forth, this
30 looks an awful like the Yellowstone. Well, true or
31 not, a lot of similarities were kind of painted to what
32 had happened in the Yellowstone region in the Lower 48
33 where grizzly bears were listed as a threatened
34 species. More genetics work was done on bears in
35 Alaska and there was some concern that the Kenai bears
36 were unique sub-species that, in fact, a lot of Kenai
37 critters are somewhat genetically distinct, and kind of
38 an insular or island system, there's not a lot of gene
39 flow back and forth, so there were some fairly
40 conservative management plans that came together. To
41 State administrations prior, the brown bear was listed
42 as a species of special concern on the Kenai because of
43 all this, and it wasn't so much that folks were really
44 concerned about the bear disappearing in the next few
45 years but they were worried about long-term habitat and
46 migration, movement as has been suggested, large areas
47 are important for this animal to sustain itself, moving
48 to denning habitats to salmon streams, and that kind of
49 thing. So long-term sustainability became an issue.

50

1 The model that the State uses, and, you
2 know, I'm not going to pretend to be a State biologist
3 here to my counterpart Jeff Selinger today, but what
4 they've tried to use for years in a conservative
5 management scheme for bear harvest is based on this 20
6 bears. Well, that 20 bears is based on a population
7 estimate of let's say 300, right or wrong, and that's
8 about a seven percent exploitation rate, which is about
9 what normally is believed to be sustainable. All those
10 can't be females so there was an eight sub -- bear sub-
11 quota. Okay, so that is a conservative way that they
12 managed bear harvest for years, assuming that there
13 were 300 bears. And I've heard questions here now,
14 well, how many bears do we have, well, we don't know.
15 I mean let's be honest, we don't know how many bears
16 there are. The 300 estimate was actually less than
17 that, before that it came up, I think, 277, and it's
18 plus or minus, that's based on where there were
19 estimates done elsewhere that came up with a pretty
20 good guesstimate of how many bears there were and
21 extrapolated that with the same kinds of habitat types
22 and abundance on the Kenai. So the number could have
23 been higher or lower when it was first made but it was
24 the best that managers had to work with.

25
26 So come forward now a few years where
27 we've had conservative management and bears have
28 increased, now, whether they were at 300 or less than
29 that or more than that, I don't know. I think most
30 people that have lived down there for the last decade
31 or so say that there's more bears, and you can find
32 them in a variety of areas you didn't find them in
33 before.

34
35 Has the State been able to change their
36 harvest model, not really. And I don't know exactly, I
37 wasn't at the Board of Game meetings to see what
38 transpired, but I do know what Mr. Selinger is trying
39 to accomplish here, is to try and provide some
40 certainty that people can actually hunt if they have a
41 brown bear tag in their pocket, if there is some
42 harvestable surplus and he believes there is probably
43 some minimal harvestable surplus and not have this
44 light switch registration hunt so that's why they
45 wanted to try the drawing permit thing. But his
46 strategy, I believe, is more to try and say, okay,
47 we're going to direct this harvest towards where we're
48 getting most of these DLPs. And so I haven't seen a
49 map but it would look like the mountain goat maps that
50 we have now, it won't be all of 15, it'd be these

1 little subunits and drainages and so forth in which
2 they would give one bear permit or two here or three
3 here with a goal of trying to focus that harvest around
4 the urban areas where they have most of the conflict
5 with livestock and most of the DLPs are occurring.

6
7 I suspect that some of this was sold to
8 the Board saying what he hopes to do is replace some of
9 that DLP waste, if you will, with legitimate hunter
10 harvest.

11
12 And so just to frame that, I think,
13 really what they're doing is an experiment. They're
14 trying to provide some hunter opportunity that has some
15 certainty in it, recognizing that there are a few more
16 bears around now, at the same time they don't have a
17 new model. And if someone asks what's the harvestable
18 surplus, what it is, they're just going to say well,
19 we're comfortable starting slow based on our sound,
20 professional judgment. Some people are going to buy
21 that, some aren't, that's just where it is.

22
23 Now, there's only three ways you can
24 really manage the population.

25
26 One is with a good population estimate,
27 which is doable. We haven't done it and it's not
28 likely we will in the near future. But the techniques
29 are available to where you use kind of a genetic
30 mark/recapture technique, you have to set up lots of
31 plots and you're basically attracting bears into a
32 scent that doesn't reward them and it grabs a piece of
33 hair, a little barbed wire, it's done in a lot of
34 places in the country. You get a hair and you take DNA
35 from it throughout the summer then you can get this
36 mark/recapture and make an estimate of the population.
37 It can work well, it's very expensive to get the kind
38 of confidence that you want to get a good population
39 estimate.

40
41 The second of the three ways to manage
42 a bear population is get enough biological data so that
43 you have an index. It isn't a good count, but you're
44 looking at trends. You have a good understanding of
45 what your sex ratios are, you have a good understanding
46 of the age of the population that's being harvested,
47 you have a good understanding of the number of cubs
48 that are produced. And there's a variety of ways you
49 can do that, through collaring and tracking animals
50 primarily sows, getting parts, you know, ovaries and

1 teeth for aging and looking at neotality and birth
2 rates and so forth. But, you know, through fairly
3 intensive, not as expensive as an actual population
4 estimate you can also get an index on it.

5
6 And then the third way is kind of the
7 good old fashion way, and that's just like we think
8 there are more bears and we think we can take some.
9 That's been done a lot. It's done in some place still.
10 It's hard to find wildlife managers or other interest
11 groups looking in from outside that are very
12 comfortable with us managing wildlife that way anymore,
13 kind of seat of the pants.

14
15 So I guess that's just kind of the
16 background. As we move forward talking about bear
17 harvest, lots of folks looking at it, lots of questions
18 on what is a harvestable surplus, a lot of kind of
19 experimenting, and whatever we do in terms of trying to
20 add a Federal harvest to the mix now, if that's a
21 legitimate decision that moves forward, then, you know,
22 the only caution that I have is that we do need to work
23 through the State system and come up with a quota.
24 Provide a real registration hunt, if that's the desire
25 of the group, but, you know, to say five bears or 10
26 bears or no more than five females is just going to be
27 grabbing -- you know, I can't defend that.

28
29 And the other part of it is, is until I
30 would have conversations with my counterpart, Jeff
31 Selinger, I don't know really what he's proposing to
32 offer on Federal public lands. Again, I do know that
33 most of the permits would not be on Federal public
34 lands, that he is proposing in the near-term.

35
36 Yes.

37
38 CHAIRMAN LOHSE: Tom.

39
40 MR. CARPENTER: Yeah, thanks, Robin. I
41 mean I think that was a pretty darn good explanation of
42 what's been going on. And I think I can agree with you
43 completely that this Council, especially, we don't have
44 the ability to set an arbitrary number on how many
45 bears ought to be harvested. All I was saying was, was
46 that I think when you and Mr. Selinger who are the
47 resource managers, come up with an idea of what is
48 going to be allowed for any given year, is that the
49 people with the Federal priority, that a percentage of
50 that, that they be set aside for Federal -- for a

1 guarantee that they will have the ability regardless of
2 how long the other, the State hunt lasts. That there
3 will be a percentage of those permits set aside for
4 those people, and that's all I was suggesting.

5
6 And I think it's done other places
7 around the state. I know the Forest Service manages a
8 couple of different hunts in Cordova that way, one of
9 them is mountain goats. And you can either get a
10 Federal permit if you qualify or you can go get a State
11 permit. I think it's pretty reasonable, and I think
12 it's easy to deal with, and that's kind of where I
13 hoped it was going.

14
15 So I appreciate your comments.

16
17 CHAIRMAN LOHSE: Robin, do you think it
18 would be a problem to administer a Federal registration
19 hunt if you just used the whole Refuge and not broke
20 your Refuge up into parts?

21
22 MR. WEST: No, I don't think so. I
23 think that from what the State is trying to accomplish,
24 compartmentalizing the whole Kenai Peninsula in varying
25 -- you know, offering permits where they know they've
26 had problems and lots of DLPs makes a lot of sense.
27 And, again, from my understanding is that's not going
28 to be very many of them up on the Refuge, just a couple
29 of permits, perhaps.

30
31 But if we're trying to provide a
32 Federal subsistence priority and C&T is granted for the
33 whole Refuge and has been stated earlier, these bears
34 move back and forth, you know, I'm thinking a very
35 small number of bears, we're talking, you know, an
36 opportunity but not a big meat hunt. This is just kind
37 of a unique opportunity, a bear or two kind of thing, I
38 don't think it's going to matter from my perspective
39 that that hunt's limited.

40
41 CHAIRMAN LOHSE: That's what I see,
42 too, so that's why I was wondering if something like
43 that would be capable of being administered by the
44 Refuge and that would make things a little bit on the
45 more simpler side.

46
47 Thank you, Robin.

48
49 Doug, do you have your hand up.

50

1 MR. BLOSSOM: Yeah, Mr. Chair. Robin,
2 I appreciate what you just said. You know, I agree
3 that the season should go late like that and the reason
4 for that was the sows and cubs are in the den. That
5 was why it was put to that date and so that's good.
6 That gets the boars that we think we have more surplus
7 of. But the thing we haven't had for a long time, is
8 time to do it, you know, so that's the thing I see for
9 subsistence is we need to somehow give them enough time
10 to do it.

11
12 MR. WEST: I think the points are well
13 taken. I mean the model that we see in front of us
14 right now, proposed, almost certainly will allow for
15 very little fall hunting. It's just -- the certainty
16 of the spring season is the desire, you know, in the
17 State process right now but they're hoping that some of
18 those bears are going to be ones that would have been
19 taken around the summer or early fall anyway. If that
20 turns out not to be the case, I'm sure they're going to
21 have to rethink this. But, you know, a desire to have
22 some certainty in the fall, you know, is going to just
23 complicate it that much more.

24
25 CHAIRMAN LOHSE: Unless you would do
26 something like what has been bandied out and like what
27 you just kind of said, that, if in that hunt, in that
28 DLP, you would reserve let's say one -- I'll just say
29 one or two because that's what you said, that's what
30 I've been thinking in my mind, you would reserve one or
31 two bears and just say that, you know, there'll be one
32 or two bears available for a subsistence hunt in the
33 fall and that then gets added into that DLP. And I
34 don't know how they're going to play that DLP out into
35 the next year, but there should be no problem -- I mean
36 if it's the subsistence communities wish to have it
37 fall instead of spring, there -- if there's going to be
38 a spring hunt there should be no problem saying that,
39 okay, a couple of those bears that we were going to
40 take in spring or a bear that we were going to take in
41 spring or whatever's worked out is reserved for a fall
42 subsistence registration hunt and when it's taken the
43 hunt is over, you know. I mean I can't see why they
44 should have to compete in the spring to make sure they
45 get a bear when the idea is to get an idea for, you
46 know, subsistence type things, if we decide or you
47 decide or whoever decides that one or two bears is
48 adequate, it should just be there for them to take at
49 their opportunistic time.

50

1 MR. WEST: Yes, Mr. Chair, you know, I
2 concur, that would be a desirable way to go. And I
3 think theoretically something could be worked out, I'm
4 just not comfortable with a number right now.

5
6 I will mention from past experience
7 when I was a manager at Izembek Refuge and went out in
8 the '80s that brown bear hunting had been closed on the
9 road system, about a 50 square mile area, for about 16
10 or 17 years, we had lots of DLPs and we worked with the
11 State and created a registration hunt for two bears per
12 year. And in some years the bears weren't taken at
13 all. And in some years we'd have three bears taken the
14 first day before we could close it and some years lots
15 and lots of permits would be issued and, you know, two
16 bears would be taken after six weeks of effort. And
17 it's somewhat dependent on the people that are
18 participating, but largely also on the abundance of the
19 bears. And so, you know, it's very -- you know a small
20 quota but large participation-type hunt, as long as
21 people really are willing to make sure the season's
22 open and that kind of thing, is very manageable in the
23 long-run.

24
25 CHAIRMAN LOHSE: Thank you, Robin.
26 Doug, did you have something.

27
28 MR. BLOSSOM: No.

29
30 CHAIRMAN LOHSE: No. Anybody else.

31
32 (No comments)

33
34 CHAIRMAN LOHSE: Thank you, Robin.
35 Tribal agencies.

36
37 MR. WILLIAMS: Mr. Chairman. Members
38 of the Board. I'm going to try and keep this short and
39 sweet because I think we've said most of the things we
40 need to say.

41
42 I guess some of my concerns are, we're
43 making management decisions and priority preference
44 based on irresponsible urban residents. Where's the
45 meaningful preference in that.

46
47 If you have 30 bears, you issue 10
48 permits and let's say those 10 permits get filled, they
49 meet their threshold, then there's 20 defense of life
50 and property bears, how is that maintaining a resource.

1 What is the mortality rate of the cubs going to be.
2 How is that management.

3
4 If I hear the principles of wildlife
5 management come up, I'm going to be embarrassed guys.

6
7 I really believe that we should get a
8 meaningful preference. There will have to be some sort
9 of a preference, there will have to be some sort of
10 meaningful determination, there will have to be some
11 sort of reporting system. You know the best idea I can
12 come up with on this is the Federal lands consist of 52
13 percent of the Peninsula, maybe we should be looking at
14 52 percent, or if there's not enough stock, enough
15 resources to sustain this, why is the State telling
16 everybody here that you can't do this and now we're
17 going to open Federal lands and we're going to have you
18 guys, the subsistence users go to the State and
19 participate in a drawing, to win the lotto and get to
20 go hunting. It just doesn't seem like meaningful
21 preference to me.

22
23 And I'm sorry, I'm a little frustrated
24 sitting back hearing this.

25
26 They have enough information to assess
27 defense of life and property bears, how come they don't
28 have enough information about the population. It
29 sounds like Oklahoma shop talk. And I have to ask
30 these questions realistically. There has been a
31 sustained defense of life and property that has
32 happened on the Kenai Peninsula for years and years and
33 years and years, that is information. It's true
34 information about the population. If the hare traps
35 are a problem and paying for Staff to go out and check
36 them, why aren't they getting the hairs in the defense
37 of life and property bears. They're right there, you
38 turn in the hide, they sell them at Fur Rendezvous.
39 Where is the money from that going to, that could pay
40 for that -- or for part of that study. It is expensive
41 but, you know, at some point in time, guys, we got to
42 dig our heels in and say what is -- what do we have to
43 do to satisfy ANILCA. And it's the same question, it's
44 those tough questions that again, you know, if the
45 State all of a sudden wants to have a bear -- some sort
46 of bear hunting permitting drawing thing happen now, it
47 sure is odd that all of a sudden we've put in for a --
48 crafted a proposal for this and then this happens, it's
49 strange. But the same thing, the tough questions.
50 What sort of resource or sports fishing or hunting or

1 whatever else, is going to be reduced or eliminated to
2 insure a rural preference. And it's a little
3 frustrating for a rural guy to sit back here, listen to
4 all this, identify problems like this and then I get to
5 go home and read about it in the paper tomorrow; it's
6 going to be rough guys.

7

8 I won't beat my drum, is there any
9 questions.

10

11 CHAIRMAN LOHSE: Doug.

12

13 MR. BLOSSOM: Mr. Chair. I've assumed
14 that a fall hunt would be your preference, am I right
15 or wrong?

16

17 MR. WILLIAMS: Mr. Chairman. Mr.
18 Blossom. I believe that you'd be right. When we get
19 back to the whole customary and traditional type thing
20 and the activities that people tend to do down there,
21 you have two factors. The distance it takes to get to
22 the high country where the bears are, and then second
23 the places that people tend to go when they're hunting
24 for bears. And a lot of times when you get into bear
25 habitat you are finding a lot of things that the people
26 are trying to harvest also and you have that mixture.

27

28 I'm trying to think of a good reason in
29 the back of my mind why the local residents down there
30 would be up in the high country in the springtime and
31 I'm kind of having trouble with that. I can't think of
32 a reason unless you're up there specifically targeting
33 bear if you're going to try to associate it with some
34 other activity because usually in the springtime people
35 are starting to think king salmon. And then we start
36 having these seasons and things that are conflicting
37 with each other and it's not a very good transition, it
38 makes it harder for the rural user to be able to
39 utilize the resources that are made available to them.
40 And then we'll come back and then we'll get, you know,
41 frowned on
42 for that, too, because there's too much going on.

43

44 MR. BLOSSOM: One follow up then, Mr.
45 Chair. Would you then, for this time around, agree
46 with the Staff recommendation to support with
47 modification and make it a late fall hunt and what do
48 they got here, October 15th to 31st, and they got in
49 here one bear every four years, but they haven't set an
50 amount, so would you agree with that modified proposal

1 rather than what you submitted?

2

3 MR. WILLIAMS: Mr. Chairman. Mr.
4 Blossom. I would rather have a fall hunt open. I do
5 not agree with the modification, I have some problems
6 with that, simply because it's been proven that because
7 we are putting a higher priority on defense of life and
8 property, we are not managing the resources as we
9 should and as per the last bear hunt that was opened
10 for three days and you weren't able to get out to go
11 and get your hunting before it was closed, proves the
12 job is not getting done and that's where I am fearful.
13 Because if we go ahead and put it through like this and
14 say, well, okay, the Refuge can open and close it
15 whenever they want; it's been closed for a long time,
16 and one time they did open it here a couple years and
17 people went and paid good money for permits, it was
18 closed in -- and if I remember right it was three days.
19 Correct me if I'm mistaken.

20

21 So I'm a little concerned about that.

22

23 And I also wonder about the same thing,
24 trying to establish the meaningful preference for the
25 rural users because the State is working on something
26 else, and they're going to come and tell everybody else
27 here that they're working on something else. I
28 understand that there's a conflict with user groups and
29 things like that. But there has to be some sort of
30 meaningful priority established here.

31

32 And I have to sit and wonder, and this
33 is a tough one, I haven't decided yet, but maybe I'll
34 throw it out for food for thought. It strikes me as
35 something real similar to fish stocks. The range of a
36 bear is broad, they don't live in one little spot in
37 the stream, they're not a resident fish, their range
38 can go for miles and miles and they may wander on and
39 off of State and Federal land. So at what point in
40 time do you have to protect the resource, the bears, on
41 the Federal level and say, look, you guys aren't doing
42 your job. We're going to step in and we're going to
43 say you need to do your job, and that's what scares me
44 a little bit on this whole thing because that's what
45 I'm afraid of, is if that keeps going and it keeps
46 escalating, at what point is enough.

47

48 Does that answer your question, Mr.

49 Blossom.

50

1 MR. BLOSSOM: Mr. Chair. I guess your
2 answer is you don't like the October 15th to October
3 31st season. The really one is awfully long but I
4 guess that's your proposal.

5
6 MR. WILLIAMS: Mr. Chair. Mr. Blossom.
7 I'm sorry, actually I do like the October 15th to 31st
8 season, what I didn't like about the modification is
9 the opening and closing. I'm very reserved on that
10 because of the history behind opening and closing and
11 management of the resource. So far, honestly, if it
12 was up to me I'd be hiring a third-party to do the work
13 because it's not getting done.

14
15 Mr. Chair.

16
17 CHAIRMAN LOHSE: Thank you, Darrel.

18
19 MR. WILLIAMS: Thank you.

20
21 CHAIRMAN LOHSE: Don't run off because
22 I wanted to ask you a question, I was just thinking how
23 to phrase it.

24
25 MR. WILLIAMS: I'm sorry.

26
27 CHAIRMAN LOHSE: But recognizing the
28 need to put a subsistence priority on it, but at the
29 same time recognizing that this is looked at as a stock
30 of concern and you can't -- you know, your original
31 proposal asks for a season from August 20th to November
32 10th, one bear every four regulatory years and there's
33 about 1,200 people that qualify for it, I'm not saying
34 there'd be 1,200 people out there, don't get me wrong,
35 but in that time, even 10 people could take 10 bear
36 pretty easy. And looking back, you know, on the long-
37 term, you know, on the record, it seems that it would
38 be pretty hard to open the season and not have the
39 ability to close the season by, you know, having the
40 Refuge manager be able to close the season when a point
41 was reached that everybody could come to a conclusion
42 is a reasonable point.

