

SOUTHCENTRAL FEDERAL SUBSISTENCE REGIONAL ADVISORY COUNCIL  
PUBLIC MEETING

Egan Convention Center  
Anchorage, Alaska

September 30, 1998

Volume II

BOARD MEMBERS PRESENT:

GILBERT DEMENTI  
DONALD KOMPKOFF, SR.  
BENJAMIN E. ROMIG  
ROY S. EWAN  
CLARE SWAN  
FRED JOHN, JR.  
RALPH LOHSE

Coordinator: Helga Eakon

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

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(On record)

CHAIRMAN LOHSE: We'll call this meeting of the Southcentral Alaska Subsistence Regional Advisory Council back in session. I'm told that we do have a quorum. And so we'll go on where we left off last night.

We're on Item D on our agenda. I'd first like to mention that we have blue sign-up sheets in the back and anybody who wishes to testify at any time during the meeting can sign up on one of these little sheets and if you have to leave early or anything like that just let us know so we make sure you have a chance to say something.

We are on Item D, an update on the Board of Game Committee planning on ATVs. We had a short discussion on it yesterday, but not very much. If you'd turn to Tab H in your book you'll find out what's going on on there. There is a need -- since we've shown an interest in ATVs, there's a need for a member of the Council to attend the meeting of the committee that's meeting on it as an observe in, I think it's in December, isn't it?

MS. EAKON: Yes, Mr. Chair. December 5 and 6, 1998.

CHAIRMAN LOHSE: December 5 and 6. We had it in our annual report that was a concern of the Regional Council. And we basically have the letters in here from the task force that's been created by the Board of Fish. I really don't know if there's much that we can do other than other than appoint somebody or take a volunteer to attend that meeting on the 5th and 6th of December. That meeting will be held where?

MS. EAKON: That's what I was looking for. Does anyone from Fish and Game know where this subcommittee meeting is going to meet? I looked through the packet and there's no indication of where, but we can find out pass this information on to whomever volunteers to come in and sit in at the meeting.

CHAIRMAN LOHSE: Do we have anybody that's got a real interest in attending that meeting on ATVs?

MR. DEMENTI: I would (ph).

CHAIRMAN LOHSE: Gilbert, you'd like to?

MR. DEMENTI: For now.

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1 CHAIRMAN LOHSE: For now. Okay. That'd be December  
2 5th and 6th. It'll probably be held, I'd say, in Anchorage or  
3 Glennallen is what I would guess, but.....

4  
5 MS. EAKON: Since the interest in this is generated in  
6 Unit 13 I would surmise so, but I will find out and let you  
7 know, Gilbert. Thank you.

8  
9 CHAIRMAN LOHSE: Okay. Is there any other comments  
10 that anybody wants to make based on the information we that  
11 have in our packet?

12  
13 The only comment that I've got is I see there's a wide  
14 variety of comments by the committee on it from one end of the  
15 scale to the other, so I think it's going to be pretty  
16 controversial thing to work on. We would just be going as an  
17 observer, right, not as a participant?

18  
19 MS. EAKON: Not as a participant. As an observer so  
20 that you could report back to the Regional Council at the next  
21 meeting what happened, okay?

22  
23 CHAIRMAN LOHSE: Okay. Does anybody else have any wish  
24 to spend any time on this ATV thing at this point in time?  
25 Shall we go on? Okay. Any comments from any of our  
26 participants out there? Okay.

27  
28 The next thing we have, we went through the Denali  
29 National Park Kantishna closure. We went through the two  
30 letters there. We're on the need for predator control, which  
31 was also something that was mentioned in our concerns. And  
32 we're particular -- if I remember right, were particularly  
33 interested in predator control on the Mentasta Caribou Herd  
34 which is declining. If we go back to Tab H we can see if  
35 there's anything in there. I don't remember anything in  
36 particular on predator control other than the comment that we  
37 can't have it.

38  
39 MS. EAKON: In the Board response immediately after Tab  
40 H on page 3 of the Board response, the Board said, the Board  
41 will take no action on this topic because the National Park  
42 Service and other Federal agencies have specific policies which  
43 prevent predator control programs. More complete information  
44 on park policies was provided to you last year in  
45 correspondence dated February 13, 1997 from the Park Service  
46 Regional Director, Robert Barbee, a copy of this letter is  
47 enclosed. Unfortunately, it was not enclosed. You do have a  
48 copy right before you by your books. The Park Service letter,  
49 and there are extra copies for the public on the witness table  
50 up there. Actually the letter is dated February 7, 1997, and

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1 Mr. Barbee provided language from ANILCA, the Senate Report on  
2 ANILCA. It is contrary to Park Service concept to manipulate  
3 habitat or populations ot achieve maximum utilization of  
4 natural resources and so forth. And he did attach an  
5 attachment. Did anyone from Park Service want to speak to this  
6 or is this sufficient, Mr. Chair?

7

8 CHAIRMAN LOHSE: I think this is sufficient.

9

10 MS. EAKON: Okay.

11

12 CHAIRMAN LOHSE: We've mentioned it twice and basically  
13 this is the same response that we've got. I think we  
14 understand that it's against Park Service policy, but that  
15 doesn't mitigate the fact that we feel that it's a problem and  
16 that we keep mentioning it as a problem especially in relation  
17 to the Mentasta Herd. Does anybody on the Board wish further  
18 information on this or.....

19

20 So if that being the case, Helga, we'll take the  
21 response and we recognize that that's what the policy is, but  
22 we still consider it a concern.

23

24 MS. EAKON: Okay. That's fine. And there is a second  
25 letter, just to refresh your memory, a letter from the Forest  
26 Service saying that they manage only a very small amount of  
27 land in that particular area. This was just to refresh your  
28 memory, okay.

29

30 CHAIRMAN LOHSE: It's right here. Okay. Those are  
31 both parts of last year's annual report. For the Board we're  
32 going to have to have an annual report, some comments on things  
33 we'd like to put in the annual report this year. We'll take  
34 that up towards the end of the meeting. You can put that down  
35 right in front of any other new business, so we'll see what we  
36 come up with there.

37

38 Okay. At this point in time we have an update on  
39 research possibilities by Rachel Mason. And it deals with the  
40 cooperative agreement, I believe, in Seldovia.

41

42 MS. MASON: It's Nilnilchik, Homer rural area and  
43 Seldovia.

44

45 CHAIRMAN LOHSE: Oh, okay.

46

47 MS. MASON: Now, I'm happy to say that this has moved  
48 beyond the point of research possibilities in to actual  
49 implementation of the project. Is my mic on? Okay. All  
50 right. Okay.

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1 For years most of you have been hearing about this  
2 research possibility. And it was initiated because of the need  
3 for more information on some parts of the Kenai Peninsula area,  
4 particularly Nilnilchik where when we were working on the  
5 regional c&t for the Kenai Peninsula it became quite apparent  
6 that there was no new harvest survey information since 1982.  
7 And also the Homer rural area has been kind of a mystery zone,  
8 nobody has known very much about it. And the Council  
9 recognized that there was a need for more information on that.  
10 And when we discussed the possibilities of the research with  
11 this Council and also with the Nilnilchik Traditional Council  
12 we were told of the need also for oral history information,  
13 that there was not only a need for harvest survey data but also  
14 to fill in some of the gaps of not knowing about periods that  
15 were not included in harvest survey data that would be included  
16 in the memories of living people. So Helga and I went and  
17 talked with the Elders Conference in Nilnilchik and we reported  
18 on that at that last meeting.

19  
20 And since then we've also started talking with Seldovia  
21 about gathering oral history data there. And in that community  
22 the need for harvest survey data is not as intense as in the  
23 Homer rural area or Nilnilchik because the Division of  
24 Subsistence has conducted harvest surveys in Seldovia in 1990,  
25 '91, '92 and '93, but again, we did, Helga and I traveled to  
26 Seldovia on August 24th and we talked with Lillian Elvsaaas  
27 who's here in the audience today. And we also met with some of  
28 the Elders in Seldovia at their senior lunch and we are hoping  
29 to get that project started in the form of a cooperative  
30 agreement later this fall.

31  
32 Also in terms of starting on the work with ADF&G, the  
33 Division of Subsistence has agreed to work on harvest surveys  
34 in Nilnilchik and the Homer rural area. At this point they're  
35 only -- I forget what it's called, but it's like an initial  
36 phase of it. They're working on setting up the project. And  
37 I went down to Soldotna with Vicki Vanek of ADF&G also in  
38 August to get some plat maps, just to get things under way for  
39 conducting the harvest survey research in Nilnilchik and Homer  
40 rural area. So not only did we go to Soldotna and hang around  
41 at the Borough getting plat maps, but we actually explored in  
42 those two areas. In fact, we had some real adventures around  
43 Nilnilchik because we happened to be there on the first day of  
44 moose season, too. And so we're hoping that that data will be  
45 gathered probably in early 1999. I'll be happy to answer any  
46 questions that people have about what we've done so far.

47  
48 CHAIRMAN LOHSE: Any questions from the Board? Does  
49 anybody else have any questions they'd like to ask Rachel on  
50 that. Lillian, glad that you're here. And thank you for

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1 working with Rachel, and looking forward to seeing some of the  
2 information that comes out of this. Okay. If there are no  
3 further questions for Rachel on that we'll go on.

4  
5 At this point in time we have some people I'd like to  
6 call up to speak, which would be Robert Fulton and James  
7 Showalter. Is it Showalter or Showalten?

8  
9 MR. SHOWALTER: Showalter.

10  
11 CHAIRMAN LOHSE: Showalter. You can come up together  
12 if you wish and present what you'd like to present to us.

13  
14 MR. FULTON: I'm Robert Fulton with the Kenaitze Tribe.  
15 And I'd like to just make a few statements here. We've been  
16 involved in subsistence ever since I've been on the Council.  
17 We took it to the Ninth Circuit Court of Appeals and won our  
18 case and the Supreme Court refused to see it. They said give  
19 us what we wanted. And we've been fighting for rural and urban  
20 and we're hung up on that right now. Like Kenaitze can't  
21 harvest on subsistence because of the classification. Thirty  
22 miles down the road is rural, yet we're classed as urban. And  
23 in Glennallen we testified there and asked that they class the  
24 whole Kenai Peninsula as rural, and presented a pretty good  
25 case. Carol Daniel testified. And I understand put a  
26 resolution on the floor today here that all of the Kenai  
27 Peninsula be classed as rural. And what I ask this Council is  
28 that they move forward with that rather than -- they tabled it  
29 at that Glennallen meeting and when I asked that they  
30 reconsider that and go forward with it instead of waiting till  
31 2000 or 2003. We had that ruling in 1989. And here it is 10  
32 years later and we're still fighting this same issue. And so  
33 I'd beg this Council to move forward with that rather than to  
34 table it or defer it for another year or two, to reconsider it  
35 and put that on the floor and act on that recommendation that  
36 the whole Kenai Peninsula be classed as rural.

37  
38 I don't see how they can class one city as urban and go  
39 down 30 miles and class it as rural. And it would help to have  
40 one classification for the whole Peninsula. And that's all I  
41 ask this Council to do. Thank you.

42  
43 CHAIRMAN LOHSE: Does anybody have any questions?