43
44 And that's kind of what I look at this
45 and it's -- it's the same thing we do in Cordova on
46 goats and stuff like that. We recognize that everybody
47 can have a registration for hunt -- or a number of
48 people can have a registration hunt for goats on, I'll
49 just say out at Mile 19, I don't even know what the
50 areas are called, my kids go in for them, but you can't

1 just let everybody keep hunting for a certain length of
2 time. You have X amount of goats on that hill, when a
3 certain point is reached you have to close the season.
4 And I look at what the long-term consistent take from
5 Ninilchik is and I realize there's a lot of
6 interruptions and a lot of other things in there, but
7 at this point in time when we're talking about the fact
8 that we have such a low quota of bear that they want
9 taken there, it would seem reasonable to me that
10 Ninilchik could come forward with an idea that says, I
11 don't know, we need 100 bears, we need 10 bears, we
12 need two bears, we need one bear or we'd like to have
13 the opportunity to hunt 100 bears, or 10 bears or two
14 bears or one bear, and when we've reached that quota,
15 we expect our registration -- we're getting a
16 registration hunt when nobody else is able to hunt, but
17 we would expect our registration hunt to be closed and
18 I don't know what that number should be but I feel like
19 there has to be a number there because that is going to
20 then have to go into other people's -- and if you had
21 two bear, that's two bear that's coming out of the --
22 even if you don't take them, that's two bear that the
23 State is going to have to say is going to have to come
24 out of the opportunity for somebody else; that's a
25 meaningful priority.

26
27 If you decide you need one bear, and
28 that one bear comes off the top of the list first,
29 that's one bear the State has to say cannot be in the
30 pool for other people to have drawings, if you decide
31 you need 10, and that's where the negotiation has to
32 come in, and that's where I think we need to be really
33 reasonable and very conservative at this point in time.
34 That if we allow a season and we want to assure that
35 the subsistence user gets a season, we need to pick a
36 number small enough that it can be worked in, you know,
37 in the mix of all of the other people but still gives
38 them the priority. And, you know, maybe next year they
39 don't have a season but you still have one bear or two
40 bears or whatever we end up deciding on. I'm using low
41 numbers because I feel that from what I've seen on the
42 Peninsula it's going to have to be low numbers.

43
44 I mean we could argue what the number
45 is. But from that standpoint, I really think that
46 that's how we're going to have to approach the problem.

47
48 Would something like that be
49 acceptable, I mean.....
50

1 MR. WILLIAMS: Mr. Chairman. I believe
2 you're exactly right. Yes, it would be -- I'm sure it
3 would be acceptable.

4
5 You know, I guess part of the problem
6 is when I sit and I listen to the different Staff stuff
7 come up, how many bear are there and boy there's a lot
8 of excuses but we're preserving so many for DLP. I
9 have to raise an eyebrow. And, you know, if the bear
10 population was that low, that they were actually
11 really, really concerned, why is there DLP. Where do
12 all these bears come from, how come when the opening
13 hunting season comes they reach their threshold in
14 three days; where did all those bears come from, you
15 know. I ask those kind of questions when I try to make
16 these decisions.

17
18 And, you know, I really believe it will
19 be similar to like the moose season if this goes
20 through and it's passed, there'll probably be a spike
21 in interest and then it will decline to a core group of
22 less than 30 percent. You look through all of our
23 stuff it's generally less than 30 percent. So we're
24 probably -- and I think Robin had it right, too, it's
25 not going to be a very high number.

26
27 If we could maybe -- how about if we
28 threw a number out to look at, let's start at 10 and
29 let's go from there.

30
31 But the other question that comes from
32 that, is it 10 bear, do they issue 10 permits and only
33 10 permits, or are they going to issue permits to
34 everyone and have a reporting period and when they
35 reach the threshold then it will close. And the
36 reporting period may have to be a little longer than
37 normal because, for example, like in Mr. Blossom's
38 case, by the time he left his house and got to the high
39 country the season was closed. So that's the other
40 thing I was worried about.

41
42 And I'd really like to have the
43 information that from the last hunt that the State did
44 with the permits, how many permits, how many bear,
45 where they're harvested, how they were harvested, et
46 cetera, and then what they're proposing now, because
47 it's really unclear. I caught a blurb of it in the
48 paper, but honestly I'm reserved about what I read in
49 the paper, especially on these issues, it's very
50 complex and sometimes misunderstood, so I don't know

1 really, truly what they're proposing. The only thing
2 I'm really trying to base my information on is that we
3 would like to have a rural preference and see if they
4 have enough information to make some judgments but not
5 others. And it's a red flag to me, trying to be
6 objective and look at the information in front of me.

7
8 CHAIRMAN LOHSE: Any other questions
9 for Darrel.

10
11 MR. CARPENTER: No.

12
13 CHAIRMAN LOHSE: Thank you, Darrel.

14
15 MR. WILLIAMS: Thank you.

16
17 CHAIRMAN LOHSE: InterAgency Staff
18 Committee comments.

19
20 MR. CARPENTER: No.

21
22 CHAIRMAN LOHSE: No. Fish and Game
23 Advisory Committee comments.

24
25 (No comments)

26
27 CHAIRMAN LOHSE: Summary of written
28 public comments, Donald.

29
30 MR. MIKE: No written comments, Mr.
31 Chair.

32
33 CHAIRMAN LOHSE: Public testimony
34 requests.

35
36 MR. MIKE: There's none, Mr. Chair.

37
38 CHAIRMAN LOHSE: Regional Council
39 deliberation, recommendation, justification. We need a
40 motion to put -- we need a motion to accept WP07-17b so
41 that we could have it on the table and discuss it.

42
43 MR. CARPENTER: So moved.

44
45 CHAIRMAN LOHSE: Do we have a second.

46
47 MR. BLOSSOM: Second.

48
49 CHAIRMAN LOHSE: We have a second.
50 It's moved and seconded. Any discussion.

1 (No comments)
2
3 CHAIRMAN LOHSE: Question's in order.
4 All in favor signify by saying aye.
5
6 IN UNISON: Aye.
7
8 CHAIRMAN LOHSE: All opposed signify by
9 saying nay.
10
11 (No opposing votes)
12
13 CHAIRMAN LOHSE: Motion carries. Okay,
14 we have a motion on the table, let's have some
15 discussion.
16
17 MR. SHOWALTER: Mr. Chair.
18
19 CHAIRMAN LOHSE: James.
20
21 MR. SHOWALTER: At this time can we
22 take a break.
23
24 (Laughter)
25
26 MR. CARPENTER: What time is it.
27
28 MR. SHOWALTER: 3:15.
29
30 MR. CARPENTER: Anybody want a Kenai
31 RAC.
32
33 (Laughter)
34
35 MR. CARPENTER: That's the last motion
36 I'm making, that's what it's going to be at this
37 meeting.
38
39 (Laughter)
40
41 CHAIRMAN LOHSE: No, no, no.
42
43 MR. CARPENTER: Oh, yeah.
44
45 (Laughter)
46
47 CHAIRMAN LOHSE: Okay, let's take a
48 break.
49
50 (Off record)

1 (On record)
2
3 CHAIRMAN LOHSE: Okay, we have Proposal
4 WP07-17b in front of us for discussion, for
5 modification, for amendments, for whatever the Council
6 wishes to do.
7
8 Tom.
9
10 MR. CARPENTER: Yeah, Mr. Chairman,
11 thank you. You know, after listening to all the public
12 testimony and listening to the Refuge manager and, you
13 know, a lot of concern for Ninilchik's plight here. I
14 would like to offer an amendment to Proposal 17b that
15 would basically read similar to what the Staff's
16 modification language is;
17
18 That the hunt be from October 15th to
19 October 31st, one bear every four
20 regulatory years. And that the Refuge
21 manager have the ability each year to
22 guarantee up to two bears for harvest.
23
24 MR. BLOSSOM: Second.
25
26 CHAIRMAN LOHSE: It's been moved and
27 seconded to put an amendment. So your amendment is to
28 take this proposal as it reads and add that a quota of
29 two bears per year.
30
31 MR. CARPENTER: Up to two bears.
32
33 CHAIRMAN LOHSE: A quota of up to two
34 bears.
35
36 MR. CARPENTER: And I'd like to speak
37 to that amendment if I could.
38
39 CHAIRMAN LOHSE: Go ahead.
40
41 MS. STICKWAN: (Microphone off) does
42 this include the season may be opened or closed.
43
44 CHAIRMAN LOHSE: So it could be closed
45 by the Refuge manager after the taking of two bears, is
46 that would it be, how would you write this Tom.
47
48 MR. CARPENTER: I think that.....
49
50 MS. STICKWAN: (Microphone off) because

1 then -- because.....

2

3 MR. CARPENTER:the Refuge manager
4 any time that he feels that there's some biological
5 danger he should have the ability to close anything,
6 but I think this guaran -- basically what this does is,
7 is if the State comes up with a harvestable surplus of,
8 you know, let's say six bears, that the Federal permits
9 would be guaranteed that they would have a two bear
10 season. It's basically guaranteeing, depending on what
11 the harvestable surplus is, that the Refuge manager
12 always will have the ability to issue up to two bears.
13 And I think that has potential to change in the future,
14 if they get better data and they figure that more bears
15 can be taken and the State feels that the harvestable
16 surplus increase and the Refuge manager concurs with
17 that, then Ninilchik has the ability, if they harvest
18 these bears, they have the ability to come back to this
19 Council and ask for an increased -- change the increase
20 in bag limit. But I think this is a good starting
21 point and I think it can work.

22

23 CHAIRMAN LOHSE: James.

24

25 MR. SHOWALTER: Yes, Tom, did you mean
26 annually or every four years.

27

28 MR. CARPENTER: Well, the quota would
29 be every year, up to two bears, and the -- as it was in
30 Ninilchik's proposal themselves, that you would only be
31 able to -- if you harvested a bear you would only be
32 able to do it every four years, but the permits would
33 be issued Federally every year. So that if I got one
34 this year, I might not be able to do it next year but
35 you would if you were a qualified user.

36

37 MR. SHOWALTER: Okay. I thought you
38 meant just one bear every four years for the Ninilchik
39 Traditional Council.

40

41 MR. CARPENTER: No, every year.

42

43 MR. SHOWALTER: Okay. It's -- if I get
44 one this year, I personally won't be able to get one
45 four years from now but another individual can next
46 year.

47

48 MR. CARPENTER: Yeah.

49

50 CHAIRMAN LOHSE: Uh-huh.

1 MR. SHOWALTER: Thank you.
2
3 CHAIRMAN LOHSE: John.
4
5 MR. LAMB: This is a registered hunt,
6 right.
7
8 MR. CARPENTER: A registered hunt.
9
10 MR. LAMB: Okay.
11
12 CHAIRMAN LOHSE: Okay.
13
14 So this would be a registration hunt
15 taking place from October 15th to
16 October 31st to be open or closed by
17 announcement by the Kenai National
18 Wildlife Refuge manger in consultation
19 with the ADF&G with a quota of up to
20 two bears.
21
22 MR. CARPENTER: Yeah.
23
24 CHAIRMAN LOHSE: Any other discussion,
25 any comments.
26
27 (No comments)
28
29 MR. BLOSSOM: Question.
30
31 CHAIRMAN LOHSE: Question. Question's
32 been called. All in favor signify by saying aye.
33
34 IN UNISON: Aye.
35
36 CHAIRMAN LOHSE: All opposed signify by
37 saying nay.
38
39 (No opposing votes)
40
41 CHAIRMAN LOHSE: Motion carries. Okay.
42
43 MR. CARPENTER: Mr. Chairman.
44
45 CHAIRMAN LOHSE: Yes, Tom.
46
47 MR. CARPENTER: I'd just like to speak
48 to the amended motion now. I think that with the
49 testimony we've heard and I would hope that this shows
50 to the Federal Board and to the people of Ninilchik

1 that we are trying to show a meaningful preference
2 through the action this Council's just taken. And if
3 there is no further comment, I would call the question
4 on the amended motion.

5
6 CHAIRMAN LOHSE: I would like to make a
7 comment on it. I think if we're going to do it that
8 way we could allow both a spring and a fall hunt, but
9 if it's not the wish of the rest of the Council I'll be
10 happy to stick by my original idea that a fall hunt is
11 more in line with subsistence.

12
13 MR. CARPENTER: Yeah.

14
15 CHAIRMAN LOHSE: Question's called.

16
17 MR. CARPENTER: Yeah.

18
19 CHAIRMAN LOHSE: All in favor of the
20 motion as amended signify by saying aye.

21
22 IN UNISON: Aye.

23
24 CHAIRMAN LOHSE: All opposed signify by
25 saying nay.

26
27 MR. CARPENTER: Nay. No, I mean aye.

28
29 CHAIRMAN LOHSE: Amended motion
30 carries.

31
32 MR. CARPENTER: Man, I'm getting tired.

33
34 CHAIRMAN LOHSE: Okay, at this point in
35 time Donald was going to throw out some options we had
36 and then I was going to tell you what I was thinking
37 and then we can go on from there.

38
39 MR. MIKE: Thank you, Mr. Chair. With
40 the progress we're making we're thinking of strategies
41 as far as addressing some of the business agenda items
42 we have to deal with for the rest of the day. And we
43 have Staff, Larry Buklis, if he would come up and
44 present the strategy we were discussing during a break.

45
46 Mr. Chair.

47
48 MR. CARPENTER: He's just going to tell
49 us we've been slow.

50

1 (Laughter)

2

3 MR. BUKLIS: Thank you, Mr. Chairman.
4 Thank you, Donald. Larry Buklis, Office of
5 Subsistence.

6

7 Mr. Chairman, we've checked with the
8 hotel staff and we can have the room past the 5:00
9 o'clock scheduled time, somewhat flexibly so if you
10 want to go to 6:00 p.m. this evening as you have the
11 last couple days or even a bit later, there's some
12 flexibility there. Beyond that as you approach the
13 remainder of your agenda, starting on Page 3 and
14 wrapping around to Page 4 you've got five more
15 proposals, five more regulatory proposals in this
16 region and then you've got one crossover from another
17 region and four statewide, for which your
18 recommendations are invited. But in terms of
19 prioritizing your time, we would prioritize the five
20 regional proposals over the crossover or the four
21 statewide, first of all.

22

23 And then in all the other business that
24 follows that's not regulatory proposals, we have a few
25 we would highlight as priorities for you to consider as
26 you manage your time. And I can go through those.

27

28 And then, overall, however you allocate
29 your priority to your work, if you don't adjourn the
30 meeting, if you find that you're not done with the
31 priority work and you don't adjourn but you decide to
32 recess, you could take up the remainder of your
33 priority work in a teleconference perhaps next week.
34 The Council meeting window goes into next week, other
35 Councils are still meeting next week, so in terms of
36 book production and preparing for the Staff Committee
37 meeting and the Board meeting that follow, you wouldn't
38 be sort of behind the curve of some remaining Councils,
39 even next week.

40

41 So you can try to get done what you can
42 today, you can recess and take up the remainder by
43 teleconference next week or however you want to
44 approach it.

45

46 And in terms of the other business that
47 we saw as standing out as priority among the others
48 would be 12a, the call for fisheries proposals for the
49 next cycle, I think we heard of a couple of issues that
50 you've raised this week for Council proposals, but you

1 might want to speak to those and others.

2

3 13, the guidelines for the Council in
4 terms of absences.

5

6 14, Council composition and your
7 recommendation on that for the future.

8

9 15, the SRC appointments and your
10 recommendations on that.

11

12 16, approving your draft annual report.

13

14 And then jumping down to 18 A and B,
15 your topics for the spring Board meeting that you feel
16 you want to advance to the Board meeting.

17

18 And then future meeting plans, setting
19 the time and place for your next regular meeting.

20

21 Mr. Chairman, those are the items that
22 stood out to us as priorities either to complete today
23 or by teleconference sometime soon.

24

25 Thank you.

26

27 CHAIRMAN LOHSE: Thank you. Council,
28 they were kind of the same ones that I had come up with
29 when I looked at it. What I was going to suggest that
30 we do, I know none of you want to be here tomorrow, I
31 don't want to be here tomorrow, we won't have a quorum
32 tomorrow, I'll guarantee that.

33

34 MR. CARPENTER: We can get done.

35

36 CHAIRMAN LOHSE: I would say that we
37 would do what we planned on doing last night, if it's
38 agreeable to everybody else, that we just try to work
39 through and we set a time period and order something in
40 to eat and let anybody go home that doesn't have
41 anything to do with it, and see if we can continue as
42 much as we can.

43

44 I'd like to at least get through -- a
45 teleconference will not work for me. Because where I'm
46 going I'm not going to have a telephone. So I would
47 like to see how much we could get done and if the rest
48 of the Council can take it, I would say that we stay
49 here until either we reach a point where we've said we
50 accomplished enough or we finish the stuff that's here,

1 and if we don't finish it, that's -- so be it, that's
2 how far we get.

3

4 MR. CARPENTER: Yeah.

5

6 CHAIRMAN LOHSE: Is that agreeable to
7 everybody, can you do that Gloria.

8

9 MS. STICKWAN: Yeah.

10

11 CHAIRMAN LOHSE: Okay, with that let's
12 see what we can do.

13

14 Proposal 18.

15

16 MR. BURCHAM: Milo Burcham, Forest
17 Service out of Cordova, I will be presenting this.
18 This has been a long week for you all more so than me,
19 but I came here healthy, I got sick and either I'm
20 getting better or the drug medication -- or cold
21 medication is helping, I'm not sure.

22

23 (Laughter)

24

25 MR. BURCHAM: But the pace of the
26 meeting will speed up, I'm going to do these as fast as
27 I can and I think the two proposals that we have in
28 front of us first are relatively non-controversial.

29

30 The first one Wildlife Proposal 18
31 begins on Page 129 and it deals with two mountain goat
32 closures in Federal subsistence regulations in Unit 6,
33 and I'll be as brief as I can.

34

35 There's two closed areas for mountain
36 goat hunting in Federal regulations in Unit 6. They
37 are the Heney Range Mountain Goat closure and the Goat
38 Mountain Mountain Goat closure. Both of these areas
39 were first closed by the State of Alaska in 1975 and
40 1976 for similar reasons, low goat numbers, you know,
41 conservation concerns and a desire for the public to
42 have a place to view goats. So the State put in their
43 regulations, these goat viewing areas they were termed
44 and, you know, started the Goat Mountain and Heney
45 Range goat closures at that time.

46

47 When Federal subsistence regulations
48 came into being in 1991 they copied or adopted those
49 two closures into their regulations so in Federal
50 subsistence regulations now you have two closures, the

1 Goat Mountain closure and the Heney Range closure. In
2 2005 the State took those regulations out of their
3 books so in State regulation you no longer have a Heney
4 Range or a Goat Mountain mountain goat closure and they
5 manage those areas through bag limits and quotas and
6 seasons.

7
8 There are some differences between the
9 two areas that I'll explain briefly.

10
11 The Goat Mountain area, which had a
12 conservation concern originally is in Unit 6B. In Unit
13 6B the customary and traditional determination is all
14 rural residents in the state by State registration
15 permit. And when they removed that closure from their
16 books they opened that hunt up to a registration permit
17 and a fixed quota and a few goats have been harvested
18 out of that unit since then. But Federal subsistence
19 users can harvest goats in that area through a State
20 registration permit right now.

21
22 In Unit 6C where the Heney Range goat
23 closure exists, the State has also taken that off their
24 books but they have not opened up the season in that
25 area. There is mountain goat hunting by State
26 registration permit in Unit 6C but it's in other parts
27 of Unit 6C, not within the Heney Range. And what has
28 happened in the Heney Range is essentially the goats
29 have been shot out. The last few goats were legally
30 harvested in there in the 1970s before the closure went
31 into effect, and there are essentially no mountain
32 goats in the Heney Range, there have been in recent
33 years some odd sightings of a single or a few goats,
34 but essentially there's no goats. So the State, even
35 though they've removed the closure from their books,
36 has not opened up a season in their area and we still
37 have that closure in our books but there is no Federal
38 season for mountain goats in all of Unit 6C, all
39 hunting is taking place through State regulations.

40
41 So the preliminary conclusion is to
42 support -- is for the OSM Staff to support the proposal
43 to remove both these closures from Federal subsistence
44 regulations and there should not be any affect to
45 Federal subsistence users or to the goat populations
46 for these reasons I just mentioned.

47
48 And I think that's all I really need to
49 say.