44  
45 MR. SHOWALTER: Good morning. My name is James  
46 Showalter. I'm a Kenaitze Tribal member. And on what I'd like  
47 to speak on the rural on the Kenai Peninsula, I would like to  
48 see the Board push ahead for the Kenai Peninsula a rural  
49 designation due to the fact that on the usage of the game right  
50 now it looks like there's an even flow of moose and animals

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1 down there for subsistence usage, which would be good for our  
2 tribe. And whereas in the past we've had that before the Fish  
3 and Game rulings arrived we've done a -- like in the past, I  
4 say, done subsistence, but since then a ruling has been imposed  
5 upon us. And now we're trying to get our rural designation  
6 back and our subsistence use on fish and game.

7  
8 I believe on this ANCSA designation there's a  
9 clarification to be made the way I understand, and I urge the  
10 Board proceed whatever they can do and necessary to help us on  
11 the Peninsula get our rural designation.

12  
13 CHAIRMAN LOHSE: James, now from what I understand,  
14 right, you want the whole Kenai to be classed as a rural  
15 community basically, as a rural area. Do you recognize that  
16 the whole Kenai has a different characteristic than Anchorage  
17 or Fairbanks. And so everyone living on the Kenai will be  
18 rural then?

19  
20 MR. SHOWALTER: Well, right now I was looking at --  
21 yes, that would be fine, but also I was looking at the ANCSA  
22 definition of rural.....

23  
24 CHAIRMAN LOHSE: Uh-hum.

25  
26 MR. SHOWALTER: .....for the Peninsula for -- under the  
27 Alaska Native Claims Settlement, so probably pursuing one or  
28 both I guess there'd have to be guidelines within the second  
29 choice other than ANCSA.

30  
31 CHAIRMAN LOHSE: Does anybody else have a question for  
32 James? Thank you. Okay. Let's go to Tab J is where there at.

33  
34 MS. SACALOFF: May I give testimony?

35  
36 CHAIRMAN LOHSE: Yes, please.

37  
38 MS. SACALOFF: I'm Cora Sacaloff, I'm a tribal member  
39 of the Kenaitze Indian Tribe. And going back to this rural and  
40 urban issue that has been ongoing. Back in the '70s I helped  
41 my uncle and my mother, Peter Kalafornsky and Caudsee (ph)  
42 Sacaloff start this subsistence battle which as it turned out  
43 to be. And it's ongoing today and it was important to them, so  
44 continues to be important to me. And the lifestyle still takes  
45 place. And once you get off the main road you're in a rural  
46 area in Kenai and Nikiski and Bonny River Road of Kasilof or K-  
47 Beach, wherever you may be you are in a rural area. And you  
48 still find people, tribal members and non-tribal members that  
49 practice a subsistence lifestyle, the hunting, gathering and  
50 the fishing. And I will just hope that the Board does not

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1 table this matter and that it continues to -- that it be  
2 discussed and decided upon. And I thank you for your time.

3  
4 CHAIRMAN LOHSE: Thank you.

5  
6 MR. PETERSON: Yes, my name is Ron Peterson and I'm the  
7 Tribal Chair for the Kenaitze Indian Tribe. I've been thinking  
8 about this issue, it's very important to our people. It's a  
9 traditional way of life that's been taken away that our people  
10 can no longer participate in. And due to a lot of this, a lot  
11 of our children today are in trouble because they don't have  
12 those traditional values to live by anymore. And we feel that,  
13 you know, if the Kenaitze Tribe gets its -- that the rural  
14 statue for the whole Kenai Peninsula, and we're not just saying  
15 just for our own people, it's for everybody that lives there  
16 because everybody is in a rural community.

17  
18 You know, when this Board made it's original non-rural  
19 classification they combined the communities of -- seven  
20 different communities and combined their entire population as  
21 to be in one community. And I think the Board was wrong when  
22 they did that because each community has its own lifestyle, its  
23 own government. And we feel that we would really like to see  
24 that this Board continues its efforts -- or the request of the  
25 Kenaitze Indian Tribe to really follow through on this issue.  
26 It's really important, not just to us but to everybody that  
27 lives on the Kenai Peninsula.

28  
29 And I think one of the things, too, that's really going  
30 to be -- I'm sure it's going to be difficult because one of the  
31 big things down there is the Kenai River with the sports  
32 fishermen. You know, it's a world class river for King Salmon  
33 and everything. And I think that the sports fishermen have a  
34 lot of influence on how Kenai is designated, but we really hope  
35 that you will really take a real close look at this and your  
36 prior recommendations that this Board had made years ago of  
37 declaring it as non-rural and look at how it was classified.

38  
39 A study was done in regards to different areas like  
40 Ketchikan, Sitka, Kodiak, Fairbanks and Anchorage and some of  
41 the places that do have rural status are equal in its own  
42 classification to what Kenai is. So we'd really appreciate it  
43 if you would really take a serious look at this issue instead  
44 of tabling it for however long.

45  
46 CHAIRMAN LOHSE: Ron, you understand, we can't make any  
47 decision on that.....

48  
49 MR. PETERSON: Right.

50

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1 CHAIRMAN LOHSE: We're just a Council that gives our  
2 opinion to somebody else that makes decisions.

3  
4 MR. PETERSON: Right. Well, that's why I say we're  
5 hoping that it, you know, goes beyond.....

6  
7 CHAIRMAN LOHSE: Right. This Board didn't decide  
8 whether that it was rural or urban.

9  
10 MR. PETERSON: Well, I'm sorry. But anyway, I was  
11 just hoping that -- you know.....

12  
13 CHAIRMAN LOHSE: Right.

14  
15 MR. PETERSON: .....that, you know, you'd carry these  
16 recommendations on.

17  
18 CHAIRMAN LOHSE: I know what you're talking about. But  
19 I just want you to understand that, you know, we can't make a  
20 decision one way or the other on whether it's urban or rural.  
21 We can decide whether we think it's urban or rural, but that's  
22 not a binding decision.

23  
24 MR. PETERSON: Okay.

25  
26 CHAIRMAN LOHSE: But I appreciate your thoughts on that  
27 and I appreciate what you guys are trying to do.

28  
29 MR. PETERSON: Thank you.

30  
31 CHAIRMAN LOHSE: Do we have another person to testify?  
32 Carol, do you want to testify now and then we can go on from  
33 there. Okay. Why don't you let Tom testify -- or not  
34 testify, but explain what the Board has done on it and then you  
35 can bring yours. That would work much better so that we all  
36 get caught up to where we're at at this point in time.

37  
38 MR. BOYD: When the Southcentral Council met last  
39 winter you were asked similar to what probably you're being  
40 asked today to consider a request from the residents of Kenai,  
41 the Kenaitze Tribe, to find that the entire Kenai Peninsula is  
42 rural. That request then was forwarded by letter to the  
43 Federal Subsistence Board. And as staff we were grappling with  
44 procedurally how to handle this, so we at a special work  
45 session called by the Board on August the 8th posed the  
46 question to the Federal Subsistence Board basically requesting  
47 guidance on how to deal with this request.

48  
49 Going back to our Federal regulations, rural  
50 determinations are made -- were made early in the program, I

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1 can't remember the date, but 1990, 1991 time frame. One of the  
2 first set of major decisions made by the Federal Subsistence  
3 Board across the state. And then by regulation would revisit  
4 those determinations every 10 years following the decennial  
5 census, U.S. Census, to determine if areas had changed somewhat  
6 in their demography to cause a change in the classification of  
7 rural and non-rural. So that was sort of the principle that  
8 was laid out on the regulations. However, the regulations also  
9 set up that special circumstances warrant the Board could  
10 revisit a rural determination before that time.

11  
12 So we had not dealt with a similar request for a change  
13 in rural determination since the Board made its decision early  
14 in the program. So essentially the staff after receiving this  
15 request was seeking, you know, counsel and guidance from the  
16 Board on how they wanted to proceed on this matter. We did  
17 have -- I misspoke, we did have a similar request in '95 from  
18 this Council to make the entire Kenai Peninsula. And at that  
19 time the Board essentially said there wasn't enough public  
20 involvement. We had just gone through a fairly extensive  
21 public involvement process dealing with the specific question  
22 of customary and traditional use determinations surrounding the  
23 harvest of moose on the Kenai Peninsula. During that set of  
24 hearings a number of testifiers spoke to a variety of issues,  
25 but they spoke directly to the concern about the way  
26 determinations were made, and I think that's what sparked the  
27 Council to take this up in '95.

28  
29 What you were hearing at that time and what we also  
30 were hearing was that we're all the same down here. What  
31 wasn't clear was what they meant by that, we're all the same  
32 one way or the other. I mean it wasn't clear. Some testifiers  
33 indicated that we are not subsistence users down here. Others  
34 testified that they were. So it really wasn't clear from this  
35 set of testimony whether they were addressing the rural  
36 question that they all wanted to be rural or non-rural. But  
37 what they were specifically testifying to was the question  
38 about customary and traditional use determinations.

39  
40 In dealing with this issue in '95 the Board essentially  
41 said we don't have enough information concerning public  
42 involvement on this particular question, and essentially  
43 directed the Council to go back and collect that.  
44 Subsequently, the Council essentially tabled the issue. It  
45 came back up obviously last winter when the Council was  
46 petitioned again. And that brings us back to where we are.  
47 The Board met in work session on August the 8th to deliberate  
48 the procedural options for dealing with the Council  
49 recommendation to find the entire Kenai Peninsula rural. And  
50 the Board has -- you can note under Tab J in the letter back to

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1 the Southcentral Council, the Chair, Mr. Roy Ewan. And I'll  
2 just summarize quickly that the Board decided not to entertain  
3 the recommendation, again, citing lack of public involvement.  
4 of such an important issue, which was a similar reaction to  
5 your '95 request. The Board was not convinced by the  
6 information provided that there were special circumstances  
7 warranting a review of the Kenai rural determinations at this  
8 time. And also indicated that the Board would be revisiting  
9 the rural determinations when the year 2000 census information  
10 is available. So that's essentially an overview of where the  
11 Board is right now. And they essentially put it back to you to  
12 determine how you want to handle this.

13  
14 Do you want to go back and entertain additional public  
15 involvement which is a responsibility laid out in ANILCA for  
16 the Council as a forum for, you know, public input. Or do you  
17 -- or what do you want to do with this issue? And I think the  
18 Board is communicating to you that, first of all, they don't  
19 see anything put before them that would warrant handling of  
20 this issue outside the normal process as a special  
21 circumstance. I don't think they made a finding that there was  
22 not necessarily a special circumstance, but they didn't see it  
23 in the information in front of them.

24  
25 CHAIRMAN LOHSE: Tom, then if I understand right, then  
26 we have to give them more than a recommendation. In other  
27 words, basically if I remember right, this Council recommended  
28 that they find the Kenai -- from the information that we'd  
29 gathered we'd found the Kenai to be rural. They said we didn't  
30 give them enough information. We need to go through a  
31 different process if we want to find it rural and present that  
32 whole process to them. Am I correct in.....

33  
34 MR. BOYD: Well, let me try to rephrase that a bit. I  
35 think where the Board is, is they're not compelled to take up  
36 this action at this time if they don't see any special  
37 circumstance that would warrant them entertaining this request  
38 at this time. Instead, you know, until they see that they will  
39 take it up on schedule after the year 2000 census, but they're  
40 not compelled to deal with the issue at this time.