50

1 CHAIRMAN LOHSE: Any questions.
2
3 (No comments)
4
5 CHAIRMAN LOHSE: I think you were
6 pretty explanatory on that and I think this one's
7 pretty self-explanatory. It's one of the few that I
8 see that has no opposition by the ADF&G or by anybody
9 else, so with that no questions for Milo.
10
11 Alaska Department of Fish and Game.
12
13 MR. HAYNES: Mr. Chairman. We support
14 this proposal for the reasons Milo presented to you.
15
16 CHAIRMAN LOHSE: Thank you. Told you
17 we'd vote on one that we agreed with you on.
18
19 (Laughter)
20
21 CHAIRMAN LOHSE: Any questions for
22 Terry.
23
24 (No comments)
25
26 CHAIRMAN LOHSE: Okay. Let's go on to
27 the next people who have a chance. Other Federal,
28 State or tribal agency comments.
29
30 (No comments)
31
32 CHAIRMAN LOHSE: Hearing none.
33 InterAgency Staff Committee comments.
34
35 CHAIRMAN LOHSE: None. Fish and Game
36 Advisory Committee comments. Do we have any written
37 comments from Fish and Game Advisory Committees.
38
39 MR. MIKE: There's none, Mr. Chair.
40
41 CHAIRMAN LOHSE: Summary of written
42 public comments.
43
44 MR. MIKE: None.
45
46 CHAIRMAN LOHSE: Request for public
47 testimony.
48
49 MR. MIKE: None received, Mr. Chair.
50

1 CHAIRMAN LOHSE: Thank you. In that
2 case a motion to put WP07-18 -- a motion to adopt WP07-
3 18 is in order.

4
5 MR. CARPENTER: So moved.

6
7 MR. BLOSSOM: Second.

8
9 CHAIRMAN LOHSE: It's been moved and
10 seconded. And I found out we don't have to vote to put
11 it on the table, we can have our discussion and then we
12 can vote at the end, that's what I was just told.

13
14 MR. CARPENTER: Mr. Chairman.

15
16 CHAIRMAN LOHSE: Tom.

17
18 MR. CARPENTER: Just a comment. This
19 was approved by the Copper River Advisory Committee.
20 It is just a housekeeping matter. There's no
21 biological effect from this proposal. It would really
22 do nothing except change some language in regulations.
23 So other than that, if there's no further comment I
24 call for the question.

25
26 CHAIRMAN LOHSE: Does anybody wish to
27 make further comment.

28
29 (No comments)

30
31 CHAIRMAN LOHSE: Question's been
32 called. All in favor signify by saying aye.

33
34 IN UNISON: Aye.

35
36 CHAIRMAN LOHSE: All opposed signify by
37 saying nay.

38
39 (No opposing votes)

40
41 CHAIRMAN LOHSE: Motion carries
42 unanimously.

43
44 The next one is not a universal consent
45 proposal so we'll have to go through this one.

46
47 WP07-19.

48
49 Thank you, Milo.

50

1 MR. BURCHAM: This one will be almost
2 as fast. Milo Burcham, U.S. Forest Service, Cordova.

3
4 This proposal, Wildlife Proposal 19
5 begins on Page 136 of your book. And in short the
6 purpose of this proposal is kind of just to remove some
7 bad or sloppy language from Federal subsistence
8 regulations. There's a Federal hunt for moose in Unit
9 6C. It's a very popular hunt. It's a drawing permit,
10 an extremely popular permit with last year 900 people
11 -- over 900 people putting in for the 66 available
12 permits.

13
14 Right now in Federal regulations the
15 regulations target harvesting female moose, but in the
16 regulations it's termed a cow moose rather than what is
17 more commonly used in both State regulations and in
18 other Federal regulations, an antlerless moose. And
19 because this is a semantics thing I'm going to read the
20 paragraph where I think I've described it pretty well
21 verbatim or close to it just to get this down.

22
23 Federal subsistence regulations for
24 moose in Unit 6C allow the harvest of
25 bull moose and cow moose.

26
27 In the definition section of the
28 subsistence management regulations for
29 harvest of wildlife on Federal public
30 lands in Alaska, a bull is defined as
31 any male moose, caribou, elk, or
32 muskox. The term cow is not defined
33 but would be interpreted to indicate a
34 female moose.

35
36 Therefore, bulls without antlers which
37 could be male calves or adult males that
38 have shed their antlers cannot be
39 legally taken by Federal subsistence
40 hunters with cow moose permits.

41
42 Male calf moose are difficult to
43 distinguish from female calves and adult
44 males that have shed their antlers are
45 easily mistaken for adult females.

46
47 The potential conflict arises when a
48 Federal subsistence hunter holding a
49 cow moose permit shoots a moose without
50 antlers, if this antlerless moose turns

1 out to be a male, then the hunter's in
2 violation of the law.

3
4 All other hunts in Federal subsistence
5 regulations that allow the harvest of
6 or target female moose and I've listed
7 the units in Federal subsistence
8 regulations that do this, they all use
9 the term antlerless or just any moose.
10 And all State regulations that target
11 the harvest of female moose use the
12 term antlerless.

13
14 So in short, it's just a better term.
15 I don't expect any more moose to be taken as a result
16 of this. I think Cordova hunters avoid harvesting
17 calfs, whether it's an ethical thing about shooting
18 babies or whether it's wanting more meat, I think they
19 go out of their way to shoot adult cows. And we don't
20 have recent data -- we have not collected jaws in the
21 last several years so I don't have a number I can cite
22 for you about calfs that have appeared in the harvest
23 but I'm not aware of any even in the last five years,
24 and if so I think it's a very small number, so I don't
25 expect any increase in harvest to happen and our
26 harvest is about 100 percent anyway.

27
28 I do want to explain -- I think that's
29 about all I need to go into right here.

30
31 I do want to explain a misunderstanding
32 that is the reason why Fish and Game has commented --
33 has made some of the comments that they have that don't
34 seem to apply to this at least as a conservation
35 concern.

36
37 Some sort of a mix up occurred.

38
39 The Forest Service submitted a proposal
40 wanting to change cow to antlerless, and I have it
41 right here and that's all it did and it didn't mention
42 anything about any increase in harvest. Dave Crowely
43 and we talk -- Dave Crowely works for Fish and Game in
44 Cordova and he and I talk about these proposals and
45 work together on these things. We talked about
46 submitting some different proposals, the Forest Service
47 ended up submitting this one, he submitted another one
48 that dealt with shooting cows with calfs, a language
49 that we have on our permits, that turned out to be a
50 condition of the permit and doesn't need to be

1 discussed by the RAC, and that permit ended up getting
2 withdrawn. Inadvertently or at least through a
3 misunderstanding, he also included some language about
4 the cow and the antlerless discussion that we're having
5 right now and even though that got withdrawn some of
6 that language got inserted into the proposal book that
7 exists right here, that existed before coming to this
8 meeting. Fish and Game reacted to the language that
9 was in this and in it was some of the language about
10 harvesting cows with calfs and possibly, you know,
11 increasing the harvest opportunity for hunters and
12 making it easier for them to find a legal cow and the
13 State commented on, you know, increasing an opportunity
14 for subsistence users, whereas maybe it should have
15 been for all State users or whatever. Anyway some of
16 that is irrelevant to this discussion right now and I
17 just want to make sure that you guys understand that
18 there really isn't -- at least I don't see there being
19 a conservation concern here or really any increase in
20 harvest as a result of this regulation.

21

22 And I think that's all I have so say,
23 yeah.

24

25 CHAIRMAN LOHSE: Milo, basically what
26 you're saying is this is a housecleaning change and it
27 is not intended and doesn't appear to have any ability
28 to change the harvest.

29

30 MR. BURCHAM: No, it's not intended to
31 at all. In fact, even though it says cow harvest, I
32 think most hunters on the ground would have assumed
33 calfs would be legal and some of those might have ended
34 up being male calfs, I don't think enforcement, you
35 know, State Troopers or Forest Service law enforcement
36 was concerned about that, and like I say that just --
37 it's sloppy -- it's a bad law that I think using the
38 term antlerless clears up and improves and just makes
39 it cleaner for everybody.

40

41 CHAIRMAN LOHSE: One more question for
42 you, to the best of your knowledge, do you know of
43 anybody with a cow permit that took a bull that didn't
44 have horns.....

45

46 MR. BURCHAM: No, I don't.

47

48 CHAIRMAN LOHSE:or a male calf
49 that was there.

50

1 MR. BURCHAM: No, I don't.
2
3 CHAIRMAN LOHSE: No. But we do know
4 there's been one going in the other direction.....
5
6 MR. BURCHAM: Yes.
7
8 CHAIRMAN LOHSE:that somebody
9 with a bull permit took a cow.
10
11 MR. BURCHAM: Yes.
12
13 (Laughter)
14
15 CHAIRMAN LOHSE: But to the best of my
16 knowledge I've never heard of anybody -- people have
17 time enough to look at it that they usually know that a
18 cow is a cow, you know, so.....
19
20 MR. BURCHAM: Yeah, and they're
21 avoiding calfs anyway, right.
22
23 CHAIRMAN LOHSE: Yeah. I saw somebody
24 that got a long yearling last year and I heard nothing
25 but derogatory comments on that person that had the
26 long yearling, nobody could see why they shot that
27 small of a moose, you know, so.....
28
29 (Laughter)
30
31 CHAIRMAN LOHSE: Was that you.....
32
33 MR. BURCHAM: No, that was my stomach.
34
35 (Laughter)
36
37 CHAIRMAN LOHSE: Okay.
38
39 MR. BURCHAM: Okay, thank you.
40
41 CHAIRMAN LOHSE: Thank you. ADF&G.
42
43 MR. HAYNES: Mr. Chairman. The
44 Department's comments begin on Page 141. And Milo
45 explained why some of the language we have in our
46 comments is really irrelevant right now. And the short
47 of it is is we think this proposal does clear up a
48 problem in the Federal regulations and we support it.
49
50 CHAIRMAN LOHSE: Thank you. Okay, any

1 questions for Terry.
2
3 (No comments)
4
5 CHAIRMAN LOHSE: Other Federal, State
6 and tribal agencies.
7
8 (No comments)
9
10 CHAIRMAN LOHSE: Forest Service,
11 anybody.
12
13 (No comments)
14
15 CHAIRMAN LOHSE: Nope. InterAgency
16 Staff Committee comments.
17
18 (No comments)
19
20 CHAIRMAN LOHSE: Nope. Fish and Game
21 Advisory comments.
22
23 (No comments)
24
25 CHAIRMAN LOHSE: Written public
26 comments, Donald.
27
28 MR. MIKE: Mr. Chair. There are no
29 written public comments and there are no public
30 testimony that was submitted.
31
32 Thank you, Mr. Chair.
33
34 CHAIRMAN LOHSE: Thank you, Donald.
35 Then a motion to put WP07-18 on the table is in order.
36
37 MR. CARPENTER: 19.
38
39 CHAIRMAN LOHSE: 19, my fault.
40
41 MR. CARPENTER: So moved.
42
43 MR. BLOSSOM: Second.
44
45 CHAIRMAN LOHSE: It's been moved and
46 seconded, not to put it on the table, but to adopt
47 WP07-19. Is that a first and second for that.
48
49 MR. CARPENTER: (Nods affirmatively)
50

1 MR. BLOSSOM: (Nods affirmatively)
2
3 CHAIRMAN LOHSE: Okay. It's been first
4 and seconded that we adopt WP07-19. Discussion.
5
6 MR. CARPENTER: Yeah, Mr. Chairman, I'd
7 just make the same comment as I did on the one before
8 that, that the Advisory Committee on the Copper River
9 agrees with this proposal. There's no conservation
10 concern. The Forest Service has the ability through
11 permit to handle some of the issues that were discussed
12 by Milo. And unless there's any further comment, I
13 would call the question.
14
15 CHAIRMAN LOHSE: No further comment.
16
17 (No comments)
18
19 CHAIRMAN LOHSE: Question's been
20 called. All in favor signify by saying aye.
21
22 IN UNISON: Aye.
23
24 CHAIRMAN LOHSE: All opposed signify by
25 saying nay.
26
27 (No opposing votes)
28
29 CHAIRMAN LOHSE: Motion carries. We
30 now go on to WP07-20.
31
32 MR. RISDAHL: Mr. Chairman. Members of
33 the Council. Greg Risdahl, wildlife biologist,
34 Subsistence Management Office.
35
36 Proposal WP07-20 was submitted by
37 Stevens Harper of McCarthy. It requests changing the
38 Unit 11 Federal subsistence moose hunting season dates
39 from August 20th through September 20th to September 1
40 to September 30th. The intent of this proposal was to
41 reduce the meat spoilage from hunter harvested moose.
42
43 Approximately 79 percent of the land in
44 Unit 11 is managed by Wrangell-St. Elias National Park
45 and Preserve and two percent are U.S. Forest Service
46 lands. There is a customary and traditional use
47 determination for moose by quite a number of different
48 communities. I won't go through those, those are in
49 the yellow book.
50

1 As far as regulatory and harvest
2 history goes, until 1974 either sex harvest limits were
3 in effect in Unit 11. Cows made up approximately 50
4 percent of the total harvest annually. Between 1963
5 and 1974, the harvest averaged 164 moose per year in
6 this unit. Hunter numbers and harvest peaked in the
7 early 1970s and then in response to declining moose
8 numbers, the season was shortened and cow hunting
9 prohibited in 1974. Between 1975 and 1989 the fall
10 season ran from September 1 to September 20th. In 1990
11 the season was shortened once again in response to deep
12 snows and to align it with the Unit 13 season. In 1992
13 the Federal Subsistence Board added 10 days to the
14 moose season aligning it with seasons in adjoining
15 units.

16
17 The current State and Federal seasons
18 first established in 1993 are slightly more liberal.
19 In 1999 the Federal Subsistence Board revised the
20 customary and traditional use determinations and added
21 five days to the start of the Unit 11 moose season.
22 Since 2000 no changes have been made to the subsistence
23 hunting seasons or harvest limits for moose in Unit 11.

24
25
26 An average of 20 moose per year have
27 been harvested on Federal public lands from 2000
28 through 2006 under the Federal subsistence permit
29 system. By contrast, hunters took approximately 28
30 moose per year under the State general hunting
31 regulations. The combined harvest under both the
32 Federal subsistence regulations permits and State
33 general harvest regulations average 48 moose per year
34 in these recent years. The number of hunters for the
35 two combined hunts have ranged from 229 to 268 hunters
36 annually with an average overall success rate of 19
37 percent. The Federal subsistence success rate has been
38 about 14 percent, the State general harvest success
39 rate averaged 25 percent.

40
41 As far as the population status there
42 has actually never been a census done of the entire
43 unit so there really isn't an accurate count of
44 animals. Instead they've done trend counts for a
45 number of years beginning in the 1950s. The density of
46 moose in Unit 11 has averaged somewhere between .1 and
47 .5 moose per square mile, which means -- which equates
48 to about 2,500 to 3,000 moose in Unit 11. One of the
49 trend areas has been flown by Montana -- or Montana --
50 the Alaska Department of Fish and Game on the west

1 slopes of Mount Drum, which is actually a lightly
2 hunted moose population. They count on average of
3 around 112 moose on their surveys and they've been
4 seeing about 17 per 100 cows on average beginning in
5 1998. The population exists of approximately seven
6 percent cows. The bull/cow ratio here is interesting,
7 it's among the highest ever observed anywhere in Alaska
8 at 117 bulls per 100 cows. It's interesting to note
9 here that the management objective by the State is to
10 maintain a minimum of at least 30 total bulls per 100
11 cows, or 15 adult bulls per 100 cows post hunting
12 season.

13

14 The other area that we have trend
15 information for is from the Upper Copper River moose
16 area, it's a survey done by the Wrangell-St. Elias
17 Staff. This area is actually more comparable to the
18 area where the proponent comes from because it's quite
19 heavily hunted. However, approximately three times as
20 many moose have been counted here annually in the
21 survey. So in other words they're counting around 300
22 moose per year in this Copper River moose area and it
23 does include both some Federal lands as well as some
24 State lands and other lands. The cow/calf ratio in
25 this area has been around 12 calves per 100 cows, the
26 calves make up seven percent of the population and the
27 bull/cow ratio is still pretty good at 47 bulls per 100
28 cows.

29

30 To specifically address the proponent's
31 concern of moose meat spoilage, we decided to look at
32 climate, specifically both temperature and
33 precipitation as factors that might cause meat to
34 spoil. In summary we looked at the temperature data
35 from the McCarthy and Nabesna weather stations, which
36 are the two closest to the area where the hunted moose
37 population occurs. There is a three to five degree
38 difference in the long-term average low and high
39 temperatures respectively between the current hunting
40 season which runs from August 20th through September
41 20th, and the proposed Federal subsistence hunting
42 season which would be September 1 through September
43 30th, just three to five degrees difference between the
44 early season and the proposed later season. With that
45 said, temperatures can and do vary dramatically from
46 year to year in Interior Alaska, in fact some years
47 it's warmer in September than it is in August.

48

49 Similarly, as far as precipitation
50 goes, which is also considered something that can cause

1 meat to spoil in the field, though, it is also very
2 variable from year to year in Interior Alaska,
3 September generally receives more rainfall than August
4 in McCarthy while August receives slightly more
5 rainfall than in September in Nabesna. And the
6 difference, though, is very slight, we're talking .38-
7 tenths of an inch versus -- or .51 inches, so a third
8 to a half an inch difference in rainfall between those
9 two months.

10

11 The effects of the proposal. We feel
12 that moving the Unit 11 Federal subsistence moose
13 hunting season from the current August 20 to September
14 20 to the September 1 through September 30 season is
15 not likely to reduce moose meat spoilage because of the
16 slight difference in the temperature variation between
17 the two seasons as well as the very slight difference
18 in the annual precipitation rate during those two
19 months.

20

21 However, we are slightly concerned
22 about the possibility of an increase in the harvest on
23 the moose population by changing the moose season dates
24 to a later time. There's several factors that could
25 contribute to an increased harvest as a result of
26 implementing the proposed season.

27

28 Back to temperature. It is possible
29 that during later hunting periods the temperatures are
30 colder and that does cause game animals to move around,
31 in this case, moose, while they're searching for refuge
32 or food, and this could result in an increased harvest
33 as hunters are more likely to encounter animals
34 traveling than when they're stationary. The proposed
35 change could lengthen the total number of hunting days
36 available on National Preserve and U.S. Forest Service
37 lands in the combined Federal and State hunting seasons
38 by adding eight days at the end. An increase in the
39 total length of the combined seasons could potentially
40 result in increased harvest. The proposed regulation
41 change would allow moose hunters to harvest moose
42 during the early part of the rut which could also
43 increase the moose harvest slightly because generally
44 bulls are easier to find and locate at that time.
45 Starting and ending the Federal subsistence season
46 later in the fall could result in increased harvest
47 also because a proportionately large percentage of
48 Alaska's moose hunters harvest their first moose during
49 the first week of the season. If the subsistence
50 season begins 10 days later as proposed a significant

1 portion of the harvest would still likely take place
2 during the week of August 20th under State regulations.
3 This regulation, as proposed, would also slightly
4 increase the overall complexity of the regulations for
5 the area as a whole.

6

7 The preliminary conclusion by the
8 Subsistence Management Office is to oppose the proposal
9 because we feel that changing the Federal subsistence
10 moose hunting season dates would likely result in no
11 noticeable decrease in the amount of moose meat
12 spoilage and, therefore, not address the proponent's
13 actual concern. In addition, we feel that changing the
14 Federal subsistence moose hunting season, as proposed,
15 could increase the moose harvest slightly on a
16 population that is, what most people consider, slightly
17 depressed already as shown by the low cow/calf ratios
18 and low numbers of calves in the population. This could
19 ultimately result in a loss of hunting opportunities in
20 the future, more restrictive regulations and long-term
21 conservation concerns.

22

23 Thank you.

24

25 CHAIRMAN LOHSE: Thank you. Any
26 questions.

27

28 (No comments)

29

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

32

33 MR. HAYNES: Mr. Chairman. The
34 Department's comments begin on Page 150.

35

36 The Department does not support moose
37 hunting in late September in many areas of Alaska as
38 bulls are entering the rut and are extremely vulnerable
39 to harvest. The moose population in Unit 11 is known
40 to be in a low density equilibrium. Although the
41 bull/cow ratio would normally be considered high,
42 higher ratios than normal are necessary when moose are
43 at such a low density to insure that enough calves are
44 bred each year. Calf/cow ratios have consistently been
45 low in this area, less than 20 calves per 100 cows, and,
46 therefore, annual recruitment is minimal. Reduction of
47 bull/cow ratios could be expected to lower this
48 recruitment even further.