41  
42 CHAIRMAN LOHSE: Now, by special circumstance, in other  
43 words, what you're saying is unless we can show special  
44 circumstance they will take that up in the normal cycle and not  
45 out of cycle?

46  
47 MR. BOYD: That's correct.

48  
49 CHAIRMAN LOHSE: What would it take to have them  
50 consider it a special circumstance? I mean.....

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1 MR. BOYD: That's a good question, Ralph.

2

3 CHAIRMAN LOHSE: I mean if we go into a series of  
4 hearings and everything else we won't have the information from  
5 that till the year 2000 either for all practical purposes. So  
6 I mean how do you -- you know, other than a court order what do  
7 they consider a special circumstance?

8

9 MR. BOYD: I anticipated you would ask the question,  
10 Mr. Chair. And honestly, the regulations don't define special  
11 circumstance. So my answer would be speculation and I want to  
12 make that clear. I think the Board, you know, I would -- I  
13 would assert that rural determinations themselves sort of  
14 create the baseline that we're operating from, the pool of  
15 eligible subsistence users, if you will, across the state.

16

17 CHAIRMAN LOHSE: Uh-hum.

18

19 MR. BOYD: And that the regulations are structured so  
20 that this is not a fluctuating thing, that this thing, you  
21 know, it's not an easy test to pass and we don't have a lot of  
22 changes in that pool of users over time. And that when these  
23 determinations are made there should be some stability over a  
24 long period unless something happens out, you know, in a given  
25 community that might change its character. And so that's what  
26 I would think that this special circumstance points to.

27

28 And an example of that, I think, happened in the last  
29 few years where the community of Adak out on Adak Island was  
30 found to be non-rural back when the Board made these  
31 determinations. But since that time the population of Adak has  
32 -- you know, with the closure of the naval base there, has  
33 dwindled significantly. Now, that question hasn't been  
34 revisited by the Board with regard to Adak, but that's an  
35 example of what I would consider a special circumstance, a  
36 dramatic shift in the population or other demographic  
37 characteristics of a community.

38

39 Now, the Board dealt with the same set of data for the  
40 Kenai that they would deal with today if they were going to  
41 deal with that question so they're not revisiting the same set  
42 of information if they would revisit this question today. So I  
43 think that's probably -- you know, that's my interpretation of  
44 what would qualify as a special circumstance, if there were to  
45 be a dramatic shift in the demographics of a given community,  
46 to change its character from non-rural to rural or vice versa.

47

48

49 CHAIRMAN LOHSE: So then basically lacking that what it  
50 would take would be when it comes up on cycle and it's open for

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1 visitation at that point in time you'd want to present data to  
2 back up either rural or non-rural. I mean when they open it  
3 back up is it open back up from the get-go or do they just look  
4 at a bunch of numbers and sign it off?

5  
6 MR. BOYD: Well, we will go through a process where the  
7 staff will re-evaluate based on the year 200 census  
8 information, we'll re-evaluate all the communities and present  
9 a recommendation to the Board. It will -- you know, I don't  
10 know the exact steps it will go through, but it will certainly  
11 be published and public involvement will be invited, and I'm  
12 sure we will be addressing each of the Councils with regard to  
13 these issues. So there will be a fairly lengthy public  
14 involvement process leading to, again, a Board decision on  
15 revisiting these decisions every 10 years.

16  
17 CHAIRMAN LOHSE: So basically what you're saying,  
18 correct me if I'm wrong, I may be off base, but the fact that,  
19 you know, as a Council we felt that it was rural that's not a  
20 special enough circumstance to cause them to revisit it. It  
21 really needs to be something like a dramatic change in  
22 economics or demographics or something on that order.

23  
24 MR. BOYD: Well, again, I'll be clear that the  
25 regulations don't specify what a special circumstance is. I'm  
26 giving you my personal insight as to what I think it is. So I  
27 don't want to mislead you with that statement, but I'm trying  
28 to give you enough to work with.

29  
30 CHAIRMAN LOHSE: Any other members of the Board got  
31 questions for Tom?

32  
33 MS. SWAN: Did the Board -- you don't have -- you use  
34 the expression and the phrase special circumstance but you  
35 don't have a definition, I mean as regards what are you talking  
36 about, what makes something rural or that would warrant  
37 subsistence, whether or not it was rural. I think -- do you  
38 have -- you know, the whole thing is we'd like to do  
39 subsistence. One of the things is that the Kenai Peninsula is  
40 urban, okay. It doesn't have a rural flavor. It doesn't --  
41 you have all these little shades of everything, so -- but you  
42 say there's not enough special circumstances. So if there's  
43 not -- but you don't have a definition for special  
44 circumstances. You don't know what that would be, but you do  
45 know that 10 years from now or whenever, 2000, you do this  
46 demographic thing again and you'll say okay, all right. So I  
47 guess why I want to say is what's so special about that? I  
48 mean in other words, what will change, what will change between  
49 now and two years from now. Did you guys discuss that or did  
50 you discuss -- did the Board talk about how since they're the

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1 Federal Subsistence Board and we need to work out these  
2 problems about, did anyone discuss in the absence of maybe we  
3 would be called non-urban, we would continue -- is there any  
4 other -- do you guys have any suggestions about what we could  
5 do?

6  
7 I mean it's -- I just -- we have all these five -- we  
8 have the five criteria. Certainly we -- the Kenaitze Tribe and  
9 those people who use subsistence, who are subsistence users,  
10 meet these criteria. I don't know how hard you have to do  
11 that, but there's urban -- or there's rural for all these other  
12 circumstances. You can be rural for something and rural for  
13 school funding and rural for house loans and rural for this and  
14 rural for that But you have to -- you know, what about urban  
15 protections, try that one. I mean as an example, the Kenaitze  
16 Tribe was there first. Everybody grew up around us and all of  
17 a sudden the road to grandma's house over the river and through  
18 the woods got paved over. Well then, now, we're at this place  
19 and I just have a sense that somebody is running out of labels,  
20 you know, first we're urban, then we're not, and then somebody  
21 will think of something else. So I just -- was there any --  
22 there's no wedge, there's no other door we can go in, there's  
23 no -- since there's no such thing as a special circumstance,  
24 what happens to the protection of the people? There's a whole  
25 other class of people and we're treading very carefully, you  
26 know, we talk about numbers for subsistence, how many fish do  
27 we take. That seems to be meaningless. All the other things  
28 don't -- I'm really having a hard time understanding this.

29  
30 CHAIRMAN LOHSE: Tom, can I just ask you a question  
31 that I think might clarify something for Clare. It's you don't  
32 make the decision as to whether it's a special circumstance and  
33 we don't make the decision as to whether it's a special  
34 circumstance. The Board makes that decision, don't they? And  
35 otherwise the Board is set up so that they revisit everything  
36 on this schedule and that's why they will revisit it again is  
37 because the schedule comes up, not because they made a decision  
38 to revisit it, but because.....

39  
40 MS. SWAN: No, Mr. Chairman, I understand that.....

41  
42 CHAIRMAN LOHSE: Okay.

43  
44 MS. SWAN: .....but it doesn't seem to be working  
45 because I just am wondering out loud what in the world is going  
46 to happen. What other things? I mean we -- you know,  
47 everybody here knows we've been -- we go to all these meetings  
48 in every place, we fight these battles, we -- all the other  
49 places besides this Council, and we say the same things to each  
50 other. And you stop and think, well, what in the world is

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1 going to happen next year or two years from now. What  
2 conceivably can happen to make a change, you know, and what  
3 would be a special circumstance. And Tom just said that it  
4 wasn't defined, that there's not a definition of that, that the  
5 Board -- you asked him what we could do. It wasn't special  
6 enough. And I'm just trying to find is this the only thing we  
7 have to go on or is there -- did they discuss anything else,  
8 just trying to get an idea.

9  
10 CHAIRMAN LOHSE: Tom.

11  
12 MR. BOYD: I'm struggling to answer that question. I  
13 want to be clear. Let me revisit the issue of special  
14 circumstance because the ideas -- the question is, is there a  
15 special circumstance that would warrant the Board to revisit  
16 its previous decision about whether or not the entire Kenai  
17 Peninsula is rural or non-rural. And the Board found at least  
18 to date that they're not seeing that there was a special  
19 circumstance presented to them that would cause them to revisit  
20 this decision. When I say revisit I mean that they would take  
21 a new look and re-evaluate their previous assessment of whether  
22 or not these communities are rural or non-rural. I haven't  
23 crossed threshold to basically bring that decision back in  
24 front of them to question it.

25  
26 Instead, they chose to follow the path that they set  
27 out in regulation to revisit this decision at the year 2000  
28 census. I think I can understand the frustration that this  
29 causes people, particularly the people that favor this  
30 particular action, but I don't have a better answer for you.  
31 And I'm not sure I'm addressing the question.

32  
33 CHAIRMAN LOHSE: I think you are. Your answer is  
34 something for me anyhow. So the special circumstance is what's  
35 needed to get them to revisit it out of cycle.

36  
37 MR. BOYD: Right. Exactly.

38  
39 CHAIRMAN LOHSE: Now, if we can't get the special  
40 circumstance to revisit it out of cycle what can we do to  
41 present the proper material in cycle?

42  
43 MR. BOYD: That will be done automatically. We will  
44 revisit the entire state decisions with regard to rural  
45 following the year 2000 census. That will be done  
46 automatically. That's the way the regulations are set up if I  
47 understand your question.

48  
49 CHAIRMAN LOHSE: Well, my question is, okay, if we as  
50 Council feel that this is an issue that says the Kenai is rural

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1 where they found it as non-rural, what do we do as a Council to  
2 contribute in that -- when they revisit it in cycle what do we  
3 do as a Council to give them information to help them make  
4 their decision in the direction that we found it, or is there  
5 anything special that we should do in that way, or will our --  
6 will the Council's advice be taken at that time, will there be  
7 -- will they do surveys and everything at that time? Will they  
8 consider any other information other than demographics at that  
9 time?

10  
11 MR. BOYD: Well, I think clearly, yes, the Board will  
12 consider other information other than the data collected in the  
13 2000 census if that's what you're asking. I mean.....

14  
15 CHAIRMAN LOHSE: That's what I'm asking, Tom.

16  
17 MR. BOYD: .....whether or not the Board will take the  
18 Council's recommendation or advice is another question. I  
19 can't answer that.

20  
21 CHAIRMAN LOHSE: No, I realize that.....

22  
23 MR. BOYD: But certainly the Board will consider any  
24 and all information that's presented to them.

25  
26 CHAIRMAN LOHSE: Okay. Sandy has got his hand up back  
27 there. Maybe he's got something to add to that.

28  
29 MR. RABINOWITCH: I'm Sandy Rabinowitch for the  
30 National Park Service and on the staff committee of the Federal  
31 Board. In response to your question there's another thought  
32 I'd like to offer, just a little bit different kind of  
33 direction. And that is that as you well know, the Federal  
34 Board has regulations on how rural determination process is  
35 done. It's Section 15 of the Board regulations. One thing you  
36 could do now or in the future is look at those regulations.  
37 It's only about a page,.....

38  
39 CHAIRMAN LOHSE: Uh-hum.