49

50 We're concerned about the potential for

1 a substantial increase in harvest if the Federal fall
2 season is shifted to end after September 20 and if any
3 antlered bull harvest limit is retained, especially in
4 both of the road accessible areas in Unit 11, the
5 McCarthy Road area in the southern part of the unit and
6 the Nabesna Road area and the Tok Cut Off in the north.
7 Additionally because of the recently shortened Federal
8 season in Unit 12, adoption of this proposal would
9 likely shift substantial moose hunting pressure into
10 Unit 11 from residents of Units 11, 12 and 13. The
11 extra Federal hunt period at the end of September would
12 be the only open moose hunt in the area and would be
13 expected to put unacceptable harvest pressure on this
14 moose population.

15

16 Last November the wildlife biologist at
17 Wrangell-St. Elias National Park conducted a moose
18 survey at the end of Nabesna Road in Unit 12 which is
19 near the Unit 11 border, in four hours of flying he
20 observed only 24 moose, three large bulls, one medium
21 size bull, one calf and 19 cows. This translates into
22 a bull/cow ratio of about 21 bulls per 100 cows.
23 Additional hunting pressure on the low density moose in
24 this area could result in the bull/cow ratio dropping
25 into the teens and creating a serious conservation
26 problem.

27

28 For these reasons we do not support
29 this proposal.

30

31 Mr. Chairman, thank you.

32

33 CHAIRMAN LOHSE: Any questions for
34 Terry.

35

36 MR. LAMB: I have one.

37

38 CHAIRMAN LOHSE: Yes, go ahead.

39

40 MR. LAMB: Maybe I missed something but
41 does the State and Federal seasons run together right
42 now, are they both August 20th to.....

43

44 CHAIRMAN LOHSE: Yeah.

45

46 MR. LAMB: Okay.

47

48 MR. HAYNES: Yeah, if you look at Page
49 143 it will show you the current Federal and current
50 State seasons.

1 MR. LAMB: Okay, thank you.
2
3 CHAIRMAN LOHSE: Any questions for
4 Terry. Doug.
5
6 MR. BLOSSOM: Yeah, Mr. Chair. Terry,
7 so what's happening is those bulls are moving from Unit
8 11 to Unit 12 and that's why you got such a high
9 density of them in there but they don't stay there long
10 enough to breed, is that what the discrepancy is?
11
12 CHAIRMAN LOHSE: No.
13
14 MR. BLOSSOM: What is it then?
15
16 CHAIRMAN LOHSE: You mean why do we
17 have 19 cows and one calf?
18
19 MR. BLOSSOM: No, why in Unit 11.....
20
21 (Laughter)
22
23 MR. BLOSSOM:do we have so many
24 bulls per cows?
25
26 CHAIRMAN LOHSE: Because the cows and
27 the calfs disappear to other predators.
28
29 MR. BLOSSOM: Okay. I just wanted to
30 find out why.....
31
32 CHAIRMAN LOHSE: Yeah.
33
34 MR. BLOSSOM:because -- okay.
35
36 CHAIRMAN LOHSE: We have a very low
37 calf survival just like it's showing here. This is on
38 the border of Unit 11, this happened to take place in
39 Unit 12 but it's on the border of Unit 11. We've got
40 19 cows sitting there with one calf that survives until
41 November.
42
43 Doug.
44
45 MR. BLOSSOM: I guess, Mr. Chair, the
46 other question is, they're wanting to run the season
47 different, is, we've had the same proposals in our
48 area, the weather is warmer but it doesn't -- some
49 people like to get that moose early so I don't see
50 where that's a big issue.

1 CHAIRMAN LOHSE: Okay. Any other
2 questions for Terry.

3
4 (No comments)

5
6 CHAIRMAN LOHSE: Okay, so from Terry we
7 go to other Federal, State and tribal agency comments.
8 And I think we have an SRC here to give us a comment.

9
10 MS. CELLARIUS: Mr. Chair. Members of
11 the Council. My name is Barb Cellarius, and I'm the
12 subsistence coordinator for Wrangell-St. Elias National
13 Park and Preserve. And the main thing I want to do
14 right now is present the comments from the Wrangell-St.
15 Elias Subsistence Resource Commission. And since I see
16 a couple new faces up there I'll just mention that the
17 SRC was created under the provisions of ANILCA. And
18 it's a group of local subsistence users such as
19 yourselves who are specifically charged with advising
20 the Wrangell-St. Elias National Park about subsistence,
21 so this is their comment that I'm going to read first.

22
23 Wrangell-St. Elias National Park
24 Subsistence Resource Commission
25 unanimously opposes the proposal. With
26 the current low density moose
27 population in Unit 11, this proposal
28 presents a conservation concern and is
29 consequently not in the best interest
30 of subsistence users.

31
32 And I would add that the Park would
33 concur, that we should be conservative at this point.

34
35 CHAIRMAN LOHSE: Thank you. Any
36 questions for Barbara.

37
38 (No comments)

39
40 CHAIRMAN LOHSE: Thank you, Barbara.
41 Okay, with that we go on to InterAgency Staff Committee
42 comments.

43
44 (No comments)

45
46 CHAIRMAN LOHSE: None. Fish and Game
47 Advisory Committee comments.

48
49 (No comments)

50

1 CHAIRMAN LOHSE: None. Summary of
2 written public comments, Donald.
3
4 MR. MIKE: Thank you, Mr. Chair.
5 Written public comment was presented by Ms. Cellarius
6 and there are no public testimony forms, Mr. Chair.
7
8 Thank you.
9
10 MS. STICKWAN: There's one here.
11
12 CHAIRMAN LOHSE: Donald, isn't there a
13 -- we've got a written public comment in our book here.
14
15 MR. MIKE: Yeah, Mr. Chair, I was just
16 stating that Wrangell-St. Elias was the written public
17 comment.
18
19 CHAIRMAN LOHSE: No, we've got one from
20 AHTNA.
21
22 MR. MIKE: Excuse me, Mr. Chair, thank
23 you. Excuse me for my lack of attention here on
24 details but it's been a long three days.
25
26 The AHTNA subsistence committee wrote
27 in support of WP07-20 to change Unit 11 moose season
28 from August 20 to September 20th to September 1, ending
29 September 30th. The weather patterns have changed over
30 the years and it would be best to harvest moose later
31 in the fall season to save meat from spoilage. It
32 would shorten the season hunt two days, however, it is
33 good to have the hunting season later in the year when
34 the moose is in the lower elevations.
35
36 Thank you, Mr. Chair.
37
38 CHAIRMAN LOHSE: Thank you, Donald. We
39 have no cards for public testimony.
40
41 MR. MIKE: We have no cards, Mr. Chair.
42 Thank you.
43
44 CHAIRMAN LOHSE: Then a motion to adopt
45 to WP07-20 is in order.
46
47 MR. CARPENTER: So moved.
48
49 MR. BLOSSOM: Second.
50

1 CHAIRMAN LOHSE: It's been moved and
2 seconded to adopt WP07-20. Discussion. Comments.

3
4 (No comments)

5
6 CHAIRMAN LOHSE: Well, since -- I'll
7 make a comment since this is my backyard too just like
8 it's Gloria's and I'll be honest I saw more moose last
9 week up there than I've ever seen up there at this time
10 of the year, and I don't know if it's the snow
11 conditions or what because we don't have a lot of snow
12 in the mountains. But not ever, ever recently. But we
13 are in a very -- we have a very low count of moose
14 right now and a high bull ratio to cow.

15
16 I know that the local people would like
17 a later season, of course their idea of a later season
18 was October or November when it's really cold.

19
20 I agree with Gloria that this would
21 actually put moose down lower which would make them
22 more accessible. But there's no question underneath
23 our current -- the current hunting pressure that we
24 have in the area, if it was the only place open and
25 there was road access, there are more people to come
26 and hunt moose than there are moose available to be
27 hunted.

28
29 And for that reason, much as I would
30 prefer this myself, I would probably vote against this
31 proposal.

32
33 Gloria.

34
35 MS. STICKWAN: I just want to correct
36 you, this is not my comments.

37
38 CHAIRMAN LOHSE: No.

39
40 MS. STICKWAN: These are the AHTNA Tene
41 Nene' Subsistence Committee comments.

42
43 CHAIRMAN LOHSE: No, I knew that.

44
45 MS. STICKWAN: Okay, because you said
46 Gloria.

47
48 CHAIRMAN LOHSE: No, I said the same
49 kind of country as Gloria and I come from.

50

1 MS. STICKWAN: Oh, okay. And I don't
2 support this proposal.
3
4 CHAIRMAN LOHSE: You don't support this
5 proposal.
6
7 MS. STICKWAN: No.
8
9 CHAIRMAN LOHSE: No, I wasn't
10 attributing the comments to you, I was saying that we
11 were both -- we both see that kind of country up there.
12
13 So any other discussion.
14
15 (No comments)
16
17 MR. CARPENTER: Question.
18
19 CHAIRMAN LOHSE: Question's been
20 called. All in favor signify by saying aye.
21
22 (No aye votes)
23
24 CHAIRMAN LOHSE: All opposed signify by
25 saying nay.
26
27 IN UNISON: Nay.
28
29 CHAIRMAN LOHSE: Motion fails
30 unanimously.
31
32 Okay, we are now going on to Proposal
33 21. Unit 15B and C moose, revised customary and
34 traditional use determination to include Kachemak-Selo,
35 Razdolna and Woznesenka (ph).
36
37 MR. CARPENTER: Voznesenka.
38
39 CHAIRMAN LOHSE: Vosne -- okay, I don't
40 know how to say it, I'm not.....
41
42 MR. CARPENTER: See how fast the rest
43 of the State goes, we're just cruising now.
44
45 (Laughter)
46
47 CHAIRMAN LOHSE: Proposal WP07-21.
48
49 MS. H. ARMSTRONG: Thank you, Mr.
50 Chair. My name's Helen Armstrong. I'm the

1 anthropologist for OSM. I'll try to make this quick.
2 WP07-21 was submitted by Dennis Reutov and Fred
3 Martushev and they request that Kachemak-Selo,
4 Razdolna, and Voznesenka be added to the C&T for moose
5 for Unit 15B and C. And in the original proposal book
6 that went out to the public there was an error, it said
7 for all of Unit 15 but it was not correct, it was only
8 for B and C.

9
10 Currently the C&T is for all of Unit 15
11 for Ninilchik, Nanwalek, Port Graham and Seldovia, so
12 they want to add Kachemak-Selo, Razdolna, and
13 Voznesenka to 15B and C. These C&Ts were made when the
14 brown bear and black bear C&Ts were done that you heard
15 about this morning and at that time the Southcentral
16 Council did not recommend including any of the
17 communities in the Homer, they called it the Homer
18 rural area for C&T for moose because the Council didn't
19 feel that there was enough evidence of a long-term
20 consistent pattern of use and then that was supported
21 by the Board.

22
23 The three communities were founded by
24 households from Nikolaevsk, which was founded in 1967
25 and they're all pretty close together near Homer,
26 Voznesenka is 23 miles east of Homer, and Razdolna is
27 just a couple miles from there and then Kachemak-Selo
28 is located at the head of Kachemak Bay. They're all
29 Old Believer communities and they're related to each
30 other but they are separate, they each have their own
31 schools. They don't have their own post office, and
32 this is a critical piece of information because I
33 couldn't find what I needed to know about moose harvest
34 because they get their mail in Fritz Creek or possibly
35 in Homer, and so they don't have their own post office.

36
37 Their populations are grouped in the
38 Fox River census designated place and that census
39 designated place has a population of 616.

40
41 So then when I looked at the eight
42 factors the only community we have any information on
43 is Voznesenka, and that was in a study done by ADF&G
44 Subsistence Division in 1998. And we would have to
45 assume that Razdolna and Kachemak-Selo are similar to
46 Voznesenka because of their close interrelationship.
47 And in that year, in 1998, they did harvest 14 moose,
48 but none of the moose were harvested on Federal public
49 lands. And then I looked at the ADF&G harvest ticket
50 database but because they -- I couldn't find anything

1 at first and I kept thinking this is weird, why am I
2 not finding anything but it's because they use Fritz
3 Creek as their P.O. Box and so the only thing I could
4 get was Fritz Creek and there's a lot more people than
5 just those three communities living in Fritz Creek,
6 like there's about 1,600 people, so that wasn't telling
7 me very much either.

8
9 In the 1998 study Voznesenka's harvest
10 was all in 15C and not in Federal lands. The
11 proponents, in their proposals, stated that they
12 harvest moose in Fox River Valley, which is within
13 State lands, Clearwater Slough, Caribou Valley and
14 Tustumena Lake, which are all on the Kenai Refuge. In
15 the Voznesenka study moose were harvested by 11 percent
16 of the households and they were -- 33 percent attempted
17 to harvest moose, 17 percent gave away moose, and 33
18 percent received moose. They also have a wide
19 dependency on a diversity of resources as with other
20 communities on the Kenai Peninsula, they harvest 8.6
21 different kinds of resources, which is similar to
22 Ninilchik which is 8.5, Fritz Creek is 9.4, Nikolaevsk
23 is 9.1. And the other thing I probably should have
24 said earlier, too, is they are fairly self-sufficient
25 people, they garden, they hunt, they're mostly
26 commercial fishermen and boat builders so they do have
27 some dependency from a subsistence lifestyle, and those
28 communities were founded in the 1980s, I think. I
29 skipped that part in here.

30
31 So the preliminary conclusion is to
32 oppose the proposal because I couldn't find information
33 that was really concrete saying that they had harvested
34 moose on Federal public lands. I'm not totally sure
35 that -- if that's totally relevant or not. I did call
36 the proponent and suggest that somebody call in to be
37 on the teleconference and give us more testimony and I
38 said you could call me and I'll let you know when this
39 testimony is going to be up, we've got the
40 teleconference, I haven't heard anything. He did tell
41 me he was going out fishing this week but that he would
42 try to get some of his friends to call in. So I was
43 hoping we'd get some more information but we haven't.

44
45 So I'm a little bit -- I oppose the
46 proposal but I was really in a little bit of dilemma of
47 what to do on this one because we don't have, I think,
48 complete information.

49
50 Thank you, Mr. Chair.

1 CHAIRMAN LOHSE: Thank you. Doug.
2
3 MR. BLOSSOM: Mr. Chair. Helen. I
4 haven't heard where they got anything on Federal lands,
5 everything you had was State lands, right?
6
7 MS. H. ARMSTRONG: Well, they said in
8 their proposal, they said that they go up to Tustumena
9 Lake and Caribou Hills and maybe they do but I don't
10 know how often or if that's just where they hope to go
11 or what.
12
13 MS. BLOSSOM: Well, I guess my question
14 on Tustumena Lake, because they haven't been there very
15 long, they couldn't have hunted up there unless they
16 got a permit for 15B East, so I -- and the Caribou
17 Hills I have seen them there, that's where I hunt.
18
19 MS. H. ARMSTRONG: Uh-huh.
20
21 MR. BLOSSOM: But I've never seen them
22 hunt with horses or any way to get on the Refuge,
23 so.....
24
25 MS. H. ARMSTRONG: So you've seen them
26 on State lands.
27
28 MR. BLOSSOM: So I know they have been
29 on State land in the Caribou Hills, I've seen them
30 there.
31
32 MS. H. ARMSTRONG: Okay.
33
34 MR. BLOSSOM: Because I take horses and
35 go on the Refuge, I just don't recall any of them there
36 and I've hunted there for a long time.
37
38 MS. H. ARMSTRONG: Okay.
39
40 MR. BLOSSOM: So I'm just curious, we
41 need some -- whether they're on Federal lands
42 somewhere, I don't know where they were.
43
44 MS. H. ARMSTRONG: That's good
45 information, though, what you've just said, too.
46
47 CHAIRMAN LOHSE: Thank you.
48
49 MS. H. ARMSTRONG: Thank you.
50

1 CHAIRMAN LOHSE: Alaska Department of
2 Fish and Game.

3

4 MR. HAYNES: Mr. Chairman. Our
5 comments begin on Page 158. I think this Staff
6 analysis and those for the Ninilchik bear proposals
7 reinforce our concern about there not being a written
8 policy to help us better understand how the C&T
9 determinations are made.

10

11 Here we have a case of some
12 information, perhaps comparable information about use
13 of the resource, but the conclusion is that there's
14 insufficient information to support a positive C&T
15 finding, or even to reach a conclusion.

16

17 We don't support a positive C&T finding
18 for these three communities so to that extent we
19 support the conclusion reached by Federal Staff.

20

21 Thank you.

22

23 CHAIRMAN LOHSE: Thank you, Terry. Any
24 questions for Terry.

25

26 Doug.

27

28 MR. BLOSSOM: Yeah, Mr. Chair. Terry,
29 did you find any place where they've hunted on Federal
30 land, I mean they're newcomers, and I just -- I don't
31 know anything, I'm just trying to think of where they
32 might have hunted on Federal land that I'm not aware
33 of.

34

35 MR. HAYNES: No, we haven't done an
36 analysis of where they've hunted. We've just reviewed
37 the analysis here and the information that's presented
38 in the analysis. We haven't attempted to see if there
39 was a way to go into further detail in where hunting
40 has taken place.

41

42 CHAIRMAN LOHSE: Terry, I would agree
43 with you if you were sticking -- I mean if we were
44 sticking with just straight numbers and checking off
45 boxes, that that doesn't have any less information than
46 Ninilchik as far as harvest is concerned, but not
47 quite, because Ninilchik did define a harvest. But
48 there is two differences, the anthropological part of
49 the research and the fact that Ninilchik has been there
50 much longer and historically you can find records.

1 And then the other thing, and it's
2 something we've said as a Council before, that if
3 somebody wants C&T they really need to come to us and
4 give us the verbal part of the record and that's one
5 thing that Ninilchik hasn't failed to do. And if we go
6 back and we look at the history of all of the things
7 we've heard from Ninilchik, we add that into what's
8 written down and that's part of the record on which we
9 base our decisions. Here we have no comments from the
10 people who put the proposal in, they're not here even
11 to speak to the proposal let alone to explain to us
12 other than the fact that they wrote a letter that said
13 that they hunted here, you know, and I think that is a
14 difference. I think that's a significant difference.

15

16 MR. HAYNES: Point well taken.

17

18 CHAIRMAN LOHSE: Thank you, Terry.
19 Other Federal, State and tribal agency comments.

20

21 (No comments)

22

23 CHAIRMAN LOHSE: InterAgency Staff
24 Committee comments.

25

26 (No comments)

27

28 CHAIRMAN LOHSE: Fish and Game Advisory
29 Committee comments.

30

31 (No comments)

32

33 CHAIRMAN LOHSE: Summary of written
34 public comments, do we have any Donald.

35

36 MR. MIKE: There are none, Mr. Chair,
37 and I did not receive any request for public testimony.

38

39 CHAIRMAN LOHSE: Thank you. In that
40 case a motion to put WP07-21 -- a motion to adopt WP07-
41 21 is in order.

42

43 MR. CARPENTER: So moved.

44

45 MR. BLOSSOM: Second.

46

47 CHAIRMAN LOHSE: It's been moved and
48 seconded to adopt WP07-21. Discussion, amendments,
49 comments.

50

1 Doug.
2
3 MR. BLOSSOM: Mr. Chair. I wonder if
4 Robin would come up for a minute.
5
6 CHAIRMAN LOHSE: Robin.
7
8 MR. BLOSSOM: Mr. Chair. Robin, have
9 you ever noticed any of these villages hunting on the
10 Refuge, I mean that's what they're claiming and I
11 haven't but if you have I'd like to hear about it.
12
13 MR. WEST: There have been a couple of
14 cases that have been investigated and enforced for some
15 illegal activity in recent years.
16
17 MR. BLOSSOM: Mr. Chair. But that
18 wasn't illegal activity they were doing, right, weren't
19 they up there on a permit hunt and they shot more moose
20 than they were supposed to?
21
22 MR. WEST: More moose, in the wrong
23 area and not all legal moose.
24
25 MR. BLOSSOM: Mr. Chair. That happened
26 just, what, two years ago, right, so I don't consider
27 that -- have you seen them any other time up hunting,
28 though, that was a permit hunt where they got a permit,
29 but have they hunted on the Refuge in the Caribou
30 Hills, have you ever -- have your enforcement agents
31 ever seen them in that area, I haven't.
32
33 MR. WEST: I don't' have any direct
34 knowledge of that, no.
35
36 Thank you.
37
38 CHAIRMAN LOHSE: Thank you, Robin.
39 Tricia, did you have your hand up before.
40
41 MS. WAGGONER: (Shakes head negatively)
42
43 CHAIRMAN LOHSE: Are you sure.
44
45 MS. WAGGONER: Well, one of you guys
46 can answer this, when we looked at Ninilchik we looked
47 at -- for the bear -- their activity of hunting within
48 the -- on the Federal lands had been stopped, and I'm
49 trying to figure out in my mind, for these residents,
50 being such a new community, has their opportunity been

1 impacted by regulation be it State or Federal in any
2 way.