40  
41 MR. RABINOWITCH: .....which are effectively the  
42 criteria or the yardstick and look those over very carefully  
43 and if you have comments about the appropriateness of those you  
44 could offer your comments. Maybe you think they're the right  
45 yardstick, maybe you think they're the wrong yardstick. So  
46 that's another avenue to look at. So if the yardstick is the  
47 wrong one offer, you know, constructive comments on how they  
48 might be changed.

49  
50 CHAIRMAN LOHSE: And this could be done by anybody,

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1 public or the Board or the Kenaitze Tribe even for that matter,  
2 who disagrees with the yardstick, your way of putting it, the  
3 way the regulations are written to determine rural.

4  
5 MR. RABINOWITCH: Correct.

6  
7 CHAIRMAN LOHSE: And that could be done prior to the  
8 next cycle of determinations as to rural and urban.

9  
10 MR. RABINOWITCH: Correct. I would add that, you know,  
11 changing the Board regulations is not an easy matter and these,  
12 ultimately, take signature from the Secretary to change them.  
13 So it's a pretty high, you know, thing to jump over but it  
14 certainly can be done. You know, but, fundamentally, the  
15 criteria, if it's a good criteria, great, but if it's the wrong  
16 criteria then maybe that's -- you know, then maybe that's  
17 penalizing the Kenai Peninsula. I'm not saying that it is or  
18 isn't, but you can look at that and offer your thoughts. But I  
19 believe it's out there in terms of possibilities.

20  
21 CHAIRMAN LOHSE: Does the Board get what he was saying  
22 right there that the possibility is, you know, to go from that  
23 avenue, maybe not as a Council but as individuals as people who  
24 disagree with it or even as a Council. Maybe we could put that  
25 on our agenda prior to revisitation and look at the regulations  
26 and, you know, review them and see how appropriate we think  
27 they are. And offer comments. We could do that. We could  
28 offer comment to the Board on that, couldn't we? Okay.

29  
30 MS. EAKON: The appropriate regulation is in your  
31 notebook under Tab H after Mitch Demientieff's letter. Section  
32 15, Rural Determination Process.

33  
34 CHAIRMAN LOHSE: Okay.

35  
36 UNIDENTIFIED VOICE: Tab H or J?

37  
38 MS. EAKON: Tab J.

39  
40 CHAIRMAN LOHSE: Tab J.

41  
42 MS. EAKON: I'm sorry.

43  
44 CHAIRMAN LOHSE: Okay. Tom, do you have any thing  
45 further you'd like to share with us? Thank you for your  
46 clarification. It doesn't really tell us what we should do,  
47 but it tells us where we're at anyhow.

48  
49 MR. BOYD: Well, I think the Board in its letter back  
50 to the Council said if you want to us to seriously take this up

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1 you've got to do two things. You've got to get more public  
2 involvement and you've got to convince us that we should take  
3 this up now, that there's a special circumstance warranting  
4 that we take this up now instead of at the year 2000 census.  
5 So if I had to boil it down to what the Board was trying to  
6 communicate back to you that's it.

7  
8 CHAIRMAN LOHSE: And how soon after the year 2000  
9 census will it be taken up? I mean that's -- the year 2000  
10 census takes a while to assimilate the information from it.

11  
12 MR. BOYD: I don't have a good answer for you. As soon  
13 as possible.

14  
15 CHAIRMAN LOHSE: It's not like it takes place in the  
16 year 2000.

17  
18 MR. BOYD: You know, we haven't gone through this  
19 before so I'm not going to speculate as to how long that  
20 process is going to take. But it will take, you know, a pretty  
21 good while when you consider the public involvement portion of  
22 it.

23  
24 CHAIRMAN LOHSE: Yeah.

25  
26 MR. BOYD: I mean it's a laborious, tedious process. I  
27 don't know how long after the census that the data will be  
28 available to us. As soon as we have it we will begin a process  
29 and we will have to fit it around the Regional Advisory Council  
30 regularly scheduled meetings, so all of that has to come into  
31 consideration. And we haven't gone through it before so I  
32 can't speculate here as to how long that would take.

33  
34 CHAIRMAN LOHSE: Okay. Thank you.

35  
36 MR. JOHN: My question is if we find a special  
37 circumstances which doesn't have any definition could we do  
38 this by holding meetings in Kenai and then have one could be  
39 done before the 2000 people count or whatever you call it,  
40 census?

41  
42 MR. BOYD: The short answer is yes. If you choose to  
43 conduct additional public hearings as a Council to get public  
44 input on this question we would support you. That's what the  
45 Board is telling you, that they feel like that's your  
46 responsibility and, you know, I'm leading into it then that  
47 they would give you the green light and we would support you in  
48 that.

49  
50 CHAIRMAN LOHSE: Okay. Fred asked the question that I

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1 was wondering. If we have the meetings and we get the  
2 information, they're not required -- even after we have that  
3 information, they're not required to find special  
4 circumstances, but they basically told us that that's one  
5 direction we could go.

6  
7 MR. BOYD: That's correct.

8  
9 CHAIRMAN LOHSE: Okay. Thank you, Tom. They could  
10 also deny it even after we had the information, the special  
11 circumstances?

12  
13 MR. BOYD: They could find that there aren't special  
14 circumstances to warrant them to review the issue, that's  
15 correct.

16  
17 CHAIRMAN LOHSE: Yeah.

18  
19 MR. BOYD: Or they could find that there are.

20  
21 CHAIRMAN LOHSE: Yeah.

22  
23 MR. BOYD: It depends on the information.

24  
25 CHAIRMAN LOHSE: It depends on the information.

26  
27 MS. SWAN: But there's not a definition of special  
28 circumstances?

29  
30 MR. BOYD: There is not. They have not defined.....

31  
32 MS. SWAN: Not written.....

33  
34 MR. BOYD: .....what that means in regulation. That's  
35 right.

36  
37 MS. SWAN: Okay.

38  
39 CHAIRMAN LOHSE: Which is both good and bad. Thank  
40 you, Tom. We didn't mean to be putting you -- we weren't  
41 making you into the bad guy, we just wanted clarification.  
42 Carol?

43  
44 MS. DANIEL: Thank you, Mr. Chairman. I think I would  
45 like to refer back to the Chairman's -- the Federal Chair's  
46 letter and basically point out that the Board has said that if  
47 the Council is willing to develop a recommendation with the  
48 appropriate level of public input and with a clear statement of  
49 special circumstances that warrant such an action, that the  
50 Board would be willing to consider the request on the merits.

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1 So where we are today as Tom pointed out is the Board has not  
2 rejected the proposal in the merits, it's basically sent it  
3 back and said that they did not see enumerated for them special  
4 circumstances that would warrant hearings, consideration of  
5 this matter at this point.

6  
7 And I guess the way I interpreted the Board's letter  
8 was, first, you've got to show the special circumstances and if  
9 you convince the Board of that, then we'll hold hearings and  
10 take the matter under consideration.

11  
12 In our view there are special circumstances and I would  
13 like to address the Board's questions, if you don't mind, on  
14 the issue of what special circumstances are. In a legal  
15 context when this comes up in reconsidering a decision of a  
16 court or an administrative agency basically the things that  
17 constitute special circumstances involve things like new  
18 information, information that wasn't available at the time the  
19 decision was made, errors that have been identified in the way  
20 the decision was made. There have been changes in the legal  
21 mandates, the law has changed, in other words, or the  
22 regulations have changed in such a way that mandate another  
23 look at the issue. Or there's been changes in just the  
24 administration of how the program works.

25  
26 And I guess in this case what we'd like to point out  
27 is, first of all, there's new information, definitely new  
28 information. There were at least seven hearings held on the  
29 Kenai Peninsula in 1995. And as a result of those hearings  
30 there was substantial public testimony on the fact that the  
31 rural/non-rural determinations on the Kenai were divisive.  
32 They were full of errors. Another consideration when you look  
33 for special circumstances. Errors were pointed out in the way  
34 the determinations were made and where the lines were drawn.  
35 In addition, there have been at least two hearings before this  
36 Regional Council where members of the Kenaitze Indian Tribe and  
37 other residents of the Kenai Peninsula have come forward and  
38 petitioned you with a report developed by the -- I'm sorry, I'm  
39 losing the name here, the Institute of Social and Economic  
40 Research at the University of Alaska here in Anchorage by a  
41 well respected economist that looked at the figures that were  
42 used at the time and pointed out errors in that initial  
43 determination. And we submit that that report is compelling  
44 new evidence that -- or new information that was not available  
45 at the time the initial determination was made in 1991.

46  
47 In addition, the law is clear, ANILCA is clear that the  
48 Regional Council's recommendations are to be given deference  
49 except in certain limited circumstances. The Council was not  
50 even set up at the time these rural determinations were made.

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1 They were like one of the very first decisions the Federal  
2 Subsistence Board had to make in putting in Federal management  
3 in Alaska. And basically what they did is try to stay as close  
4 to what the State had done in the past as they could. And if  
5 you look at -- I mean there are with few exceptions the  
6 decision about what was rural and non-rural pretty much  
7 followed what was in place at the time the State was in charge  
8 of managing subsistence. And that's not withstanding the fact  
9 that the Ninth Circuit Court of Appeals in the Kenaitze case  
10 had basically indicated that much if not all of the Kenai  
11 Peninsula was rural.

12  
13 And we submit and I think Clare Swan pointed out in her  
14 questions that the Kenai Peninsula is found to be rural for  
15 many other reasons, for housing grants and for school grants  
16 and all sorts of other aid that goes to the Kenai Peninsula or  
17 other benefits it's considered rural. So at any rate, all of  
18 this Council heard in hearings in 1995 down on the Kenai, and  
19 in fact, at least two members of the Board itself acknowledged  
20 in meetings in July of 1996 following -- or 1995 during the  
21 course of those hearings that the determinations were full of  
22 errors, and that the matter should be revisited as  
23 expeditiously as possible. And I think that this Council  
24 followed up in September with its recommendation that the Kenai  
25 Peninsula be found rural. It was based on all that new  
26 information that was gathered and the testimony about errors  
27 that were made in the original determination.

28  
29 So I think those are compelling reasons and compelling  
30 information that shows special circumstances. And our  
31 recommendation to the Council is -- and we've taken the liberty  
32 of preparing a draft resolution and submitting it to some -- I  
33 think to all of the members of the Council, but our  
34 recommendation is that you set out for the Board what you  
35 consider to be special circumstances. And we think there are  
36 special circumstances. And this Council apparently did on two  
37 occasions, at least, that it should be revisited based on new  
38 information and based on errors that were made in the original  
39 analysis. That you set out those reasons to the Board and  
40 request that the Board move forward with hearings on the Kenai  
41 Peninsula.

42  
43 I think to do otherwise is to do a great disservice to  
44 the people on the Kenai Peninsula who have been petitioning or  
45 testifying, at least since 1995, those hearings down on the  
46 Kenai that those determinations were wrong. And to ask people  
47 to wait another two years at a minimum and probably  
48 significantly longer than that when you consider the process  
49 that will precede it, the gathering of information, the holding  
50 of hearings, we're talking not the year 2000. We're talking

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1 probably five years from now. And to ask people to wait that  
2 long for a re-determination of what they consider to have been  
3 a wrong determination in the first instance is not fair and we  
4 submit that it's not in accordance with the law.

5  
6 And I guess the last point I would make is that I think  
7 that the recommendation -- two recommendations from this  
8 Council is a special circumstance when the Council was not  
9 involved in the initial recommendations, so that's an  
10 additional special circumstance.

11  
12 And, finally, to put this off until the 2000 census, I  
13 think those of you who questioned what would be the difference  
14 in the year 2000, I think is a good question. Because what's  
15 going to happen in the year 2000 is they compare the numbers to  
16 where they were in 1991. They're not going to look at 1991 and  
17 say, hey, we were wrong. I mean let's straighten it out now,  
18 go back and take a look at it, and then if things change by the  
19 year 2000, then they can take another look at it, or whenever  
20 the Board is able on its agenda to get around to looking on a  
21 statewide basis of the rural determinations.

22  
23 And in terms of changing the criteria, I mean that --  
24 we have -- obviously we don't agree with the criteria that were  
25 set up and we've made that point in previous presentations to  
26 the Council, but that's a separate thing that can go on at the  
27 same time. It's not an either/or situation. I mean what you  
28 have now is subsistence users on the Kenai Peninsula are being  
29 denied protection of the law. And I think that's a serious  
30 thing that the Board needs to look at. And this Council has  
31 been very courageous in sending up two recommendations based on  
32 what you've heard from people and the information you've  
33 gathered. And that is a special circumstance that warrants.  
34 If it's not I submit I would like to ask you what special  
35 circumstances there would ever be if you have errors pointed  
36 out to you in the initial determination, you have two Board  
37 members that have basically conceded that the determinations  
38 were likely flawed, you have a report from a economic professor  
39 at the University of Alaska who has studied all the  
40 determinations and pointed out the errors in the determination,  
41 and this Council did not have an opportunity to comment on it  
42 in the first place. So what other special circumstances could  
43 there possibly be that would warrant the board to take this up.

44  
45 We submit that the special circumstances are there, and  
46 we urge you to recommend to the Board -- to set forth those  
47 special circumstances and to recommend to the Board that they  
48 move forward with hearings on the Kenai Peninsula this fall. I  
49 know that those were contentious hearings last time they took  
50 place on the Kenai and some of you are probably reluctant to go

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1 back to that, but the testimony has been that this should be  
2 looked at anew. And I don't think there's anybody down there  
3 that would disagree with that regardless of which side they're  
4 on. Thank you. And.....

5  
6 CHAIRMAN LOHSE: Don't run off too fast.

7  
8 MS. DANIEL: Okay.

9  
10 CHAIRMAN LOHSE: You're on the hot spot -- seat for  
11 now. I'm sure people have questions to ask you. If they don't  
12 I've got a couple. First of all, Carol has all this data and  
13 reasoning been presented to the Board? I mean has there been  
14 any way for you to present these facts and information? Have  
15 they received a packet that contains this information or  
16 anything like that?

17  
18 MS. DANIEL: The information went up from this  
19 Council's recommendation. I don't think -- I mean it did not  
20 specifically say these are the specific circumstances.....

21  
22 CHAIRMAN LOHSE: Uh-hum.

23  
24 MS. DANIEL: .....and enumerate them, which is what  
25 we're asking the Council to do now.

26  
27 CHAIRMAN LOHSE: Uh-hum.

28  
29 MS. DANIEL: The information is certainly there.  
30 There's -- I mean.....

31  
32 CHAIRMAN LOHSE: Has a survey gone to the Board? Have  
33 the Board members --.....

34  
35 MS. DANIEL: Yes.

36  
37 CHAIRMAN LOHSE: .....they've seen the survey.....

38  
39 MS. DANIEL: Yes.

40  
41 CHAIRMAN LOHSE: .....and things like that?

42  
43 MS. DANIEL: Yeah.

44  
45 CHAIRMAN LOHSE: Okay.

46  
47 MS. DANIEL: They've got the survey and they know that  
48 this Council has recommended the reconsideration twice. They  
49 participated and are certainly aware of the comments from the  
50 public hearings on the Kenai. They -- I don't know the extent

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1 to which they review your minutes to know the testimony that  
2 you've heard from members of the Kenaitze Indian Tribe and  
3 other residents of the Kenai on this issue at your Council  
4 meetings. But this issue has not gone away since the original  
5 determination. There has been continuing dissatisfaction with  
6 that determination. And I think the information -- there's new  
7 information that's been provided that warrants a new look at it  
8 and not one five or six years from now.

9  
10 CHAIRMAN LOHSE: Okay. Any questions?

11  
12 MR. JOHN: Yeah. The rural/non-rural determination,  
13 was it made up before the Federal Board had their first meeting  
14 or.....

15  
16 MS. DANIEL: No, the Federal Board, I think, was in  
17 place at the time the rural determinations were made, but the  
18 Regional Councils had not been put in place.

19  
20 MR. JOHN: Oh, okay.

21  
22 MS. DANIEL: And I'm sure that there are people better  
23 qualified to answer that than I am.

24  
25 MR. JOHN: Yeah. Okay.

26  
27 MR. BOYD: Let me just say that's essentially correct.

28  
29 MR. JOHN: The Regional Council was not in place.....

30  
31 MR. BOYD: The Federal Regional Councils had not been  
32 put in place at the time the Board made their initial  
33 determinations regarding rural.

34  
35 MR. JOHN: So my next question would be did they have a  
36 hearing on Kenai, the Board?

37  
38 MR. BOYD: The Board conducted their -- and I can't  
39 recall the specific procedure that they followed, but they made  
40 their decision in a public forum, yes. But there were no  
41 hearings. There were hearings with regard -- I'm trying to  
42 recall now. There were hearings with regard to establishing  
43 the Federal program and the question of what community should  
44 be rural and non-rural, part of the larger question of how the  
45 program should be structured. So, yes, there were hearings  
46 across the state. Exactly where those hearings took place I  
47 can't recall off the top of my head, but we had hearings around  
48 the state.

49  
50 MR. JOHN: Okay. Thank you. Another.....

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1 CHAIRMAN LOHSE: Another question?

2

3 MR. JOHN: Another question. Is the Kenai Peninsula  
4 for all other reason wants to be rural except for subsistence,  
5 is that true?

6

7 MS. DANIEL: Well, I think certainly when it comes to  
8 housing assistance from the Department of Agriculture they're  
9 considered rural for purposes of those housing grants. And  
10 other aid that goes to the Kenai Peninsula, I mean that goes to  
11 rural areas, the Kenai Peninsula is a recipient of some of that  
12 aid. So I think it's the influence of the sport and commercial  
13 interests on the Kenai Peninsula and its wealth of resources  
14 that have driven in the past the decisions, and not based on  
15 reality. I mean I think that a lot of the sport fishing people  
16 on the Kenai Peninsula advertise the Kenai Peninsula as a  
17 wilderness area, wilderness experience to attract people to the  
18 Kenai River. And I mean we would not disagree that it's a  
19 rural area. I mean.....

20

21 CHAIRMAN LOHSE: Sure.

22

23 MS. DANIEL: .....I think that's what the demographics  
24 show and I think that's what as one of the witnesses said, once  
25 you get off the main road right there you're in a rural area.

26

27 MR. JOHN: And the Kenai Tribe petitioned us to revisit  
28 this right now. And the Kenai Tribe is recognized by the  
29 United States Government as a government.....

30

31 MS. DANIEL: That's correct.

32

33 MR. JOHN: Okay. Thank you.

34

35 CHAIRMAN LOHSE: Carol, could I ask you a favor?

36

37 MS. DANIEL: Sure.

38

39 CHAIRMAN LOHSE: Is the resolution that you presented  
40 to the Board, could you read it into the record.....

41

42 MS. DANIEL: Sure.

43

44 CHAIRMAN LOHSE: .....so that not just the Board is  
45 sitting and looking at it.

46

47 MS. DANIEL: I'll be glad to. And, again, we just took  
48 the liberty of drafting this and certainly it's just a  
49 draft.....

50

1 CHAIRMAN LOHSE: This is a resolution draft that you're  
2 presenting to the Board for our consideration.

3  
4 MS. DANIEL: Correct. And it reads: WHEREAS, on March  
5 19th, 1998, the Southcentral Alaska Subsistence Regional  
6 Advisory Council, after taking testimony from a number of  
7 residents of the Kenai Peninsula, including members of the  
8 Kenaitze Indian Tribe, recommended that the Federal Subsistence  
9 Board reconsider its 1991 non-rural determinations published in  
10 the Federal Registry on January 3, 1991, and find all  
11 communities on the entire Kenai Peninsula to be rural within  
12 the meaning ANILCA Sections 803 and 804.

13  
14 And, WHEREAS, on August 8, 1998, the Board refused to  
15 take action on the Council's recommendation until the Council  
16 gathered further information from the public on the Kenai  
17 Peninsula and provided a clear rationale that special  
18 circumstances warrant such reconsideration.

19  
20 And, WHEREAS, the Council respectfully submits that the  
21 Board lacks legal authority to dictate how or when the Council  
22 should conduct public hearings or otherwise prepare  
23 recommendations to the Board; and further, respectfully submits  
24 that the special circumstances justifying reconsideration of  
25 the Board's non-rural determinations were clearly laid out in  
26 the COUncil's recommendation to the Board. Nonetheless, in the  
27 interest of accommodating the Board's views and in maintaining  
28 a good working relationship with the Board, the Council hereby  
29 resolves to comply with the Board's advice and thus, has (1)  
30 determined to hold three public hearings on the Council's  
31 recommendation this fall and winter in Seward, Soldotna, and  
32 Homer, and we just plugged in three hearings around the Kenai  
33 Peninsula (the times and dates to be agreed upon by the Board  
34 and the Council), and (2) hereby specifies that the special  
35 circumstances justifying reconsideration of the Board's non-  
36 rural determination are as follows:

37  
38 (1) The Board's initial rural/non-rural determination  
39 with respect to the Kenai Peninsula were made without any input  
40 from the Regional Advisory Council which had not yet been  
41 established; the Board's initial determination was based  
42 primarily on the State's non-rural determination of the Kenai  
43 Peninsula which the Ninth Circuit Court of Appeals flatly  
44 rejected in Kenaitze Tribe vs. Alaska, on the grounds that it  
45 violated the definition of rural in ANILCA. A Board  
46 determination in violation of applicable mandatory law is a  
47 special circumstance justifying reconsideration at any time.

48  
49 (2) During the 1995 public hearings on customary and  
50 traditional use determinations for the Kenai Peninsula

1 conducted by the Board as well as the Regional Advisory  
2 Council, a majority of the local residents who testified agreed  
3 that the Board's 1991 rural/non-rural determinations were  
4 divisive, erroneous and should be reconsidered. And we refer  
5 the Board to the transcripts of the 1995 Kenai hearings. The  
6 testimony taken during those public hearings, in addition to  
7 providing new and relevant information, also indicates that  
8 errors were made in the analysis that affected the way  
9 communities were aggregated.