3

4 CHAIRMAN LOHSE: Doug.

5

6 MR. BLOSSOM: Mr. Chair. Trish. The
7 Caribou Hills, the Refuge, that part of 15C, the area
8 that's close to them that's Federal land, anyone can
9 hunt on that but you've got to do it on foot or by
10 horseback, no motorized vehicles. And so that's why I
11 was asking these questions, because that would have
12 been the area that I would have thought they would have
13 hunted on and I've just -- physically, I have never
14 seen there. I have seen them in the Caribou Hills on
15 State land and hunting with four-wheelers and the likes
16 of that. So that's what I was trying to establish that
17 they did hunt on some Federal land that's available to
18 them. It's available to them just like it is to anyone
19 else.

20

21 And my other biggest thing, issue I
22 have is if you want a proposal passed you got to come
23 here and testify, you got to work for it.

24

25 CHAIRMAN LOHSE: Trish, I would like to
26 say something else on that from my standpoint. My
27 standpoint is there's a difference between having an
28 activity interrupted -- an activity that you're already
29 taking place in, interrupted by change in regulations
30 or regulations that interrupt or disrupt that activity.
31 But if you come -- when those regulations are already
32 in place then they haven't disrupted a long-term use,
33 you've lived with the regulations that are already
34 there, just like everybody else has, you know.

35

36 MS. WAGGONER: That was the point I was
37 actually trying to make there, so thank you.

38

39 CHAIRMAN LOHSE: Tom.

40

41 MR. CARPENTER: Yeah, I'll just make
42 one comment, too. When we had our meeting in Homer, I
43 know you weren't there Mr. Chairman, but this kind of
44 goes back to the rural status to some of these
45 communities. There was quite a bit of testimony -- I
46 remember actually Senator Seekin (ph) was there and it --
47 basically what the testimony was, it talked about the
48 strong ties of these three communities with the Homer
49 area and it's non-rural status.

50

1 So I think maybe part of what Helen
2 said in regards to not being able to do the research
3 because maybe they are connected more with these
4 communities, you know, there's a lot to be said for
5 that. And I just thought I'd put that on the record.

6
7 CHAIRMAN LOHSE: Any other discussion
8 or comments.

9
10 (No comments)

11
12 CHAIRMAN LOHSE: If not the question's
13 in order.

14
15 MR. CARPENTER: Question.

16
17 CHAIRMAN LOHSE: Question's been
18 called. WP07-21, customary and traditional use finding
19 for these three communities and I won't try to
20 pronounce the words but they're as found in our papers.

21
22 All in favor signify by saying aye.

23
24 (No aye votes)

25
26 CHAIRMAN LOHSE: All opposed signify by
27 saying nay.

28
29 IN UNISON: Nay.

30
31 CHAIRMAN LOHSE: Motion fails. And,
32 again, I think it should be stressed, Doug, exactly
33 what you said, we're not saying that evidence can't
34 exist but they sure haven't presented it, it hasn't
35 been presented to us.

36
37 MR. BLOSSOM: Yeah, Mr. Chair, that's
38 exactly how I feel. If they've got a case to make they
39 need to be here and present it, we're more than willing
40 to listen. I just -- I've tried -- I mean I went back
41 through some minutes and I actually found some notes
42 that Helen had made and some of the back transcripts it
43 said that all their hunting had been done on State
44 lands, and so I found that before this meeting, back
45 looking through and just trying to get ready for this
46 meeting. I just couldn't find anything where they've
47 done that much, I mean I've lived there a long time and
48 should have known if they did.

49
50 CHAIRMAN LOHSE: Thank you. With that,

1 we'll go on to WP07-22 request that the late all
2 Federal moose season in Units 15B and C be eliminated
3 completely or restricted to the previously existing
4 season hunt with a total kill not to exceed 10 animals.

5
6 MR. RISDAHL: Mr. Chairman. Members of
7 the Council. Greg Risdahl, wildlife biologist, Office
8 of Subsistence. As the Chairman just mentioned, this
9 proposal which was submitted by Mr. Marvin Peters of
10 Homer requests that the late fall Federal season for
11 moose in Units 15B and 15C be eliminated or restricted
12 to the early season hunt with a total harvest not to
13 exceed 10 animals.

14
15 Just to reiterate, 52 percent of the
16 lands in this area, Unit 15, are managed by the Kenai
17 National Wildlife Refuge and less than one percent are
18 managed by the National Park Service and Forest
19 Service.

20
21 Currently there are positive customary
22 and traditional use determinations for the rural
23 residents of Ninilchik, Nanwalek, Port Graham and
24 Seldovia.

25
26 I'm going to discuss the biology and
27 harvest of Units 15A, 15B, and 15C separately because
28 they are all different and pertinent to the conclusion
29 that we have.

30
31 Beginning with Unit 15A, the population
32 objectives for moose in this unit by Alaska Department
33 of Fish and Game are to maintain a population of 3,600
34 moose with a bull/cow ratio of 15 bulls per 100 cows.
35 This contrasts slightly to the population objectives
36 for the Kenai National Wildlife Refuge which are to
37 maintain a minimum of 25 bulls per 100 cows for most
38 Refuge lands with the exception of the Skilak Loop
39 Wildlife Management Area, where the objective is to
40 maintain a bull/cow ratio of 40 bulls per 100 cows. he
41 fall 2005/06 age and composition survey in Unit 15A,
42 excluding the Skilak Loop Wildlife Management Area
43 counted 524 total moose, they found a bull/cow ratio of
44 26 bulls per 100 cows right at objective, they observed
45 a cow/calf ratio of 18 calves per 100 cows and noted
46 that the calves made up about 12 percent of the
47 population.

48
49 As far as harvest goes in Unit 15A,
50 I've decided to divide that into State and Federal just

1 for comparison purposes.

2

3 Beginning with the archery hunt under
4 the State hunting regulations in Unit 15A, it
5 traditionally takes place prior to the general season
6 with about a three day rest period between the archery
7 and the rifle hunts. Both seasons have the same
8 harvest regulations. The way harvest data is
9 collected, it's not actually possible to determine the
10 number of archery hunters through the State harvest
11 ticket reports but ADF&G estimates that between 200 and
12 250 archers have participated in the hunt annually from
13 1995 through 2000. The harvest, for example, in the
14 most recent years where they made an estimate were 16
15 and 11 bulls, respectively, which represents 17 and 8
16 percent of the total moose taken in Unit 15A. From
17 1992 through 2006 86 percent of the hunters
18 participating in the State's general hunting season
19 were residents of Unit 15A. Similarly, an average of
20 85 percent of the moose harvested have been taken by
21 Unit 15 residents.

22

23 As far as Federal harvest goes in Unit
24 15A, overall there's been very little participation by
25 the four communities listed that have positive C&T
26 determinations. Beginning in 1996 through 1997, no
27 Federal permit holders indicated hunting in Unit 15A,
28 one hunter reported unsuccessfully hunting in 1998,
29 three reported hunting unsuccessfully in 1999, in 2002
30 and 2002 no moose were harvested under the Federal
31 subsistence management system. In 2001 and 2003 one
32 moose was harvested each of those two years by Federal
33 permit and none, again, were harvested in 2004, 2005,
34 or 2006.

35

36 Moving on to Unit 15B. The management
37 objective for the Central Kenai Peninsula for Unit 15B
38 west, are to maintain a bull/cow ratio of 15 bulls per
39 100 cows and provide maximum opportunity for sportsman.
40 In the other part of Unit 15B, which I'm calling Unit
41 15B east, it's more of a trophy hunt area, are to
42 maintain a bull/cow ratio of 40 bulls per 100 cows and
43 to provide an opportunity to, quote, harvest a large
44 antlered bull under aesthetically pleasing conditions.
45 And the most recent surveys which were actually done in
46 2001 over an area of around 650 square miles of
47 suitable moose habitat, the moose population was
48 estimated in the springtime to contain somewhere
49 between 777 and 1,139 animals. During this survey,
50 because it was conducted in the late winter most of the

1 bulls had shed their antlers so composition by sex was
2 not possible, however, they determined about 21 percent
3 of the population was calfs. No surveys have taken
4 place in the area since 2001.

5
6 As far as harvest goes in 15B beginning
7 with the State harvest, in the general harvest area
8 which is Unit 15B west, hunters have averaged 41 bulls
9 annually from 1998 through 2006. In Unit 15B east the
10 permit area for trophy bulls, State hunters have
11 harvested an average of 12 moose per year.

12
13 Similarly to Unit 15A under the Federal
14 harvest, moose hunters have taken approximately one
15 moose per year between 1996 and 2006. Most of these
16 moose, as expected, were harvested during the first 10
17 days of the season.

18
19 In Unit 15C the management objectives
20 are to maintain a population of approximately 3,000
21 moose and provide a minimum post-hunting season sex
22 ratio of 15 to 20 bulls per 100 cows. Based on aerial
23 survey results, the moose population has gradually
24 increased since 1993. The most recent survey there in
25 2002 counted 1,207 moose and the overall population
26 then was estimated to range somewhere between 2,500 and
27 3,450 animals. They calculated a cow/calf ratio of 31
28 calfs per 100 cows with 19 bulls per 100 cows.

29
30 Harvest in Unit 15C, beginning with
31 Federal harvest, an average of 35 Federal subsistence
32 permits have been issued annually from 1996 through
33 2006 and this is actually for the entire Unit 15 area,
34 89 percent of the hunters have returned harvest
35 reports, the average Federal subsistence harvest was
36 four moose, and in this area about half two moose per
37 year were harvested in 15C.

38
39 The effects of the proposal. Because
40 the late Federal subsistence hunting season has only
41 been in place for one year, that's the October 20
42 through November 10 season, and only two moose were
43 harvested, there was a little discussion on this
44 earlier, it is likely that there'll be very little
45 affect on the overall harvest of the moose in this
46 area. And of course if this proposal is adopted as
47 proposed, it would eliminate the late season or
48 maintain the season but adopt the 10 moose harvest
49 quota.

50

1 Our preliminary conclusion is to oppose
2 the proposal because we feel one year is not long
3 enough to get a good idea as to what the real needs of
4 the subsistence users are and the fact that only two
5 moose were harvested last year, we don't feel that this
6 point in time that limiting them or removing the season
7 would be justifiable. In addition if a conservation
8 concern would arise the Refuge manager is authorized to
9 close the season on a moment's notice.

10

11 Thank you. Any questions.

12

13 CHAIRMAN LOHSE: Doug.

14

15 MR. BLOSSOM: Mr. Chair. I guess my
16 only comment would be that, yeah, if he did decide to
17 close it then I think the State would have to do some
18 restricting of sport hunts, too.

19

20 CHAIRMAN LOHSE: Is there a sport hunt
21 going on at the same time as that late season.

22

23 MR. BLOSSOM: No.

24

25 MR. RISDAHL: No, sir.

26

27 CHAIRMAN LOHSE: You were talking about
28 in the falling year.

29

30 MR. BLOSSOM: Correct.

31

32 CHAIRMAN LOHSE: Okay. Any other
33 questions for him.

34

35 (No comments)

36

37 CHAIRMAN LOHSE: Thank you, I think
38 that was pretty thorough and interesting too.

39

40 MR. RISDAHL: Thank you, Mr. Chairman.
41 Members of the Council.

42

43 CHAIRMAN LOHSE: Alaska Department of
44 Fish and Game.

45

46 MR. HAYNES: Mr. Chairman. Our
47 comments are on Page 173 of your Council book. You'll
48 all recall that the Department has had a position not
49 supporting this late season hunt beginning when it was
50 first proposed and then last year when it was finally

1 adopted.

2

3 The Federal Board did take into
4 consideration some of our concerns when it implemented
5 this late season and we appreciated that.

6

7 We do have a bit of concern with, you
8 know, the reported harvest for last season, late season
9 was two moose, one person from Ninilchik yesterday made
10 reference to six moose being taken in the late season
11 hunt, and I don't know if that -- I don't know what the
12 case is, if, in fact, if he misspoke or what but if --
13 you know, if the actual harvest is three times the
14 reported harvest we would have serious concerns about
15 this late season hunt.

16

17 So our recommendation would be to -- if
18 the late season hunt is going to be retained that there
19 be a quota established, particularly with reference to
20 the large bulls and, that, no more than two bulls that
21 have antlers with at least a 50-inch spread or at least
22 three brow tines on at least one side could be
23 harvested from Unit 15B, and no more than three bulls
24 with that antler configuration could be harvested from
25 Unit 15C.

26

27 And I guess that concludes our
28 comments.

29

30 CHAIRMAN LOHSE: Doug.

31

32 MR. BLOSSOM: Mr. Chairman. Terry,
33 first of all in 15A don't you have another season that
34 wasn't addressed, a late season in 15A.

35

36 MR. HAYNES: Are you talking about a
37 State season.

38

39 MR. BLOSSOM: Yeah.

40

41 MR. HAYNES: And what was your
42 question.

43

44 MR. BLOSSOM: Don't you have a late
45 season in Unit 15A.

46

47 MR. HAYNES: That's correct. I believe
48 that's one of those archery hunts.

49

50 MR. BLOSSOM: And that isn't a

1 subsistence season, right, that's a sport hunt.

2

3 MR. HAYNES: That's a resident season
4 as I recall.

5

6 MR. BLOSSOM: Yeah. My point there is,
7 is that it wasn't mentioned in -- that's in -- in 15A
8 there's no subsistence priority there for any late hunt
9 but you do have a late hunt there so the sport people
10 have a late hunt during this same timeframe, so I find
11 it curious that we can have an October hunt in 15A but
12 we can't have one in 15C.

13

14 MR. HAYNES: Well, we had this
15 discussion last year as I recall.

16

17 There is -- it doesn't look quite
18 right, but in looking at the Federal season last year,
19 you know, it wasn't -- if only two moose were taken
20 then I guess we have to wait and see if that's going to
21 be the trend, very low harvest or if harvest will
22 increase over time.

23

24 MR. BLOSSOM: Mr. Chair. How many
25 moose were taken in that 15A season last year.

26

27 MR. HAYNES: I don't have that
28 information.

29

30 MR. BLOSSOM: You know, I guess, just
31 to reiterate a little bit, you know, I told you last
32 fall because we made this season later to accommodate
33 the State instead of having it when the rural people
34 asked for it, we had it later because that's when the
35 State preferred it, and I said because it was that late
36 you might see 30 moose taken and so I was tickled to
37 death. I had heard earlier when I asked the Federal
38 people that there might have been six taken, so that's
39 where you heard it, is I had heard that that there
40 might have been six taken and now I hear there's only
41 two, I mean how much better could you ask for.

42

43 Everybody was so worried that they were
44 going to disseminate all the moose in the world and you
45 got two moose taken, so I'm -- I commend that it worked
46 that well.

47

48 CHAIRMAN LOHSE: Any questions for
49 Terry.

50

1 (No comments)

2

3 CHAIRMAN LOHSE: Thank you, Terry.

4

5 MR. HAYNES: Thank you.

6

7 CHAIRMAN LOHSE: Okay. With that we
8 will go on to other Federal, State and tribal agencies.
9 Robin.

10

11 MR. WEST: Thanks, Mr. Chair. Robin
12 West, Kenai National Wildlife Refuge. Quickly and just
13 to kind of follow on Mr. Blossom's comments on 15A.
14 The State does have a drawing permit for what we call
15 Dike Creek, which is a fairly remote part of the
16 Refuge, and I remember the concern on this late hunt
17 was when the moose are more vulnerable, to avoid the
18 road accessible areas of 15A because of general
19 declining populations in that part of the Refuge.

20

21 In total, though, I think we're one
22 year behind us on this hunt, the sky didn't fall, more
23 moose may be taken next year, we have the ability to
24 close it. From my standpoint there was a lot of public
25 concern, there's no doubt about it, a lot of calls, you
26 can get on the internet and do a Google search on Kenai
27 subsistence moose and you'll read dozens of things
28 about the trophy bulls that were killed in this late
29 hunt. One large moose was killed last year, not too
30 far behind the Refuge office off of Funny River Road.

31

32 So in my mind everything worked fine
33 except for the permit conditions, which the five day
34 reporting went back to OSM and so in reality I was in
35 the blind last year. You know, I had the authority to
36 step in and do something if need be but I didn't know
37 anything, so that's going to change. I think we're
38 working with OSM with the permits. Ultimately the
39 reports can be sent up to them when they're done at the
40 end of the year, whether they hunted or not, but the
41 reporting of success within five days will have to come
42 to the Refuge so we will have that information.

43

44 And, you know, with that the large bull
45 numbers that Fish and Game have put out there, of
46 concern, you know, 10, five, two and three, and that
47 kind of thing, would be at the point we'd be talking to
48 folks. We didn't get there last year, maybe not next
49 year but if we do see some large bulls killed, you
50 know, in an area we'll take a look at it and we have

1 the ability to shut it down. So I think we're already
2 there, we'll just -- you know, I'd just encourage folks
3 to give it another year or two and see how it works.

4
5 CHAIRMAN LOHSE: Any questions for
6 Robin. Doug.

7
8 MR. BLOSSOM: Mr. Chairman. So you've
9 got that problem taken care of, right, that you're
10 going to get reported to this year instead of the
11 Staff.

12
13 MR. WEST: I think so.

14
15 MR. BLOSSOM: Okay. Because you're the
16 one that has to run that show, I mean it's all in your
17 area and so as I hear it it worked fine. I am so
18 tickled that, you know, when I made the statement, if
19 you folks remember last year, I said you might get 30
20 moose shot and here we only got two. I think the sky
21 is falling thing should go away and let's let this
22 thing run awhile and see how it works.

23
24 CHAIRMAN LOHSE: Thank you, Robin. Any
25 more questions for Robin. Comments.

26
27 (No comments)

28
29 CHAIRMAN LOHSE: Any other State,
30 tribal or.....

31
32 (Laughter)

33
34 MR. CARPENTER: He's tough, he's still
35 here.

36
37 (Laughter)

38
39 CHAIRMAN LOHSE: I didn't mean to do
40 that Darrel.

41
42 MR. WILLIAMS: Darrel Williams,
43 Ninilchik Traditional Council. First of all, I would
44 like to do what I promise what I would do, and report
45 back to this Board about the late moose hunt. I was
46 one of the subsistence users who actually harvested one
47 of those two moose.

48
49 The moose was good, about 40 inches.
50 There's been a lot of talk about how bad the meat is,

1 if you cool the meat fast, you keep the hair off the
2 hide -- or off the meat, you're careful with the
3 innards, it's choice, it's wonderful. And I also
4 really appreciated the opportunity to be able to
5 harvest the moose at a later date, then I could
6 concentrate on going fishing and that kind of stuff,
7 and trying to get ready for winter. You know, actually
8 harvesting the moose was nice late in the evening, to
9 be able to skin it out, the temperature dropped, the
10 meat cooled fast, it was a really good hunt.

11
12 A little interesting side bit that goes
13 along with that, about a week later this fellow down
14 there named John Doman (ph) called me, John was very
15 upset and he was worried he was going to get in a lot
16 of trouble, and I asked John, I said what the heck's
17 going on, he said I shot this moose out in Funny River
18 in 15B and he said it was a big moose, a big old moose,
19 and John's a pretty fair minded guy so he thought he'd
20 get a hold of Ted Spraker and see if he could get it
21 scored, Mr. Spraker got very offended at this whole
22 prospect. I don't know who all's heard about but, you
23 know, John was very worried and I remember telling
24 John, John you did the right thing, you took an old
25 bull just like you were asked to do, big animal, it was
26 just kind of a good little chuckle that we actually
27 were able to talk a little bit about the two people who
28 had harvested a moose and he was in 15B and I was in
29 15C. That's pretty low impact.

30
31 And I guess as far as this proposal
32 goes, we would like to keep our late hunt. I think it
33 was very successful and I think it's a benefit for the
34 subsistence users.

35
36 And the second part of it is, I think
37 it's interesting that if more of the Federally-
38 qualified rural residents start to pursue C&T, changing
39 thresholds back and forth may turn into a whole bunch
40 of extra work for everybody, and those are my concerns
41 on that.

42
43 I think we have discussed this issue
44 in-depth, quite a bit, and I'll just answer questions
45 at this point.

46
47 Thank you, Mr. Chair.

48
49 CHAIRMAN LOHSE: Any questions for
50 Darrel.