10  
11 (3) The demographic and other information relating to  
12 the Kenai Peninsula contained in the report of the Institute of  
13 Social and Economic Research was not available at the time the  
14 Board made its 1991 rural/non-rural determinations. The ISER  
15 report provides compelling, if not conclusive evidence, that  
16 the Board's 1991 non-rural determination with respect to the  
17 Kenai Peninsula violated the Board's own criteria for  
18 rural/non-rural determinations as well as the Ninth Circuit  
19 Court of Appeal's Kenaitze decision.

20  
21 (4) The Council's recommendation to the Board, in and  
22 of itself, constitutes a special circumstance justifying  
23 reconsideration of the Board's non-rural determination. The  
24 Board is obligated to defer to a Council's recommendation,  
25 except in the limited circumstance described in subsection  
26 805(c). And the Board is referred to a Memorandum from the  
27 Office of the Solicitor, dated April 11, 1995, discussing the  
28 obligation of the Board to defer to the Regional Councils.  
29 Here, no justification exists for rejecting the Regional  
30 Advisory Council's recommendation.

31  
32 WHEREAS, the Council does not believe it to be in the  
33 best interest of subsistence users on the Kenai Peninsula or  
34 the general public to defer resolution of this matter until  
35 after the year 2000 U.S. Census figures become available, since  
36 to do so would be to ignore the legitimate concerns raised by  
37 the public during the public comment period during the summer  
38 of 1995 on the proposed c&t determinations on the Kenai  
39 Peninsula.

40  
41 IT IS THEREFORE, hereby resolved that the Board is  
42 requested to proceed with a proposal to revisit its rural/non-  
43 rural determinations on the Kenai Peninsula, and pursuant to 50  
44 CFR 100.11 the Chair of the Board or the designated federal  
45 coordinator is requested to call the public hearing meetings  
46 and approve the hearing agenda as expeditiously as possible;  
47 pursuant to 100.10(e)(2) the Board is further requested to  
48 provide appropriate technical assistance to the Council in the  
49 preparation for and the conduct of such hearings on the Kenai  
50 Peninsula, with a comment period of 60 days to receive written

0165

1 comments.

2

3 CHAIRMAN LOHSE: Thank you, Carol. I have a couple of  
4 real quick questions to ask you on some of the wording in here  
5 if I may. If we take the top of page -- bottom of page 1, top  
6 of page 2, the Council hereby resolves to comply with the  
7 Board's advice and thus has; (1) determined to hold three  
8 public hearings on the Council's recommendation this fall,  
9 should that be the Board's recommendation? Because it's the  
10 Board's that gave us the advice.....

11

12 MS. DANIEL: That's probably

13

14 CHAIRMAN LOHSE: It should be the Board's  
15 recommendation?

16

17 UNIDENTIFIED VOICE: Where are you?

18

19 CHAIRMAN LOHSE: Top of page 2. First word.

20

21 MS. DANIEL: Oh, that's correct. You're wanting to  
22 hold hearings on your recommendation that you sent to the Board  
23 that the Board basically -- it's on the recommendation to  
24 revisit the rural/non-rural determinations.

25

26 CHAIRMAN LOHSE: Oh, on the Council's recommendation.  
27 Not on the Board's recommendation to hold the hearings.....

28

29 MS. DANIEL: Right.

30

31 CHAIRMAN LOHSE: .....but on the Council's  
32 recommendation that we submit it.

33

34 MS. DANIEL: Yeah, you might want to clarify that.

35

36 CHAIRMAN LOHSE: Okay. So that should be Council's  
37 recommendation submitted to the Board.....

38

39 MS. DANIEL: Right.

40

41 CHAIRMAN LOHSE: .....and we need to add to that.

42

43 On whatever the date was. March 19th, 1998. Okay. Okay. If  
44 we go down to paragraph two down there. I wonder about the  
45 word majority. Is that a definitive word? I mean can we  
46 stick to that word? I mean a majority of the local citizens  
47 who testified agreed that the Board's 1991 determinations were  
48 divisive, erroneous and should be reconsidered. Or should we  
49 say many of the or something on that order.

50

0166

1 MS. DANIEL: I think whatever the Board is comfortable  
2 with from, you know, just from my review of the testimony, the  
3 views concerning the rural determination was not necessarily  
4 that it should be rural, but everybody that testified on rural.  
5 And you have to understand that the purpose of those hearings  
6 was not to.....

7  
8 CHAIRMAN LOHSE: Was not on rural/non-rural.

9  
10 MS. DANIEL: .....was not on rural/non-rural.

11  
12 CHAIRMAN LOHSE: No, that's what I mean.

13  
14 MS. DANIEL: So maybe it should be changed.

15  
16 CHAIRMAN LOHSE: Yeah.

17  
18 MS. EAKON: May I say something, Mr. Chair?

19  
20 CHAIRMAN LOHSE: Yes.

21  
22 MS. EAKON: Just to clarify. You had said there were  
23 seven public hearings on the Kenai Peninsula. Actually there  
24 were a total of nine.

25  
26 MS. DANIEL: Nine.

27  
28 MS. EAKON: And that the Board chair, Mitch  
29 Demientieff, chaired most of the meetings. I think he missed  
30 one, when his car had a flat or something. But the focus of  
31 those public hearings were on the Council recommendations on  
32 the Kenai c&t.

33  
34 CHAIRMAN LOHSE: Right.

35  
36 MS. EAKON: Okay. And Unit 15 moose.

37  
38 CHAIRMAN LOHSE: Uh-hum.

39  
40 MS. EAKON: And the Board Chair told the people  
41 present, please, focus your comments on the c&t determinations,  
42 and the Unit 15 moose. Please don't belabor rural/non-rural.  
43 That's going to be taken up at another time. I just wanted to  
44 clarify. However, as you stated, we did get comments on the  
45 rural determinations. Okay.

46  
47 CHAIRMAN LOHSE: That's why I was thinking that we  
48 couldn't say the majority of the comments were on that subject.  
49 Now, at that time he did mention that it would be taken up at a  
50 later date, but I think he was probably referring to on cycle,

0167

1 would you think or -- I mean he wasn't saying that it would be  
2 taken up at -- as a special interest, okay.

3  
4 MS. EAKON: That's correct.

5  
6 CHAIRMAN LOHSE: Okay.

7  
8 MS. DANIEL: If I could point out that there were  
9 comments by at least two members of the Board at its July 15th  
10 meeting that acknowledged that the determinations -- they  
11 thought that the information they were hearing was compelling  
12 and that they should actually revisit those decisions made in  
13 1991 in the most expeditious manner possible was actually the  
14 language used.

15  
16 CHAIRMAN LOHSE: Well, I think that that would be  
17 something to include in here as a special circumstance. And  
18 expeditiously as possible means as soon as possible, not.....

19  
20 MS. DANIEL: Right. And I think that was the views  
21 expressed, like I say, by at least two members of the Board in  
22 1995 following those hearings.

23  
24 CHAIRMAN LOHSE: Okay. What is the wish of the  
25 Council? Do I hear any motions to draft a resolution? Do I  
26 hear any motions to allow it to be -- what is the wish of the  
27 Council now that you've heard from Carol and Tom and members of  
28 the Tribe.

29  
30 MR. JOHN: I remember at the last meeting in Glennallen  
31 when the Kenai Tribe came up and talked to us, we as a Board, I  
32 think, gave a promise that we would revisit this whole  
33 rural/non-rural issue. And for me I think I'll stand up to the  
34 promise. I'd like to.....

35  
36 CHAIRMAN LOHSE: Okay. At that meeting we did pass a  
37 resolution supporting them. The Board since looked at our  
38 resolution and didn't reconsider it, so now what we would have  
39 to do at this point in time is ask the Board -- present to the  
40 Board special circumstances so they would reconsider it. Carol  
41 has given us some of what she feels are special circumstances.  
42 It's up to us to either call the ball at this time or let it  
43 sit (ph). I need a motion on the table before we can do  
44 anything.

45  
46 MR. JOHN: Okay. I make a motion we -- which one, make  
47 a motion -- where the heck is it? Just a second here. Yeah.  
48 I make a motion that we -- that -- I just want to put this  
49 right, that we adopt the resolution.

50

0168  
1 CHAIRMAN LOHSE: That we make a resolution?  
2  
3 MR. JOHN: Yeah.  
4  
5 CHAIRMAN LOHSE: Okay.  
6  
7 MR. JOHN: That's much better.  
8  
9 CHAIRMAN LOHSE: Okay. He's making a motion that we  
10 make a resolution basically presenting the Kenai rural/non-  
11 rural issue to the Board or to -- I mean what, you know, what  
12 are we going to resolve? Are we going to take a resolution as  
13 is or are we going to use their resolution for a base? What  
14 are we talking here.....  
15  
16 MR. JOHN: Well, use this resolution to revisit the  
17 Kenai.....  
18  
19 CHAIRMAN LOHSE: Okay. So we're making a resolution  
20 asking the Board to revisit the Kenai.  
21  
22 MR. JOHN: That's what Carol -- can I ask a question?  
23  
24 CHAIRMAN LOHSE: Uh-hum.  
25  
26 MR. JOHN: What do you want us as a Council to do, is it  
27 that we revisit the rural/non-rural.....  
28  
29 MS. DANIEL: Basically all we're asking is that you set  
30 out for the Board the special circumstances and ask the Board  
31 to schedule hearings on the Kenai Peninsula to take up your  
32 recommendation that the Kenai Peninsula rural/non-rural  
33 determinations be reconsidered.  
34  
35 MR. JOHN: Yes, that's probably what I want to say. I  
36 don't have it written in front of me now. Have you got that  
37 down?  
38  
39 CHAIRMAN LOHSE: No, I don't. I'm trying to think of  
40 how even after what Carol said. I know what you're trying to  
41 say, Fred. I just can't figure out how to say it. We're  
42 asking the Board to revisit the Kenai rural/non-rural  
43 determination due to.....  
44  
45 MR. JOHN: Special circumstances. And what Carol  
46 brought up, I think, are some special circumstances.  
47  
48 CHAIRMAN LOHSE: Due to what we feel.....  
49  
50 MR. JOHN: Some of the special circumstances are new

0169

1 information, errors that have been identified, and petition by  
2 the Kenai Indian Tribe are some of the few. And that the other  
3 special circumstance is that there was no Council when the  
4 rural/non-rural determination was made on the Kenai Peninsula.

5  
6 UNIDENTIFIED VOICE: Could you re-read that?

7  
8 CHAIRMAN LOHSE: Yeah, I'm trying to put all of these  
9 thoughts together into one motion and see if that meets what  
10 he's trying to say. I don't know if we need to enumerate the  
11 special circumstances at this time.

12  
13 MR. JOHN: Write up my thoughts.

14  
15 CHAIRMAN LOHSE: Boy.

16  
17 MR. JOHN: It's right here that the Federal Subsistence  
18 Board reconsiders the 1991 non-rural determination and find all  
19 communities on the entire Kenai Peninsula be rural within the  
20 meaning of ANILCA.

21  
22 CHAIRMAN LOHSE: Okay.

23  
24 MR. JOHN: That's pretty close.

25  
26 CHAIRMAN LOHSE: Where did you find that one though?  
27 Okay. Let's see. That's what we asked them last time. This  
28 is what we asked them last time, and that's why I don't know if  
29 that's -- okay. I know what we're trying to accomplish, I just  
30 don't know how to -- maybe we should -- Tom?