1 (No comments)
2
3 MR. WILLIAMS: Thank you, Mr. Chair.
4
5 CHAIRMAN LOHSE: Thank you, Darrel.
6 Okay.
7
8 MS. STICKWAN: (Microphone off)
9forgot to shut off his mic.
10
11 CHAIRMAN LOHSE: Okay. What?
12
13 MS. STICKWAN: He didn't shut off the
14 mic.
15
16 CHAIRMAN LOHSE: Oh, well, we'll get it
17 next time. InterAgency Staff Committee comments.
18
19 (No comments)
20
21 CHAIRMAN LOHSE: Fish and Game Advisory
22 Committee comments.
23
24 (No comments)
25
26 CHAIRMAN LOHSE: Summary of written
27 public comments.
28
29 MR. MIKE: Mr. Chair. You'll see we
30 received one written public comment starting on Page
31 173. Hans Bilben of Anchor Point supports the
32 proposal.
33
34 I am a 27 year resident of the Kenai
35 Peninsula and currently live and work in Anchor Point,
36 which is located 60 miles south of Soldotna and 20
37 miles north of Homer. I'm opposed to any Federal
38 subsistence priority hunting on the road system of the
39 Kenai Peninsula. I support Proposal WP07-22 submitted
40 by Marvin Peters of Homer.
41
42 Thank you, Mr. Chair.
43
44 CHAIRMAN LOHSE: So he opposes the --
45 he supports the proposal, and opposes the hunt.
46
47 MR. MIKE: Ye, he does support Proposal
48 22.
49
50 CHAIRMAN LOHSE: Do we have any

1 requests for public testimony.

2

3 MR. MIKE: None, Mr. Chair.

4

5 CHAIRMAN LOHSE: In that case a motion
6 to put WP07 up for adoption.

7

8 MR. CARPENTER: So moved.

9

10 CHAIRMAN LOHSE: WP07-22.

11

12 MR. CARPENTER: So moved.

13

14 MS. WAGGONER: Second.

15

16 CHAIRMAN LOHSE: It's been moved and
17 seconded to put WP07-22 up for adoption. Discussion,
18 comments, amendments, modifications.

19

20 Doug.

21

22 MR. BLOSSOM: Mr. Chair. Just to
23 reiterate what I just said is we just did this last
24 year and I personally was afraid it was going to take
25 up to 30 moose and it took two, I don't see how it
26 could have worked any better, I think we need to leave
27 it alone.

28

29 CHAIRMAN LOHSE: Tom.

30

31 MR. CARPENTER: Yeah, I would agree
32 with what Doug said. I think we've heard from the
33 Refuge manager and he was fairly comfortable with this
34 whole hunt and he's got a better handle on the
35 reporting requirements and you always need to wait a
36 couple years to see how things play out.

37

38 So if there's no further comment, I'd
39 call the question.

40

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

43

44 (No aye votes)

45

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

48

49 IN UNISON: Nay.

50

1 CHAIRMAN LOHSE: Motion fails. Okay,
2 we are now on a crossover proposal, WP07-57, and we're
3 going to take a break right after -- what time is it
4 anyway, it's 5:00 o'clock.
5
6 MR. CARPENTER: I think we ought to do
7 the things he said that maybe were a priority before we
8 do all those.....
9
10 CHAIRMAN LOHSE: This one here, we
11 don't even have to listen to anything on them.
12
13 MR. CARPENTER: Oh, we should just
14 defer it.
15
16 (Pause)
17
18 CHAIRMAN LOHSE: Ed, right after we do
19 this, would you like to give your testimony.
20
21 MR. MOEGLEIN: Sure.
22
23 CHAIRMAN LOHSE: This one shouldn't
24 take very long, do you want to present it to us.
25
26 MR. BUKLIS: Mr. Chairman. Larry
27 Buklis, OSM. Before we started the late afternoon
28 session, we talked about priority business and you said
29 that what I had highlighted agreed quite closely with
30 what you were thinking. My highlights skipped G and H
31 and moved right down to other key matters. And I
32 didn't know you were going to move through G and H.
33
34 CHAIRMAN LOHSE: Okay. I just expected
35 the Council to do like it usually does which was to
36 defer to the home community on this one here, and so I
37 didn't expect this one to be very long, but if you'd
38 prefer we can skip it and go right on to Ed's testimony
39 so that he can go and then we'll go on to the other
40 ones and then come back to these.
41
42 MR. BUKLIS: Yeah, I would recommend
43 you come back if you have time on G which is crossover,
44 and H which is statewide.
45
46 CHAIRMAN LOHSE: Okay. Ed, I know that
47 you don't need to stay for everything that we're going
48 to do from now on so we'll give you the chance to --
49 we'll give you five minutes and then we're going to
50 take a break.

1 MR. MOEGLEIN: Thank you, Mr. Chairman.
2 Really thank you for letting me sit in on the work
3 shop. I seen something here that I hope the State and
4 Federal government can agree on and work on. The
5 priority for subsistence and the determination of what
6 subsistence is, working with our AC committee I spend a
7 lot of time on the subsistence matters concerning the
8 fisheries, and the -- during that time I had to check
9 on it, I was disqualified by means of income for a Tier
10 II subsistence hunt. It's hard as being a resident of
11 Alaska before ANILCA that land was closed to me to
12 obtaining game, rules that have gone back and forth in
13 these units, but also in these meetings I've seen some
14 good come out of them with State Fish and Game and
15 working with their educational permits, looking to give
16 quotas to those permits, and increasing that as we did
17 subsistence before ANILCA, we did it on the beach and
18 it made very little impact to the environment.

19
20 And I see some good coming out of this
21 in working together, and I think it needs to be done to
22 work together, the Federal and the State agencies. The
23 State, as a disabled person, authorized me access by
24 ATV uses and special access, although under rules of
25 the Kenai National Wildlife Refuge I'm not confined to
26 a wheelchair so I couldn't use that access. Rules are
27 going back and forth and you can see the clouding of
28 the issues, and I think a joint State and Federal
29 definition of subsistence users and long-term
30 traditional use needs to be determined. Hopefully,
31 like this Federal hunt in subsistence can be
32 coordinated too for long-term subsistence users and I'm
33 going to try to work back at our AC, too, in
34 determining and telling them how well this Board worked
35 with us in concerning our conservation issues,
36 concerning subsistence on the Kenai Peninsula. I
37 commend this Board and the Ninilchik Native Tribal
38 Council in quickly changing their proposals and
39 adopting so that they can continue a meaningful
40 subsistence harvest, and I would ask that this Board
41 and the Federal agencies as well as the State agencies,
42 continue towards that goal.

43
44 I think with the population increase,
45 there's a greater increase on fish and game in Alaska.
46 Closing Federal lands in Parks has made it tighter,
47 issuing to Native lands has made it tighter still and a
48 commercial industry in fish and game has even made it
49 tighter still and a tighter clash in between
50 organizations and groups and a good example is, I'm the

1 last one here talking about the fisheries and
2 understanding some of the proposals that went through
3 here, if that was a big concern now for these other
4 issues, it should have been addressed now when it's
5 brought up. I can see some things that are going to
6 happen and going back to the RAC and understanding some
7 of the moose hunts and the bear population and
8 everything like that, then it's going to become aware
9 to them.

10

11 So I really, really think that in all
12 determinations of State laws and Federal laws, that it
13 be done for the citizens of Alaska first and then
14 consider outside the state of Alaska in commercial and
15 allowing non-residents to hunt in considering for some
16 of these hunts, or subsistence hunts, and the long-term
17 traditional use.

18

19 And I thank you for your time.

20

21 CHAIRMAN LOHSE: Thank you, Ed. Thank
22 you for your patience to sit through all the rest of
23 the stuff so you had a chance to speak.

24

25 MR. MOEGLEIN: Thank you.

26

27 CHAIRMAN LOHSE: Okay. I have to stand
28 up for at least five minutes. It's 5:00 o'clock right
29 now, we can order some food in or.....

30

31 MR. CARPENTER: No, we'll be done in an
32 hour.

33

34 (Laughter)

35

36 CHAIRMAN LOHSE: I like that kind of
37 confidence.

38

39 (Laughter)

40

41 MR. CARPENTER: Guaranteed.

42

43 UNIDENTIFIED VOICE: Are we going to
44 have the agency reports.

45

46 MR. CARPENTER: There's no
47 agencies.....

48

49 CHAIRMAN LOHSE: What agency?

50

1 MR. CARPENTER:left here.
2
3 (Laughter)
4
5 CHAIRMAN LOHSE: We would love your
6 written reports.
7
8 (Laughter)
9
10 MR. CARPENTER: Email baby.
11
12 CHAIRMAN LOHSE: We'll take a break
13 now.
14
15 (Off record)
16
17 (On record)
18
19 CHAIRMAN LOHSE: We're looking at Item
20 12 on our agenda, call for proposals to change Federal
21 Subsistence Fisheries Regulations.
22
23 MR. BUKLIS: Thank you, Mr. Chairman.
24 Larry Buklis, Office of Subsistence. On this agenda
25 item we just wanted to clarify for the record what you
26 had said back when you were covering the fisheries
27 issues earlier in the week.
28
29 And we understand the -- as we
30 understand it the Council wanted to submit a proposal
31 for fishwheel use on the Kasilof River and on the Kenai
32 River and did you want Staff to develop a proposal like
33 that for your approval?
34
35 MR. CARPENTER: Uh-huh.
36
37 CHAIRMAN LOHSE: Right.
38
39 MR. BUKLIS: I'm hearing yes.
40
41 MR. CARPENTER: Yes.
42
43 CHAIRMAN LOHSE: Yes.
44
45 MR. BUKLIS: And then, secondly, less
46 clear to us, there was a point in your discussions
47 where there was a resolution to have Staff, Federal and
48 State Staff continue to work on a Hidden Creek, dipnet
49 fishery concept and the logistics and issues. Did the
50 Council want to submit a regulatory proposal for the

1 next cycle as a vehicle for that kind of coordination
2 work.

3

4 CHAIRMAN LOHSE: No, I didn't think it
5 was a regulatory proposal. That's not what I put it
6 forward as or passed it on as, but it was a resolution,
7 wasn't it.

8

9 MR. BLOSSOM: To march forward on that,
10 right.

11

12 CHAIRMAN LOHSE: Yeah.

13

14 MR. BLOSSOM: For this to.....

15

16 MR. CARPENTER: Mic.

17

18 MR. BLOSSOM: Yeah, Mr. Chair, for this
19 to take place in an orderly fashion Cook Inlet
20 Aquaculture would probably want to take eggs in the
21 fall, this coming fall, like in October. Because, you
22 know, you're looking down the pike, the first return of
23 this will be four years from when they take eggs and so
24 that was what, you know, what the resolution was, to
25 try to march onward and see if that could be
26 accomplished.

27

28 MR. BUKLIS: Thank you, Mr. Chairman.
29 So we understand on that point, the resolution is to
30 continue coordination and planning but that wasn't
31 meant to be a regulatory proposal at this time.

32

33 CHAIRMAN LOHSE: Doug.

34

35 MR. BLOSSOM: Yeah, Mr. Chair, this was
36 given to us by that advisory committee that we formed
37 and that was one of the only consensus things they had,
38 they all approved that, so I thought that was probably
39 fairly worthy with all the people that we had there,
40 that they all agreed to.

41

42 CHAIRMAN LOHSE: And we couldn't hardly
43 make a regulatory proposal on it when the fishery won't
44 even exist for another four years.

45

46 MR. BUKLIS: Thank you, Mr. Chairman.
47 We just wanted to clarify for the record what the
48 intent was. And that's all we had heard, to this point
49 in the meeting, on fishery proposals then.

50

1 CHAIRMAN LOHSE: That's all we have at
2 this point in the meeting on fishery proposals.

3

4 MR. BUKLIS: Thank you.

5

6 CHAIRMAN LOHSE: So we can go on to
7 menu -- Agenda Item 13. Are you going to be presenting
8 that, Donald.

9

10 MR. MIKE: Thank you, Mr. Staff [sic].
11 We have Staff -- Mr. Chair.

12

13 (Laughter)

14

15 MR. MIKE: Thank you, Mr. Chair. We
16 have Staff that will be presented the excused/unexcused
17 absences -- oh, you want me to go ahead and do it.

18

19 In your red folder we have guidance on
20 Regional Advisory Council member conduct. And last
21 fall in our Kenai -- Homer meeting we had concerns from
22 the Council members about excused/unexcused absences.
23 And the red folder, it's a blue copy. And we had one
24 of our Council members at our Kenai meeting who wanted
25 to address the issue of excused/unexcused absences and
26 the Council requested that Staff develop guidance on
27 Regional Advisory Council member conduct and that would
28 include excused/unexcused absences. Our office has
29 developed that guideline and it's on the other side of
30 Page 2.

31

32 Ann, you want to speak on it.

33

34 MS. WILKINSON: Thank you. We
35 developed this -- this Ann Wilkinson, OSM.

36

37 We developed the guidelines on member
38 conduct in response to some difficulties that have come
39 up, just over time, with different Councils, and your
40 Council had requested something as well. So I wrote
41 this. It was approved by the -- well, was reviewed by
42 many, many people and it was approved by Pete, who's
43 are ARD, so this is basically the guidelines that we'll
44 have for Councils.

45

46 Now, I know that your Council is mostly
47 concerned with unexcused absences, which is on the
48 second page of this. And I think it's fairly self-
49 explanatory, if you've had time to read it. There are
50 certain things that will be excused and I think they're

1 very generous. When you consider that this has to be
2 statewide, we consider everyone, but excused absences
3 will include:

4
5 Hazardous traveling conditions; death
6 in the family; illness in the family
7 that requires a Council member to take
8 care of that ill member; illness of the
9 Council member; required participation
10 in a traditional ceremony; and also if
11 a member is needing to -- or if their
12 employer won't allow them to take time
13 off or if they must provide for their
14 family by hunting or fishing during a
15 Council meeting.

16
17 Those would be considered excused
18 absences. We would still expect the member to call and
19 let the coordinator or the Chairman know ahead of time.

20
21 An unexcused absence is basically
22 anything that is just at the member's discretion.

23
24 They just decided to schedule something
25 else anyway. Also if a member is
26 absent from all or part of a meeting
27 due to use of drugs or alcohol, that's
28 unexcused and they may have to pay back
29 the per diem. Members who travel to a
30 Council meeting and remain in the
31 community but don't attend a Council
32 meeting for any reason other than their
33 own illness will also be considered
34 unexcused and they may have to pay back
35 the travel and per diem.

36
37 So those are fairly clear, I think,
38 guidelines to follow, simple and clean.

39
40 Any comments.

41
42 CHAIRMAN LOHSE: I'd like to add about
43 four other ones.

44
45 MS. WILKINSON: What.

46
47 CHAIRMAN LOHSE: Fire, floods, winds
48 and act of God.

49
50 (Laughter)

1 CHAIRMAN LOHSE: I think you've covered
2 it pretty well, Ann.

3
4 MS. WILKINSON: I was going to say
5 those acts of God have been kind of hard to find
6 sometimes.

7
8 CHAIRMAN LOHSE: Well, lightening
9 strikes or something.

10
11 (Laughter)

12
13 CHAIRMAN LOHSE: Tom.

14
15 MR. CARPENTER: Mr. Chairman. I would
16 just like to give Ann my appreciation for doing this.
17 I was one of the members in Homer that, you know, we're
18 getting to a point on this Council, I don't know about
19 the other Councils, that it was very hard sometimes to
20 get close to a quorum and that's pretty hard to believe
21 when you're drawing from Southcentral Alaska. So I was
22 one of the ones that requested this and it looks very
23 good to me.

24
25 Ann, do you need a motion for this
26 Council to approve this or is this something that --
27 what's the process there.

28
29 MS. WILKINSON: No, we don't need a
30 motion from the Council, this has been approved by the
31 agency. FACA rules require the agency to provide the
32 Councils with clear guidelines. And when it became
33 obvious that the Councils needed some clear guidelines,
34 you know, it was our responsibility to develop them and
35 so we did that.

36
37 If there is something egregious in here
38 that you feel is really, really wrong, then I'd
39 appreciate if you'd tell me and we can make some
40 corrections, otherwise this is it.

41
42 And also a process for removing members
43 who don't show up, it's always been so lengthy and
44 between Council meetings, you know, if you wanted to
45 take some kind of action it'd just take forever to get
46 someone removed, and also the process in Washington,
47 D.C., would take so long, that there was just no point
48 in even trying. But the people in Washington have
49 assured me that they will act quickly and that we
50 really do need to make it clear to members that if

1 they're not going to participate they cannot have the
2 status of being a Secretarial appointee to a Council.

3

4 MR. CARPENTER: Thanks.

5

6 CHAIRMAN LOHSE: Thank you, Ann. Does
7 anybody have any comments or anything they'd like to
8 give Ann on this.

9

10 (No comments)

11

12 CHAIRMAN LOHSE: Thank you, Ann, that
13 would have come in handy a few times in the past.

14

15 MS. WILKINSON: And if you do have
16 somebody that you want to remove, just, please, you
17 know, at a meeting make it clear that that's what you
18 want. Donald can write up a letter, you can sign it
19 and then give it to me and I'll get started on it with
20 the Board process and we'll go through it quickly.

21

22 CHAIRMAN LOHSE: Okay, Ann, are you up
23 for No. 14, Council composition. Donald.

24

25 MR. MIKE: Yeah, the Council
26 composition it should be in your red folder and it's a
27 pink copy.

28

29 MS. WILKINSON: Mr. Chairman. It's
30 also in your book on Page 182.

31

32 On Page 182 is a briefing that we've
33 prepared for the Councils. Then on Page 183 through
34 185 are the summaries of comments that we've received
35 when we asked for public comments.

36

37 MR. MIKE: Mr. Chair.

38

39 CHAIRMAN LOHSE: Donald.

40

41 MR. MIKE: I'd like to correct myself,
42 the pink copy we have in the red folder is Council
43 composition that's been taken by the Western Interior.

44

45 Excuse me, thank you, Mr. Chair.

46

47 MS. WILKINSON: There are included in
48 your book summaries of the comments that we received.
49 And then also a listing of the Councils powers and
50 duties according to the regulations on Page 186. And

1 if you're really interested the public notice that we
2 sent out asking for comments is also included.

3
4 In 2003 the Secretary of the Interior
5 amended the Council charters to stipulate that Council
6 members would represent either subsistence or
7 commercial/sport users. They also set the goal of 30
8 percent representation of commercial and sport users on
9 each Council. You'll note that that's a goal and not
10 an absolute, and that's important.

11
12 The new charters also sent up Council
13 memberships at 10 and 13, Southeast, Southcentral and
14 Yukon-Kuskokwim Councils have 13 members, the rest now
15 have 10. And the charters allowed three years to
16 completely implement the new system.

17
18 In August 2006, the court ordered the
19 Board to stop using the 70/30 system at the end of that
20 calendar year and promptly begin developing a plan for
21 balanced membership that will meet ANILCA and FACA
22 requirements. The judge said that the Board had not
23 provided enough justification for choosing 70/30 as a
24 measure for balancing Council representation.

25
26 The Office of Subsistence Management
27 then promptly published a request for public comment, a
28 copy of which is in your book, and sent out news
29 releases requesting public comment.

30
31 The Board now seeks the Council's
32 official recommendation regarding Council membership.
33 As you develop your Council's recommendations please
34 consider the following:

35
36 FACA says that the points of view
37 represented on the Council must be
38 balanced with the functions to be
39 performed by the Council.

40
41 That's why I included a list of Council
42 functions.

43
44 The court has said that a fairly
45 balanced Regional Council must include consumptive
46 users of fish and wildlife on public lands, other than
47 subsistence users, because those users are directly
48 affected by the subsistence priority. But not every
49 user group needs to be represented on the Councils to
50 provide a balanced membership.

1 The court also said that while 70/30 is
2 one way of meeting FACA requirements, the Board should
3 also consider other ways of achieving balanced
4 membership. The judge said and, I quote, if ever there
5 was a situation that called for thinking out of the
6 box, this is it. The Board will develop its
7 recommendations to the Secretaries on April 30th-May
8 2nd Board meeting. This is your Council's only
9 opportunity as a Council to make a recommendation to
10 the Board on this subject.

11
12 If you have any questions I will
13 certainly take those now.

14
15 CHAIRMAN LOHSE: So Ann if I understand
16 you right, what we're really looking for at this time
17 is to get this Board's attitude as to what the
18 composition of the Council should be.

19
20 MS. WILKINSON: That's correct.

21
22 CHAIRMAN LOHSE: Does anybody wish to
23 speak to that issue. Tricia.