31  
32 MR. BOYD: Let me offer a suggestion if I may, Mr.  
33 Chair. I mean, if the Council desires to conduct public  
34 hearings, you may want to defer any action on what you submit  
35 to the Board until after you've done that. I think what the  
36 Board has told you, that you may do this, you may conduct  
37 public hearings and gather more information. And I'm ready to  
38 support that effort, if you decide to do that. So that may be  
39 the focus of your discussion here. You may -- and then as a  
40 result of the input that you receive, then you could formulate  
41 whatever it is you wish to -- whether you adopt this  
42 resolution, or adopt some other resolution, you could take that  
43 action up at that time after you've gathered your information.

44  
45 CHAIRMAN LOHSE: After we've had the.....

46  
47 MR. BOYD: Yeah.

48  
49 CHAIRMAN LOHSE: .....after we've had the hearings.

50

0170

1 MR. BOYD: Right. And it may be that that's the way  
2 you want to play it out. And I'm not trying to twist your arm  
3 one way or the other. I'm just trying to give you some sense  
4 of how this might play better with the Board. I mean, if you  
5 go back to the Board with a similar request, you're going to  
6 get -- probably get a similar reaction. And what they're  
7 asking you to do is, they don't know -- they feel like the  
8 public has not been engaged on the Kenai on this issue in a  
9 direct manner. Even though there were hearings, it was dealing  
10 with another subject. There was some discussion about rural,  
11 but it wasn't clear to them that the discussion was focused  
12 enough to have a clear understanding of where the Kenai  
13 residents are on this issue. And so they're -- what they're  
14 saying is go back and do additional public involvement, and  
15 that this is the Council's responsibility. And then if you  
16 wish to resubmit your request and -- you may do so. I mean,  
17 they're not.....

18  
19 CHAIRMAN LOHSE: Uh-hum. Can we have -- can we hold  
20 those meetings without the Board's approval and participation  
21 in them?

22  
23 MR. BOYD: Yes, you can. That's one of the  
24 authorities, one of the responsibilities and authorities laid  
25 out in ANILCA is that you're a forum for public involvement  
26 within the region. And I'm reading into this letter that the  
27 Board sent to you, and they're saying do that.

28  
29 CHAIRMAN LOHSE: They're basically telling us go do our  
30 job.

31  
32 MR. BOYD: If you want to pursue this with them,  
33 they're saying go do this, that they won't -- they're not  
34 twisting your arm saying go do this, they're just.....

35  
36 CHAIRMAN LOHSE: No.

37  
38 MR. BOYD: .....saying before they're going to  
39 entertain this idea, they want more public involvement.

40  
41 MR. JOHN: Okay. I see what you mean.

42  
43 CHAIRMAN LOHSE: Yeah.

44  
45 MR. BOYD: They're not directing you or dictating to  
46 you in any way. They're just saying they're not seeing it.

47  
48 MR. ROMIG: At these public hearings, Tom, would you  
49 want the whole Council?

50

0171

1 MR. BOYD: I certainly think that's up to the Council  
2 here. They are Council hearings, I would think that as many of  
3 you as could be involved would be appropriate, but obviously  
4 you have other lives, so you're going to have to determine that  
5 for yourselves. What's really important is that you all have  
6 access to the testimony from that hearing, or the transcripts,  
7 and you all be appraised of it so that when you gather again to  
8 deliberate this issue, you're aware of what was said, and you  
9 can weigh it.

10  
11 MR. ROMIG: Well, I know we've tried the, you know,  
12 teleconference before, and it didn't work too well it seems to  
13 me.

14  
15 CHAIRMAN LOHSE: Yeah.

16  
17 MR. BOYD: Well, that's certainly an option, and  
18 technology has its limitations at times. I have been in  
19 teleconferences that have been very good, and some that have  
20 been -- not been so good, like you're suggesting.

21  
22 CHAIRMAN LOHSE: What is the Council's wish? We have  
23 the authority, according to Tom, to call hearings if we want to  
24 call the hearings. An idea of how many hearings and where is  
25 set out in this letter. We could have hearings and have them  
26 done prior to our meeting in the spring, at which time we could  
27 reconsider the whole thing. But it's up to the Council to  
28 decide, you know, do they want to pursue it in this direction?  
29 Do they want to pursue in that manner? Do they want, you know,  
30 -- I think Tom is right. I think basically what the Board has  
31 said is that, you know, if they want -- if we want them to  
32 reconsider it, we need to do some more information gathering  
33 for their purposes. So I'll leave it up to the Council.

34  
35 MR. JOHN: Let me withdraw my motion.

36  
37 CHAIRMAN LOHSE: You're withdrawing your motion.

38  
39 MR. JOHN: On the.....

40  
41 CHAIRMAN LOHSE: On the resolution?

42  
43 MR. JOHN: .....the resolution. (Indiscernible - away  
44 from microphone).

45  
46 CHAIRMAN LOHSE: Okay. Fred has withdrawn his motion  
47 regarding the resolution. Okay.

48  
49 MR. JOHN: (Indiscernible - away from microphone) since  
50 that resolution was to the Board to hold a hearing.

0172  
1 CHAIRMAN LOHSE: Right. Right.  
2  
3 MR. JOHN: I'd like to -- this is very important to the  
4 people in Kenai, and we've been ignoring it long enough I  
5 think. I think it's finally -- we finally have to face it and  
6 go down there and check it out again. I don't think we should  
7 push it off any longer.  
8  
9 CHAIRMAN LOHSE: Okay.  
10  
11 MR. JOHN: I think it's very important, the Kenai  
12 people have been petitioning us the last two meetings, and  
13 they're requesting that from us, and I think we shouldn't turn  
14 a deaf ear any more.  
15  
16 CHAIRMAN LOHSE: Would you like to make a motion to the  
17 effect that we'll hold hearings on the Kenai on the rural/non-  
18 rural issue?  
19  
20 MR. JOHN: Yes.  
21  
22 CHAIRMAN LOHSE: Okay.  
23  
24 MR. JOHN: I'd make that motion then.  
25  
26 MS. SWAN: Second.  
27  
28 CHAIRMAN LOHSE: It's been moved by Fred, seconded by  
29 Clare.  
30  
31 MR. JOHN: And then bring the -- bring it to the Board,  
32 before the.....  
33  
34 CHAIRMAN LOHSE: And then bring that -- yeah.  
35  
36 MR. JOHN: When?  
37  
38 CHAIRMAN LOHSE: We'll need to bring that information  
39 back to our.....  
40  
41 MR. JOHN: Yeah.  
42  
43 CHAIRMAN LOHSE: .....meeting in spring, at which time  
44 we can consider the information and take it to the Board.  
45  
46 MR. JOHN: Yeah. Go through the procedures anyway.  
47  
48 CHAIRMAN LOHSE: Yeah. Okay. So the motion is to hold  
49 -- how many meetings do you think we should hold?  
50

0173

1 MR. JOHN: Right now I'd say three if we could.

2

3 CHAIRMAN LOHSE: Okay. Hold three meetings on the  
4 Kenai Peninsula on the subject of rural/.....

5

6 MR. JOHN: Non-rural determination.

7

8 CHAIRMAN LOHSE: .....non-rural determination. Do you  
9 want to put a time frame in that so that.....

10

11 MR. JOHN: Yeah, before.....

12

13 CHAIRMAN LOHSE: Helga, do we have any time  
14 limitations? I mean, it takes a while to get these set up and  
15 everything. What kind of public notice do we need on them?

16

17 MS. EAKON: We do need to notice the public, because  
18 you are a forum, 15 days prior to any kind of council meetings  
19 that you have. And generally, once you know where and what  
20 dates, we could put it in the same notice to cover all three  
21 meetings.

22

23 CHAIRMAN LOHSE: Okay.

24

25 MR. ROMIG: I'd like to have the -- right around  
26 Thanksgiving to after the first of the new year, you know, in  
27 between those dates might not be real -- might not be a good  
28 time to have the meetings.

29

30 CHAIRMAN LOHSE: Yeah, I was wondering if we needed to  
31 put some kind of time frame in the motion, but probably not.  
32 We can discuss that afterwards if we just have the motion on  
33 the floor. So we have -- to hold three meetings on the Kenai  
34 Peninsula on the subject of rural/non-rural determination.  
35 That's your motion then basically?

36

37 MR. JOHN: Yeah. This year. Or this.....

38

39 CHAIRMAN LOHSE: Prior.....

40

41 MR. JOHN: As soon as possible.

42

43 CHAIRMAN LOHSE: Okay.

44

45 MR. JOHN: Whenever we could get.....

46

47 CHAIRMAN LOHSE: Let's just say prior to our spring  
48 meeting.

49

50 MR. JOHN: Yeah.

0174  
1 CHAIRMAN LOHSE: Okay. And that's what you second?  
2  
3 MS. SWAN: Yes.  
4  
5 CHAIRMAN LOHSE: Okay. Now it's open for discussion.  
6 Now we can discuss when, where and how. Ben, what were you  
7 saying?  
8  
9 MR. ROMIG: Well, I think -- was Seward, Kenai and  
10 Homer the different areas?  
11  
12 MS. MASON: And Soldotna. Seward, Soldotna, and Homer.  
13  
14 MR. ROMIG: So Soldotna, Kenai.....  
15  
16 MS. SWAN: Why not Seward, Kenai and Homer?  
17  
18 CHAIRMAN LOHSE: That would be easier to do. Or not  
19 really easier. Well, that's what we need to in our discussion  
20 decide is where and when, if at all possible. We also have to  
21 take when into consideration what Helga can arrange the other  
22 schedules of meetings and things like that. Ben you were  
23 saying that you didn't think for Thanksgiving/Christmas was a  
24 good time, so how about right after the first of the year?  
25  
26 MR. ROMIG: Well, for me in particular, I was possibly  
27 planning on, you know, being somewhere between those dates if  
28 it was possible. If it was convenient to have the meetings,  
29 you know, at those times, and I could participate, you know,  
30 teleconference-wise, that would be fine with me, but I was just  
31 trying to forewarn the Council that November and December would  
32 not probably be good for me this year. That's just personally.  
33  
34 MS. EAKON: Your staff consists of myself and Rachel as  
35 the anthropologist, and Robert as the biologist, and generally  
36 after the -- during the holidays we're real busy with proposal  
37 analyses and getting ready for the winter regional council  
38 meetings, so if at all possible, if we can do it ASAP, sometime  
39 between now and Ben leaves, around Thanksgiving to New Years,  
40 right?  
41  
42 MR. ROMIG: Uh-hum.  
43  
44 MS. EAKON: Do I get concurrence from Robert then and  
45 Rachel?  
46  
47 CHAIRMAN LOHSE: So from a staff standpoint, it would  
48 be handier to have it.....  
49  
50 MS. MASON: Sooner than later.

0175

1 CHAIRMAN LOHSE: Sooner than later. Okay. How is it  
2 from a logistics standpoint?

3  
4 MS. MASON: Well, as far as the public notice, as long  
5 as it's at least two or three weeks from now, I guess that  
6 would be the -- that would be the only criteria. Yeah, so.....

7  
8 CHAIRMAN LOHSE: So basically what you're saying is any  
9 time after about the middle October until the middle of  
10 November would be a good time for you?

11  
12 MS. MASON: I think so.