24
25 MS. WAGGONER: I read through the
26 written comments last night and one of them kind of hit
27 me, the one from the Yukon River Drainage Fisheries
28 Association, and that's on Page 185 and it's the second
29 paragraph. It talks about, you know, due to travel and
30 other issues, based on the composition you could end up
31 with a quorum but have the Council off balance, you
32 know, say the bulk of the subsistence users could not
33 show up. So I just wanted to kind of point that out to
34 kind of keep in mind because it kind of hit me, I mean
35 it could be a major issue, I don't know as much on this
36 Council as for travel but on other ones it might be.

37
38 CHAIRMAN LOHSE: Tom.

39
40 MR. CARPENTER: Yeah, I, too, thought
41 that was interesting what they had to say. I guess my
42 only comment would be is I guess -- I mean I have one
43 of the commercial seats on this Council, but I also
44 consider myself as a subsistence user and I think you
45 have to have a certain percentage of people that have
46 commercial understanding because commercial interests
47 are affected by Federal and State regulations that are
48 changed. I think when you're debating issues, I think
49 it's good to have a broad knowledge of all aspects,
50 both commercial, sport and subsistence oriented

1 activities.

2

3 I do think, though, that I agree that
4 it is a subsistence board, and that subsistence
5 positions ought to dominate, and whatever percentage
6 you can come up for that, it ought to dominate, because
7 it is a subsistence board, but I do think you do have
8 to have some commercial interests and sport interests
9 represented.

10

11 CHAIRMAN LOHSE: Thank you, Tom. You
12 know.....

13

14 MS. STICKWAN: It should (no
15 microphone).....

16

17 CHAIRMAN LOHSE: Oh, I'm sorry, Gloria.

18

19 MS. STICKWAN: I was just going to say
20 it should be on the experience of the users, you know,
21 whether they understand all the issues and not label
22 them as commercial but how they understand the
23 commercial user's position, the subsistence user,
24 sports, fisheries and just have a broad understanding
25 of all the issues and base it on that. They should be
26 from the rural region and they should have subsistence
27 as a priority, I mean they should think that.

28

29 It's a priority. Because when they
30 serve on this Council they're supposed to be looking
31 out for ANILCA and protecting it.

32

33 CHAIRMAN LOHSE: I was reading some of
34 these letters and I was seeing how, when I look at what
35 the Council is there to do, which is to bring local
36 knowledge of the subsistence issues to the table to
37 advise, and that's all the Council does is advise, to
38 advise a Board of, and I don't like to use the word,
39 but I'll say, professionals, in positions of
40 management, who probably have never -- and you can't
41 use the word, never, who probably don't consistently
42 make use of the same kind of lifestyle as most
43 subsistence users do.

44

45 What Gloria is saying is exactly right.
46 They need a broad knowledge of all of those -- of all
47 of the different parts that affect it.

48

49 And I was looking at some of these
50 letters here, and like one of them says, well, you

1 know, it needs to be made up of men off the street,
2 well, I'm sorry, if you do that they may have no
3 concept of what goes on in the subsistence community or
4 even in a rural community. And that same one went so
5 far to say animal protectionists should be appointed.
6 Well, we're talking about consumptive uses, it's pretty
7 hard to think of having somebody who doesn't believe in
8 consumptive uses on a Board that's supposed to deal
9 with, I'll use the word, allocation, for lack of a
10 better way of putting it, allocation of consumptive
11 uses.

12
13 I think that this -- to a certain
14 extent, I feel like the OSM has done a good job of
15 putting people on this Council, who, while they may
16 have other interests, have a broad understanding of the
17 subsistence needs and/or are willing to listen and
18 learn about them. And from that standpoint, that, to
19 me, would be one of the biggest requirements would be
20 that you would have people who haven't got firmly
21 entrenched biases towards one group or another to the
22 point where they cannot listen and learn.

23
24 And I don't like the idea of people
25 representing a certain interest on the Council. I mean
26 I see people on the Council here and I know people on
27 the Council here, and some very personally who have had
28 very -- have had very much contact with almost every
29 aspect of it, commercial, sport, subsistence, hunting,
30 fishing, trapping, and that's, I think, kind of what we
31 should be looking for. Like, you know, so that we have
32 people who do have a broad range to bring to the
33 Council but are also willing to listen.

34
35 And when it says 70/30, does it mean,
36 what we were using, was it 30 non-subsistence seats.

37
38 MR. CARPENTER: Yeah.

39
40 CHAIRMAN LOHSE: I mean but it wasn't
41 30 people who had no knowledge of subsistence, it was
42 30 people who current -- 30 percent of people who
43 aren't living a subsistence lifestyle, or is it 30
44 percent of people who have other interests that are
45 stronger than their subsistence interests, and that's
46 why I don't know how you would ever pick out a
47 percentage.

48
49 Tom.
50

1 MR. CARPENTER: Yeah, I think that's
2 exactly what I was trying to say, you know, just
3 because my particular situation, my designation is a
4 commercial seat, I think the biggest reason that I got
5 on the Council is because I do -- I have participated
6 on the State side and the Federal side now for awhile
7 and I've been involved with a multitude of different
8 types of activities and, you know, just because I'm a
9 commercial fishermen doesn't mean that I'm any more
10 than that than I'm a subsistence user. And I think
11 those -- like Gloria said, those are exactly the type
12 of people that you should have, and I do think we a
13 good Council now that has a diverse make up, but I
14 think Ralph is right, I don't think you necessarily put
15 a percentage on it. I just think you have to -- you
16 have to have a well-rounded background, I think that's
17 the most important.

18

19 MS. WILKINSON: Mr. Chairman.

20

21 CHAIRMAN LOHSE: Ann.

22

23 MS. WILKINSON: To address that, about
24 knowledge of subsistence no matter what the person has
25 declared as a user group representation, the law
26 requires that all Council members have an understanding
27 and experience with subsistence. You know people have
28 different levels of knowledge, but the law requires
29 that they do have that knowledge to sit on a Council.

30

31 And another thing I wanted to bring up,
32 too, is that I am taking notes to get your comments
33 down for my own edification when I prepare things for
34 the Board and the Staff Committee, but if you could,
35 you know, formulate some recommendation yourself, make
36 a motion and do that, that would be better than my
37 offering your comments.

38

39 Thank you.

40

41 CHAIRMAN LOHSE: Doug.

42

43 MR. BLOSSOM: Well, I was just going to
44 say I think this Board here is really well made up. I
45 mean I'm another commercial user aboard. If I'd have
46 had my druthers we wouldn't have had 4,000 reds being
47 caught in the Kasilof and Kenai, that comes out of my
48 pocketbook, but that isn't what we're here for. I mean
49 I've got to ignore my own greed and you've taught me
50 well enough you've got things to do here and they're

1 different than -- that we've got to know all that stuff
2 and so I appreciate it.

3

4 CHAIRMAN LOHSE: Ann, I, as Chair,
5 would have to, out of all of these letters pick one
6 that I would say that would pretty well try to
7 summarize what I've heard on this Council, I'd look at
8 Mr. Vanek's letter right there. It says:

9

10 These are subsistence advisory councils
11 made up of primarily subsistence
12 persons who are familiar with local
13 needs. That is the purpose of the
14 councils. Therefore they should be
15 composed primarily of subsistence
16 users. Setting any percentage for
17 membership is counterproductive. The
18 needs of non-subsistence certainly have
19 to be represented but not necessarily
20 in a stated ration of voting members.
21 One person who can represent the needs
22 of non-subsistence users in a strong
23 rationale way is as useful, and I'll
24 say as effective, as half of the
25 council saying the same thing.

26

27 But does that meet what -- what he's
28 saying here, would that meet FACA's requirements.

29

30 MS. WILKINSON: Mr. Chairman. That's a
31 good question. Sometimes with the FACA requirements,
32 it isn't necessarily -- interpretations of that have
33 been varied, let's say. Washington D.C. has one idea
34 of what it means to have representative users on the
35 Council, the court apparently has another idea of what
36 it means, the Board had another idea, the Council's
37 have an idea -- well, actually the Board and the
38 Councils were in agreement for a long time, so whether
39 that will exactly meet it I don't know. And I thought
40 it was really strange for the judge to tell us that we
41 needed to meet it when we thought we were in the first
42 place, so I can't say for sure that that will meet it.
43 But to my thinking it does.

44

45 And if the judge said, think outside
46 the box, then certainly you can say whatever you want
47 to.

48

49 And if I understand correctly you're
50 considering the idea of well-rounded individuals, am I

1 correct, that's true, and as long as we can show that
2 they represent a certain user group then it'd be
3 possible.

4
5 CHAIRMAN LOHSE: A broad cross-section
6 of the user groups. Should we make that into a
7 resolution for you, would that help.

8
9 MS. WILKINSON: (Nods affirmatively)

10
11 CHAIRMAN LOHSE: Well, I'll -- I don't
12 know, as the Chair, I don't think I can make
13 resolutions.

14
15 MR. CARPENTER: Sure you can.

16
17 (Laughter)

18
19 CHAIRMAN LOHSE: If I can, as a Chair,
20 I'll try to state it and then if the rest of the
21 Council agrees, we can pass it.

22
23 MS. WILKINSON: Yeah, right, you could
24 just make a motion.

25
26 CHAIRMAN LOHSE: Okay. I'll tell you
27 what, you be Chair.

28
29 MR. CARPENTER: Yeah, you can step
30 aside.

31
32 CHAIRMAN LOHSE: I'm going to step
33 aside, our vice Chair will be Chair and I'll try to put
34 it in the form of a motion and the rest of you can
35 decide whether you support it or not.

36
37 We believe that the Subsistence
38 Advisory Council should be made up of
39 primarily subsistence persons who are
40 well-rounded, familiar with local needs
41 and represent a broad cross-section of
42 the consumptive users of the area.

43
44 We believe that is the purpose of these
45 Councils, therefore, they should be
46 proposed primarily of people who are
47 subsistence users or who have a strong
48 background or knowledge of subsistence
49 uses.

50

1 Setting any percentage for membership
2 could be counterproductive. As long as
3 the membership represents a broad
4 cross-section of users.

5
6 The needs of non-subsistence users,
7 while not directly represented, would
8 be represented by people who can see
9 both sides of all issues and vote and
10 look at issues in a rational way.

11
12 MR. CARPENTER: Is there a second on
13 passing that resolution forward to the Council.

14
15 MR. BLOSSOM: Second.

16
17 MS. STICKWAN: (No microphone) discuss
18 it.

19
20 MR. CARPENTER: Sure.

21
22 CHAIRMAN LOHSE: We sure can.

23
24 MR. CARPENTER: It's been moved and
25 seconded to forward that resolution on, is there any
26 discussion on the resolution.

27
28 Gloria.

29
30 MS. STICKWAN: I guess the law says
31 that you have to be from a rural area so we don't need
32 to have that in there, but they -- they also should
33 have, like I said, understanding of local needs.

34
35 MS. WILKINSON: Right. Because the law
36 does not require them to be a local -- I mean rural
37 residents, so, yes, you could say that, knowledge of
38 local needs is certainly expected, yeah.

39
40 MR. CARPENTER: Is there any other
41 comments.

42
43 CHAIRMAN LOHSE: Gloria, if you'd like
44 to make that as an amendment, I'll second it.

45
46 MS. STICKWAN: Yeah. And also I just
47 want to make sure that they protect ANILCA, I guess
48 they will if they're -- that they stand up and protect
49 ANILCA.

50

1 CHAIRMAN LOHSE: I'll second that
2 amendment.
3
4 MR. CARPENTER: It's been moved and
5 seconded to include the language -- do you have the
6 language that Gloria presented for the amendment, Ann.
7
8 MS. WILKINSON: Yeah, but.....
9
10 MR. CARPENTER: Okay. I believe just
11 to restate what Gloria had to amend Ralph's resolution
12 was that the non-rural people need to have basic
13 understanding of the subsistence way and needs and that
14 the main objective is the -- the goal of a Council
15 member is to look to ANILCA and protect ANILCA.
16
17 Is that correct, Gloria?
18
19 MS. STICKWAN: Uh-huh. (Affirmative)
20
21 MR. CARPENTER: It's been moved and
22 seconded to amend the original resolution. Is there
23 any further comment on the amendment.
24
25 (No comments)
26
27 MR. CARPENTER: Question's in order on
28 the amendment.
29
30 MS. STICKWAN: Question.
31
32 MR. CARPENTER: Question's been called
33 on the amendment. All those in favor of the amendment
34 signify by saying aye.
35
36 IN UNISON: Aye.
37
38 MR. CARPENTER: All those opposed.
39
40 (No opposing votes)
41
42 MR. CARPENTER: Amendment passes. Now,
43 we're back to the original resolution. Is there any
44 more discussion on the original resolution.
45
46 (No comments)
47
48 MR. CARPENTER: If not, the question is
49 in order for the amended resolution.
50

1 MR. BLOSSOM: Question.
2
3 MR. CARPENTER: Question's been called.
4 All those in favor signify by saying aye.
5
6 IN UNISON: Aye.
7
8 CHAIRMAN LOHSE: All those opposed.
9
10 (No opposing votes)
11
12 MR. CARPENTER: Resolution passes. Mr.
13 Chair, I will pass the Chair back to you.
14
15 CHAIRMAN LOHSE: Thank you, Tom.
16
17 MS. WILKINSON: Mr. Chair.
18
19 CHAIRMAN LOHSE: Go ahead, Ann.
20
21 MS. WILKINSON: We'll get this written
22 up then just to make sure that it's exactly what you
23 want, Donald and I will work on it and get it to you to
24 look at, but I have to have it ready for the Staff
25 Committee meeting on April 13th so we'll do a quick
26 turnaround.
27
28 Thank you.
29
30 CHAIRMAN LOHSE: Thank you. With that,
31 we go on to Subsistence Resource Commission
32 appointments. Donald, the green slip.
33
34 MR. MIKE: Mr. Chairman. In your red
35 folder is a green slip and we have Wrangell-St. Elias
36 Subsistence Resource Commission coordinator, Barbara
37 Cellarius here. And I also informed Denali National
38 Park subsistence coordinator about the need to appoint
39 a new SRC member to Denali but the individual isn't
40 here.
41
42 So Barb, do you want to present the SRC
43 letter. And the SRC's letterhead, in the back, there's
44 a letter from Mr. Dean Wilson indicating his
45 resignation from the SRC due to workload.
46
47 Thank you, Mr. Chair.
48
49 CHAIRMAN LOHSE: Go ahead.
50

1 MS. CELLARIUS: Mr. Chair. Members of
2 the Council. Barbara Cellarius, subsistence
3 coordinator for Wrangell-St. Elias National Park and
4 Preserve. And I believe you have in your folder a copy
5 of the resignation letter from Dean Wilson resigning
6 from the Wrangell-St. Elias Subsistence Resource
7 Commission. Dean had been appointed to the SRC by this
8 Council and so I'm here to ask you to appoint a
9 replacement for the remainder of his term.

10

11 ANILCA's fairly specific about who can
12 be appointed. It's basically either a member of this
13 RAC or a member of a local advisory committee in your
14 region. And the SRC was informed of this resignation
15 at their last meeting in February, so they've written a
16 letter to the Council making a recommendation, making
17 their recommendation about who could be appointed, and
18 so I believe you have that before you.

19

20 I'll just summarize a couple points on
21 the letter. Basically I'll read their recommendation
22 because the rest of it is just sort of the background
23 that I've already given you.

24

25 We would like to recommend that the RAC
26 appoint Gloria Stickwan of Tazlina to
27 fill this seat. She has served on the
28 SRC in the past and has continued to
29 attend SRC meetings regularly since the
30 end of her SRC term.

31

32 We believe that Gloria would make an
33 excellent Southcentral RAC appointee to
34 the Commission.

35

36 And so that's their letter.

37

38 CHAIRMAN LOHSE: Tom.

39

40 MR. CARPENTER: Is that all you had,
41 Barbara.

42

43 CHAIRMAN LOHSE: Yeah.

44

45 MR. CARPENTER: Mr. Chairman. Without
46 objection I would ask the Council for a unanimous
47 consent that the RAC appoint Gloria Stickwan of Tazlina
48 to the Wrangell-St. Elias Subsistence Resource
49 Commission.

50

1 CHAIRMAN LOHSE: Do I hear a second.
2
3 MR. BLOSSOM: Second.
4
5 CHAIRMAN LOHSE: It's been moved and
6 seconded that we take the SRC's recommendation and
7 appoint Gloria Stickwan to that seat. All in favor
8 signify -- oops, discussion.
9
10 (No comments)
11
12 CHAIRMAN LOHSE: No discussion,
13 question's in order. Question's been called, all in
14 favor signify by saying aye.
15
16 IN UNISON: Aye.
17
18 CHAIRMAN LOHSE: All opposed signify by
19 saying nay.
20
21 (No opposing votes)
22
23 CHAIRMAN LOHSE: Motion carries.
24
25 MS. CELLARIUS: Thank you.
26
27 CHAIRMAN LOHSE: Donald.
28
29 MR. MIKE: Mr. Chair. I will draft a
30 letter from this Council for your signature and we'll
31 send the letter out to Gloria and the Park
32 superintendent.
33
34 Thank you, Mr. Chair.
35
36 CHAIRMAN LOHSE: At this time we're
37 going to go on to 16. We're going to look at our draft
38 annual report. What color paper are we looking for
39 right here, Donald.
40
41 MR. MIKE: Mr. Chair. Your draft
42 annual report is on Page 191.
43
44 CHAIRMAN LOHSE: 191.
45
46 MR. MIKE: At our last meeting in Homer
47 the Council identified two issues they would like to
48 bring to the attention to the Board and one of them was
49 the Council composition which we already addressed
50 today, and the other was the Partner's Program. The

1 Council recognized the importance of the Partner's
2 Program in their ability to work with communities
3 within the Copper River Basin and their ability to
4 assist these communities with technical information and
5 also being able to explain the complex issues of
6 regulatory process.

7

8 Mr. Chair, those are the two items.

9

10 CHAIRMAN LOHSE: Does anybody see
11 anything that they would like to change on this, add to
12 this.

13

14 MS. STICKWAN: (No microphone)
15 didn't we just changed it, the Council composition.

16

17 CHAIRMAN LOHSE: We just changed the
18 Council composition or at least we have something we
19 can add to this now.

20

21 MS. STICKWAN: (No microphone)
22 but we're.....

23

24 MR. MIKE: Right. It is a draft.....

25

26 MS. STICKWAN: (No microphone)
27 70/30.

28

29 CHAIRMAN LOHSE: No.

30

31 MR. MIKE: It is a draft so if the
32 Council wishes to remove it and forward their recent
33 recommendation to the Board, it's up to you.

34

35 Mr. Chair, thank you.

36

37 CHAIRMAN LOHSE: Gloria, would you like
38 to add what we had, into this.

39

40 MS. STICKWAN: (No microphone) no
41 I just wanted to do what we wrote.

42

43 CHAIRMAN LOHSE: Okay. Would you make
44 a motion to that effect.

45

46 MS. STICKWAN: I could make a motion
47 (no microphone)

48

49 MR. MIKE: Microphone.

50

1 MS. STICKWAN:the paragraph.....
2
3 MR. MIKE: Microphone.
4
5 MS. STICKWAN: I make a motion that we
6 take out the paragraph Council composition and add in
7 what we just said.
8
9 MR. CARPENTER: Second.
10
11 CHAIRMAN LOHSE: It's been moved and
12 seconded that we remove the paragraph that we have on
13 Council composition and instead insert the paragraph --
14 insert the resolution that we just passed.
15
16 Any discussion.
17
18 Donald.
19
20 MR. MIKE: Mr. Chair. I don't see the
21 need for the Council to insert the language since it's
22 already going to be forward to the Board and this is
23 2007, this is the annual report from last fall.
24
25 CHAIRMAN LOHSE: Thanks for the
26 clarification Donald. So this is an annual report from
27 last year and the resolution is going to be going
28 forward on its own power then.
29
30 MR. MIKE: Right. Yeah. That
31 resolution you just passed will take care of this
32 Council composition which the Council had a concern
33 with last fall.
34
35 CHAIRMAN LOHSE: Okay. Do the makers
36 of that motion understand that.
37
38 MR. CARPENTER: Yeah, I withdraw my
39 second.
40
41 CHAIRMAN LOHSE: Gloria, do you want
42 to.....
43
44 MS. STICKWAN: (No microphone)
45 it's already been send you're saying so it's too late,
46 we can't change it.
47
48 MR. MIKE: Well, if we move this
49 forward, the Board will be addressing it in their April
50 meeting; is that correct -- and the resolution you just

1 passed that occurred today and this is the annual
2 report, which are issues that you brought up from the
3 previous meeting. So since the Council already acted
4 on the resolution and this was acted on last fall in
5 Homer, so I believe this is a moot point, Mr. Chair.
6 And your concerns are already addressed from the
7 resolution you just passed.

8
9 CHAIRMAN LOHSE: Donald, then it would
10 probably have more power if it went forward as a
11 resolution instead of in our annual report.

12
13 MR. MIKE: That's correct, Mr. Chair.

14
15 MS. STICKWAN: (No microphone)
16 add something into this.

17
18 CHAIRMAN LOHSE: What -- yes, we can
19 add something to this, that's what we're doing right
20 now. Would you like to make a motion on what you'd
21 like to add.

22
23 MR. CARPENTER: She still needs to
24 either withdraw her amendment or add another one.

25
26 CHAIRMAN LOHSE: Right. You still have
27 the motion on the table.

28
29 MS. STICKWAN: (No microphone)
30 withdraw my motion.

31
32 CHAIRMAN LOHSE: The motion's been
33 withdrawn.

34
35 Donald.

36
37 MR. MIKE: The other option was to
38 include this language in the resolution you just passed
39 -- just part of the language of the resolution you just
40 passed, you can reconsider your original resolution and
41 include this language.

42
43 Mr. Chair.

44
45 CHAIRMAN LOHSE: So we could include
46 some of the language -- we could add some of our
47 language to this one here.

48
49 MR. MIKE: That is correct, Mr. Chair.
50 And it will be entirely up to the Council but the

1 Council composition, I believe, in the resolution you
2 just passed would be much more stronger the way it will
3 be submitted.

4

5 Thank you, Mr. Chair.

6

7 CHAIRMAN LOHSE: Gloria, would you like
8 to add it to the.....

9

10 MS. STICKWAN: (No microphone) I
11 guess if you guys don't mind, I just don't like that
12 70/30 in there.

13

14 CHAIRMAN LOHSE: I don't mind.

15

16 MS. STICKWAN: (No microphone) it
17 sounds contradicting, I don't know.

18

19 CHAIRMAN LOHSE: Then make the motion
20 again to add it and we'll add it.

21

22 MS. STICKWAN: (No microphone)I'd
23 like to add.....

24

25 UNIDENTIFIED VOICE: Microphone.

26

27 MS. STICKWAN: (No microphone)
28what we said earlier to this letter.

29

30 UNIDENTIFIED VOICE: Turn your
31 microphone on Gloria.

32

33 MS. STICKWAN: I would like to add we
34 said earlier about the Council composition to this
35 letter.

36

37 CHAIRMAN LOHSE: And that's a motion.

38

39 MS. STICKWAN: Yeah.

40

41 CHAIRMAN LOHSE: Do I hear a second.

42

43 MR. BLOSSOM: Second.

44

45 CHAIRMAN LOHSE: It's been moved and
46 seconded that we add what we just said to this letter.

47

48 Any further discussion.

49

50 (No comments)

1 MR. CARPENTER: Question.
2
3 CHAIRMAN LOHSE: Question's been
4 called. All in favor signify by saying aye.
5
6 IN UNISON: Aye.
7
8 CHAIRMAN LOHSE: All opposed signify by
9 saying nay.
10
11 (No opposing votes)
12
13 CHAIRMAN LOHSE: Motion carries. Does
14 anybody have anything else they'd like to add to this
15 letter or amend it.
16
17 Gloria.
18
19 MS. STICKWAN: I don't know if we could
20 do this but I also want to -- under -- no, probably
21 can't do anything. It's about that income added to
22 Tier II, letter of concern to the -- nothing we can do
23 about that.
24
25 CHAIRMAN LOHSE: No. I think it's
26 pretty good that we have the Partner's Program thing on
27 here, what, with the coming cut in the budget and
28 that's one of the concerns that's been expressed to us
29 in this meeting today so I think we did pretty good
30 there.
31
32 Does anybody got anything else they'd
33 like to add to this or amend.
34
35 MR. CARPENTER: Mr. Chairman, I move
36 that we approve that amended annual report.
37
38 CHAIRMAN LOHSE: Do I hear a second.
39
40 MR. BLOSSOM: Second.
41
42 CHAIRMAN LOHSE: It's been moved and
43 seconded that we approve the amended annual report.
44
45 Discussion.
46
47 (No comments)
48
49 MS. STICKWAN: Question.
50

1 CHAIRMAN LOHSE: No discussion,
2 question's been called. All in favor signify by saying
3 aye.

4
5 IN UNISON: Aye.

6
7 CHAIRMAN LOHSE: All opposed signify by
8 saying nay.

9
10 (No opposing votes)

11
12 CHAIRMAN LOHSE: Motion carries. Okay,
13 we have two things -- we have one more priority thing,
14 Council topics for spring fish FSB meeting, and future
15 meeting plans. And then we could go back, and it's
16 early enough that we could go back and take care of
17 some of these items on the agenda that Terry stuck
18 around for.

19
20 So Council topics for spring -- I just
21 don't do very good with acronyms, FSB, Federal
22 Subsistence Board, okay, Council topics for spring
23 Federal Subsistence Board meeting. In other words,
24 topics you'd like me to take to the Federal Subsistence
25 Board.

26
27 Anybody have any burning topics.

28
29 MR. CARPENTER: Mr. Chairman. I'm sure
30 you're going to have plenty of questions to answer
31 about what the Council's positions were in regards to
32 the Kenai Peninsula so I think you'll have enough to
33 talk about.

34
35 (Laughter)

36
37 CHAIRMAN LOHSE: I was hoping that
38 you'd go in my place.

39
40 MR. CARPENTER: I don't think so. I'm
41 going to be sick.

42
43 (Laughter)

44
45 MR. CARPENTER: That's an excused
46 absence, you saw it on that sheet.

47
48 (Laughter)

49
50 CHAIRMAN LOHSE: Okay, with that, if

1 there are no Council topics that the Council wishes to
2 take to the Board we can go on to our future meeting
3 plans and decide when we're going to meet in fall.

4

5 MR. CARPENTER: Winter.

6

7 CHAIRMAN LOHSE: Uh?

8

9 MR. CARPENTER: Winter.

10

11 CHAIRMAN LOHSE: Winter.

12

13 MR. CARPENTER: Next winter.

14

15 CHAIRMAN LOHSE: Well, I don't know
16 they look to me like August 27th to.....

17

18 MR. CARPENTER: Well, I've got a
19 different one -- oh, this side.

20

21 CHAIRMAN LOHSE: Yes. August 27th to
22 October 19th. And I hope it's not winter already by
23 then.

24

25 (Laughter)

26

27 MR. CARPENTER: Yeah, because we
28 already picked that one in Homer.

29

30 CHAIRMAN LOHSE: We already picked it.

31

32 MR. CARPENTER: Yeah.

33

34 CHAIRMAN LOHSE: Good. Donald.

35

36 MR. MIKE: Mr. Chair. You just need to
37 confirm your fall meeting date, October 16th to the
38 19th in Anchorage.

39

40 CHAIRMAN LOHSE: Okay. Okay, you did
41 that when I wasn't there so I didn't know about that.
42 So we do have to pick one for spring then, right.

43

44 MR. MIKE: That's correct, Mr. Chair.

45

46 CHAIRMAN LOHSE: Any suggestions. Does
47 anybody know their schedule that far in advance or --
48 Donald.

49

50 MR. MIKE: Prior to this meeting we had

1 one new meeting date from the Western Interior and
2 their meeting date they selected for Winter 2008 is
3 February 28th and 29th.

4
5 Thank you, Mr. Chair.

6
7 MR. CARPENTER: What's the date today.

8
9 CHAIRMAN LOHSE: Okay. Doug.

10
11 MR. BLOSSOM: Mr. Chair. I want to add
12 Greg Encelewski's thing, he has Friday, Saturday and
13 Sunday off so he might not be able to get off these
14 first days. I mean I suppose he'll try but I'll just --
15 before he left he said he's working five days a week
16 and he has Friday, Saturday, and Sunday, Friday is a
17 day off so we're only going to hit him on one day.

18
19 MR. CARPENTER: Can we do it on
20 Saturday.

21
22 MR. BLOSSOM: Well, I'm just telling
23 you so that if he isn't here I guess you'll know why.

24
25 MR. CARPENTER: Yeah.

26
27 MR. BLOSSOM: I mean I'm sure he'll try
28 to get off, but.....

29
30 CHAIRMAN LOHSE: It's an added expense
31 to add Saturday, isn't it?

32
33 MR. CARPENTER: Why. I don't know why.

34
35 CHAIRMAN LOHSE: Otherwise it's an
36 added expense to add Saturday, isn't it?

37
38 MR. CARPENTER: I don't know why.

39
40 CHAIRMAN LOHSE: Otherwise there's no
41 reason that this Council couldn't meet on Friday and
42 Saturday.

43
44 MR. CARPENTER: Mr. Chairman. I mean I
45 think we have to make every opportunity for as many
46 Council members as we can. I think if we stick with
47 the same week that we met right now, we could start up
48 on -- we could start on March 13th and go like the
49 13th, 14th and 15th, at least Greg would be able here
50 for two of the days. And I guess if the meeting needed

1 to be longer, we could always start on the 12th, I mean
2 at least he would be able to make half of the meeting
3 that way.

4
5 That's just a suggestion.

6
7 MS. STICKWAN: (No microphone)
8 address fisheries proposals again next year at that
9 time.

10
11 MR. MIKE: You'll be addressing
12 fisheries proposals in the fall.

13
14 CHAIRMAN LOHSE: So this will strictly
15 be game proposals in the spring.

16
17 MR. MIKE: Yes, Mr. Chair.

18
19 MR. CARPENTER: Well, that's what I
20 move, Mr. Chairman. I move we hold our winter '08
21 meeting in Anchorage on March 13th, 14th and 15th.

22
23 CHAIRMAN LOHSE: Do I hear a second.

24
25 MR. BLOSSOM: Second.

26
27 CHAIRMAN LOHSE: It's been moved and
28 seconded that we hold our winter meeting on March 13th,
29 14th and 15th.

30
31 Any discussion.

32
33 MR. CARPENTER: I guess the only
34 comment was, is that if Staff realized that we would
35 have a tremendous amount of proposals that they could
36 start it at one day earlier on the 12th. And Saturday
37 is being done to accommodate as many Council members as
38 possible who have work. So that's the only comment.

39
40 CHAIRMAN LOHSE: Any other discussion.

41
42 MR. CARPENTER: They're all mad at us
43 back there, look.

44
45 (Laughter)

46
47 MR. KESSLER: That would mean there
48 would be three meetings in a row in Anchorage, is that
49 what you want.

50

1 MR. CARPENTER: Well, that's what I
2 want but I guess if everybody else doesn't want that, I
3 was thinking of expense and cut backs and all kinds of
4 things like that in regards to Staff traveling and
5 trying to get as many Council members here as we could
6 and it seems like Anchorage is the place where we've
7 been able to get the biggest quorum. So that was just
8 my idea.

9
10 CHAIRMAN LOHSE: How about the rest of
11 the Council.

12
13 MR. BLOSSOM: I don't care.

14
15 CHAIRMAN LOHSE: I think with our idea
16 of going into the weekend it probably would be a lot
17 more comfortable for a lot of the Staff if they were
18 right here in their own hometown. But we definitely
19 could -- I was thinking that Hawaii looked awful good
20 that time of the year.....

21
22 MR. CARPENTER: You got it.

23
24 CHAIRMAN LOHSE:and we could
25 probably have one on the beach.

26
27 MR. CARPENTER: We got that in our
28 budget.

29
30 (Laughter)

31
32 CHAIRMAN LOHSE: If there's nobody
33 that's got a suggestion for some place else, we'll
34 figure on Anchorage.

35
36 MR. CARPENTER: Question on the
37 Anchorage proposal.

38
39 CHAIRMAN LOHSE: Uh?

40
41 MR. CARPENTER: I call the question.

42
43 CHAIRMAN LOHSE: You called the
44 question, okay. All in favor signify by saying aye.

45
46 IN UNISON: Aye.

47
48 CHAIRMAN LOHSE: Opposed signify by
49 saying nay.

50

1 (No opposing votes)
2
3 CHAIRMAN LOHSE: Motion carries. Okay,
4 with that we can go back to the wildlife proposals that
5 we have on the agenda.
6
7 And at the rate that we're making time
8 we should be done by 3:00 o'clock in the morning.
9
10 MR. CARPENTER: Terry said he didn't
11 want to do any of these.
12
13 CHAIRMAN LOHSE: He stayed for them.
14
15 MR. CARPENTER: Well, he was just being
16 nice.
17
18 MR. HAYNES: Mr. Chairman.
19
20 CHAIRMAN LOHSE: Terry.
21
22 MR. HAYNES: If you didn't plan to take
23 these up, don't do it because I'm here.
24
25 MR. CARPENTER: See, I told you.
26
27 MR. HAYNES: I'll be happy to provide
28 our input but don't do it just because I'm here.
29
30 CHAIRMAN LOHSE: Personally I would
31 prefer -- because of the way I look at these proposals,
32 most of them I feel that we've spoken to and I'd prefer
33 that take them up so we don't have to try to line up a
34 teleconference or something to take care of them.
35 Because I know that John has problems with a phone, I
36 am not going to be near a phone. And I think it would
37 be to our best advantage to -- what time is it, about
38 6:00 o'clock, I think it would be to our best advantage
39 at this point in time to at least finish as much of
40 this job as we could.
41
42 MR. BUKLIS: Mr. Chairman. You're
43 certainly welcome to do that but you're not required to
44 address these. You wouldn't be compelled to hold a
45 teleconference to address these because the crossover
46 is addressed by the home region already, and the four
47 statewide have been addressed by other Councils already
48 and those that will meet next week. So it was the
49 regional regulatory proposals and some of this other
50 business that needed action by you.

1 The business you have skipped over,
2 which is the statewide proposals, the crossover
3 proposal and the agency reports are not a compelling
4 reason to set up a teleconference.

5
6 CHAIRMAN LOHSE: May I ask you a
7 question.

8
9 MR. BUKLIS: Yes.

10
11 CHAIRMAN LOHSE: Could we take WP07-01,
12 WP07-03, and WP07-04, which we've already spoken to in
13 the past and just say that we -- since we've spoken to
14 them that we request that the Board looks at our
15 previous decisions on them. Would that be -- without
16 taking a motion and going through it or should we just
17 let it go to the rest of the state.

18
19 Rest of the Council, give me some
20 advice.

21
22 MR. CARPENTER: Well, Mr. Chairman, I
23 would recommend that we -- I mean that we just move on
24 and leave these lie, but, you know, if we could just
25 hear some basic introduction to them, I mean I don't
26 know. I mean I don't want to sit here and listen to a
27 full analysis on things that don't even really matter,
28 to me, but it's -- that's.....

29
30 CHAIRMAN LOHSE: In that case maybe
31 just a motion to not take action on them is in order or
32 to defer them to the Councils involved or to other
33 Councils, we could do something like that.

34
35 What is the wish of this Council.

36
37 MS. WAGGONER: I move to defer Proposal
38 57 and 59 to the home region, home Council.

39
40 MR. CARPENTER: Second.

41
42 CHAIRMAN LOHSE: Okay. Sounds good to
43 me, defer to the decision of the home Council.

44
45 MR. CARPENTER: Yeah.

46
47 CHAIRMAN LOHSE: It's been moved and
48 seconded. Any discussion.

49
50 MR. CARPENTER: Mr. Chairman. I think

1 that's been consistent with this Council's position in
2 the past, that we defer to the home region so I don't
3 think that's anything unusual.

4
5 CHAIRMAN LOHSE: Any other discussion.

6
7 (No comments)

8
9 CHAIRMAN LOHSE: Question's in order.

10
11 MS. STICKWAN: Question.

12
13 CHAIRMAN LOHSE: Question's been
14 called. We are going to defer Proposals 57 and 59 to
15 the decision of the home region. All in favor signify
16 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. What
26 is the wish of this Council on the statewide wildlife
27 proposals.

28
29 MR. CARPENTER: Steve's coming.

30
31 CHAIRMAN LOHSE: We have somebody
32 coming up.

33
34 MR. KESSLER: Mr. Chairman. Steve
35 Kessler with the Forest Service and Staff Committee. I
36 just wanted to let you know that essentially on 01, 02
37 and 04, I believe we've had pretty much unanimity among
38 all the Councils already and the only one that they
39 seem to be having some differences in is No. 3. So my
40 guess is that if you would hear 01, 02 and 04, you'd
41 probably do the same thing that all the other Councils
42 have done, but 03 you might -- if you were just to
43 consider one of them you might think about No. 3.

44
45 CHAIRMAN LOHSE: What's the wish of the
46 Council on that. Are you saying that on WP07-03 there
47 has not been unanimous consent by the rest of the
48 Councils?

49
50 MR. KESSLER: That's correct, Mr.

1 Chairman. The Councils have taken different views on
2 them, it's -- I'd say the differences are sort of
3 around the edges, that essentially they've all
4 supported the proposal but with different little pieces
5 to it.

6
7 So for instance some of the Councils
8 have added the words tanned and untanned hides, so
9 untanned is in there right now, they've added tanned.
10 One of the Councils added deer and elk. There have
11 been relatively small changes that they've made. But
12 in essence they've all supported the proposal.

13
14 CHAIRMAN LOHSE: Tom.

15
16 MR. CARPENTER: Mr. Chairman. I move
17 we take no action in lieu of time on Proposals WP07-01,
18 02, 03 and 04.

19
20 MS. WAGGONER: Second.

21
22 CHAIRMAN LOHSE: It's been moved and
23 seconded that we take no action on WP07-01, 02, 03, 04
24 due to time constraints. Any discussion.

25
26 Doug.

27
28 MR. BLOSSOM: Mr. Chair. Just short
29 discussion, we don't want to mention that we have acted
30 on some of these before and.....

31
32 CHAIRMAN LOHSE: You want to add an
33 amendment.

34
35 MR. BLOSSOM: No, I'm just asking here.

36
37 CHAIRMAN LOHSE: No.

38
39 (Laughter)

40
41 MR. BLOSSOM: Okay.

42
43 CHAIRMAN LOHSE: I don't know. Okay,
44 any other discussion.

45
46 MR. CARPENTER: Question.

47
48 CHAIRMAN LOHSE: Question's been
49 called. All in favor signify by saying aye.

50

1 IN UNISON: Aye.
2
3 CHAIRMAN LOHSE: Opposed signify by
4 saying nay.
5
6 (No opposing votes)
7
8 CHAIRMAN LOHSE: Motion carries. With
9 that, we have some reports here, are there any that are
10 vital to our Council.
11
12 (No comments)
13
14 CHAIRMAN LOHSE: It's been a long
15 meeting.
16
17 Donald.
18
19 MR. MIKE: Just for your information
20 there's some summary data from the State Department of
21 Fish and Game and a summary of steelhead radiotelemetry
22 in the Cooper River drainage, there's two documents.
23 And we also have an agency report from the Native
24 Village of Eyak, and that's also two documents. For
25 your records.
26
27 Thank you.
28
29 CHAIRMAN LOHSE: Thank you. Hearing
30 none -- Donald, one more.
31
32 MR. MIKE: And I also have a Wrangell-
33 St. Elias fisheries update and Wrangell-St. Elias
34 Subsistence Resource Commission wildlife report, I can
35 just mail it to the Council for your information.
36
37 Thank you, Mr. Chair.
38
39 CHAIRMAN LOHSE: Okay. Tom.
40
41 MR. CARPENTER: Yeah, I just wanted to
42 let the Staff know, I mean I know as much as my head
43 hurts right now, I can imagine how yours has felt for
44 the last two months trying to figure out how to remedy
45 these proposals and you did a good job of it.
46
47 Other than that, I have no comment, and
48 I move that we adjourn.
49
50 CHAIRMAN LOHSE: Do I hear a second.

1 MR. LAMB: Second.
2
3 CHAIRMAN LOHSE: It's been moved and
4 seconded that we adjourn. Motion carries.
5
6 MR. CARPENTER: Oh, I forgot to make my
7 motion Doug.
8
9 CHAIRMAN LOHSE: What was it.
10
11 MR. CARPENTER: Who wants a Kenai RAC.
12
13 (Laughter)
14
15 (Off record)
16
17 (END OF PROCEEDINGS)