13  
14 MS. EAKON: I coordinate the Bristol Bay Council, and  
15 our meeting ends on the 2nd, so any time after October 22 is  
16 fine.

17  
18 MS. MASON: Yeah.

19  
20 CHAIRMAN LOHSE: Any time after October 22?

21  
22 MS. MASON: And before Thanksgiving.

23  
24 MS. EAKON: And before Thanksgiving.

25  
26 CHAIRMAN LOHSE: And prior to Thanksgiving.

27  
28 MS. SWAN: Sheesh (ph).

29  
30 MS. MASON: Yeah.

31  
32 CHAIRMAN LOHSE: Yeah. I mean, -- what -- how about  
33 the rest of the Council?

34  
35 MR. JOHN: Did she say October 25th?

36  
37 CHAIRMAN LOHSE: She said any time after, yeah, October  
38 22, and -- because that's when she's done with the Bristol Bay  
39 meeting.

40  
41 MR. JOHN: I'm pretty wide open probably to all through  
42 the middle of November.

43  
44 CHAIRMAN LOHSE: Okay.

45  
46 MR. JOHN: When I have that Parks meeting?

47  
48 MS. EAKON: November 17 and 18, Wrangell-St. Elias.

49  
50 CHAIRMAN LOHSE: Okay.

0176

1 MR. JOHN: Yeah.

2

3 MR. BOYD: Mr. Chair, if I might, and I agree with the  
4 discussion that's going on. It might be good if you set a  
5 window that we can work with.

6

7 CHAIRMAN LOHSE: That's what we.....

8

9 MR. BOYD: Okay. If you're going in that direction,  
10 that would be good.

11

12 CHAIRMAN LOHSE: Yeah.

13

14 MR. BOYD: And because that setting up meeting  
15 locations, et cetera, is going.....

16

17 CHAIRMAN LOHSE: No, we can't do that.

18

19 MR. BOYD: .....to be contingent on so many other.....

20

21 CHAIRMAN LOHSE: Yeah.

22

23 MR. BOYD: .....things, and I would say allow Helga  
24 some leeway to work with your schedules in getting the meetings  
25 set up, and it's possible to do it over a three-day time  
26 period, because everything's within driving distance on the  
27 Kenai. But that's something to work out, and I would defer to  
28 Helga and her planning capabilities.

29

30 MS. EAKON: In fact, when the Board sponsored those  
31 public hearings on the Kenai c&t and Unit 15 moose, that's what  
32 we did. Sometimes we'd hold them back to back, since it  
33 is.....

34

35 CHAIRMAN LOHSE: It's driving distance.

36

37 MS. EAKON: Yes, driving distance.

38

39 CHAIRMAN LOHSE: Okay. Well, that's kind of what I was  
40 trying to come up with was a window that we could ask them to  
41 see what they could work out, and we need to find out that  
42 window, it works for you possibly?

43

44 MR. ROMIG: Yes.

45

46 CHAIRMAN LOHSE: It works for you, Fred?

47

48 MR. JOHN: Yes.

49

50 CHAIRMAN LOHSE: Clare?

0177  
1 MS. SWAN: I think so. I know that November and  
2 December are just.....  
3  
4 CHAIRMAN LOHSE: Well, we'd be done.....  
5  
6 MS. SWAN: .....from the 12th of October, I'm gone the  
7 whole week from the 12th of October, and then I guess I'll go  
8 home. So I'll have to look, but that sounds all right.  
9 There's a week in there that I could.  
10  
11 CHAIRMAN LOHSE: From about the middle of October until  
12 the middle of November? Or actually she can't be there until  
13 the 22nd of October,.....  
14  
15 MS. SWAN: Yeah.  
16  
17 CHAIRMAN LOHSE: .....till the middle of November?  
18  
19 MS. SWAN: Yeah. I think so.  
20  
21 CHAIRMAN LOHSE: Until like the 15th or 20th of  
22 November?  
23  
24 MS. SWAN: I'll talk to you about that.  
25  
26 CHAIRMAN LOHSE: Yeah.  
27  
28 MS. EAKON: Okay. Okay.  
29  
30 CHAIRMAN LOHSE: Anybody else?  
31  
32 MR. DEMENTI: I'm not sure. I'm going to be all tied  
33 up, and maybe I can go on teleconference, if that's okay with  
34 everybody.  
35  
36 CHAIRMAN LOHSE: From?  
37  
38 MR. DEMENTI: I'll be all tied up in October.  
39  
40 MS. EAKON: What about November?  
41  
42 MR. DEMENTI: November, from the 3rd to the 17th I  
43 might be able to take time off. I'm not sure.  
44  
45 MS. EAKON: Okay. Well, we can work it out.....  
46  
47 MR. DEMENTI: I could let Helga know.  
48  
49 MS. EAKON: We can work it out.  
50

0178

1 MR. DEMENTI: I could let Helga know.

2

3 CHAIRMAN LOHSE: Yeah. WE don't all have to be present  
4 anyhow. We'd like a good representation there, but there will  
5 be -- you know, there will be test- -- there will be written  
6 down testimony that we can all re-read. So it would just be  
7 nice to know that a number of us were available to be there.

8

9 MR. DEMENTI: Yeah, we could coordinate with Helga.

10

11 MS. EAKON: Yes.

12

13 CHAIRMAN LOHSE: Yeah. That's what we're going to have  
14 to do. Don, does that sound like a good.....

15

16 MR. KOMPKOFF: Yeah, it sounds good.

17

18 CHAIRMAN LOHSE: .....time frame for you?

19

20 MR. KOMPKOFF: Yeah, sounds good.

21

22 CHAIRMAN LOHSE: Okay. So that means that there --  
23 that it can be done anyhow. So we have a motion on the floor.  
24 Is there any other discussion that we need to hold on it?

25

26 MR. JOHN: Question.

27

28 CHAIRMAN LOHSE: Okay. A motion on the floor to hold  
29 three meetings on the Kenai Peninsula on the subject of rural/  
30 non-rural determination prior to the spring meeting, and we  
31 won't include in that motion any dates, but we're aiming for  
32 the middle of October to the middle of November, somewhere in  
33 that time. Okay. Any further discussion on that motion?

34

35 MR. KOMPKOFF: Question.

36

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

39

40 IN UNISON: Aye.

41

42 CHAIRMAN LOHSE: All opposed signify by saying nay?

43

44 (No opposing votes.)

45

46 CHAIRMAN LOHSE: Motion carries. Okay. Now, we will  
47 go on to new business, and thanks to Cheryl and all you folks  
48 that testified. We'll -- it's going to be your responsibility  
49 to make sure there's some people at our hearings to talk to us,  
50 you know.

0179

1 UNIDENTIFIED VOICE: We will.

2

3 CHAIRMAN LOHSE: Would you like to break? I think I  
4 would like a break, too. Let's take a ten-minute break.

5

6 (Off record)

7

8 (On record)

9

10 CHAIRMAN LOHSE: Okay. If everyone will take your  
11 seat, we'll begin. Okay. We're on item nine, new business,  
12 agency reports. And the first one we have, you'll find that  
13 under tab K, is the U.S. Fish and Wildlife Service, Kenai  
14 National Refuge. Do we have somebody here to give that report?

15

16 MS. EAKON: I saw Mark Chase a little while ago.

17

18 CHAIRMAN LOHSE: But he's probably out in the hall.  
19 Tom, do you want to see if Mark is out there? Well, if Mark is  
20 not right here, if we can, we'll go on to one of the other  
21 reports, and put him in when he gets here. U. S. Fish and  
22 Wildlife Service was Mark. U.S. Forest Service is not here  
23 today.

24

25 MS. MURPHY: No, I'm here for the Forest Service.

26

27 CHAIRMAN LOHSE: Oh, you are here for the Forest  
28 Service. Okay. Good. So I had that crossed off, but I'll  
29 uncross it.

30

31 MS. MURPHY: Good. My name is Karen Murphy, and I'm  
32 filling in for Steve Sempki (ph) today. And I just had a  
33 couple of things for you.

34

35 First is to draw your attention to the schedule of  
36 proposed actions that's under your tab K, and that is the  
37 Chugach National Forest list of projects that's going to be  
38 going -- undergoing environmental analysis in fiscal year '99,  
39 and that list just provides you with information about each of  
40 these different projects. The -- and the appropriate person to  
41 contact if you have any questions about it.

42

43 And I have a hand-out that Steve actually put together  
44 for you that is -- discusses the hunts that have occurred on  
45 the Chugach National Forest. And this just gives you an update  
46 on the subsistence permit hunts in Units 6 and 7. The Kings  
47 Bay moose hunt, which is in Unit 7, and no permits were issued  
48 in either '97 or '98 for the option to harvest one moose for  
49 the Community of Chenega or Tatitlek. And the ceremonial moose  
50 hunt in Cordova that occurred last year, it was under

0180

1 registration hunt 900. They did harvest one animal in December  
2 of '97, but there are no harvest permits this year. And I'm  
3 actually not sure what the status is with that, whether that  
4 one's.....

5

6 CHAIRMAN LOHSE: That's a yearly renewable.

7

8 MS. MURPHY: Okay. And the mountain goat harvest in  
9 Unit 6, there's information here on the different subunits in  
10 Prince William Sound and the number of animals that were  
11 harvested out of each of those in '97. And we're still in that  
12 harvest period now, so we don't have any current information  
13 for 1998.

14

15 And that's really all I have for you. So if you have  
16 any questions, I can try and answer them, or pass them on to  
17 Steve.

18 CHAIRMAN LOHSE: You said there were no permits issued  
19 for Kings Bay. Was that because there were no permits  
20 available, or no permits requested?

21

22 MS. MURPHY: I believe no permits were requested.....

23

24 CHAIRMAN LOHSE: No permits were requested.

25

26 MS. MURPHY: .....for either of those.

27

28 CHAIRMAN LOHSE: And you said you had a harvest of one  
29 there?

30

31 MS. MURPHY: For Cordova. that was last year.

32

33 CHAIRMAN LOHSE: That was -- okay. That was.....

34

35 MS. MURPHY: Yes.

36

37 CHAIRMAN LOHSE: .....the ceremonial moose at Cordova.

38

39 MS. MURPHY: Right. But nothing occurred in Kings  
40 Bay.....

41

42 CHAIRMAN LOHSE: Nothing occurred in Kings Bay.

43

44 MS. MURPHY: .....in '97 or '98.

45

46 CHAIRMAN LOHSE: Okay. Don?

47

48 MR. KOMPKOFF: I could -- Everybody was so busy down in  
49 Chenega that they didn't even get a chance to go hunting.  
50 They're building a new -- their new dock and trying to get the

0181  
1 road completed over to Acadia (ph) Bay.  
2  
3 CHAIRMAN LOHSE: Okay. That gives you some information  
4 as to why there's no request.  
5  
6 MS. MURPHY: Yep. It's a busy time of year.  
7  
8 CHAIRMAN LOHSE: Any questions for Karen? I see that  
9 most of the goat populations are either up or stable.  
10  
11 MS. MURPHY: Right. And that seems to have been the  
12 trend for the last couple of years. There are a couple on the  
13 eastern part of the Sound that have appeared to be downward  
14 trends.  
15  
16 MR. EWAN: On your map, what does the white parts show?  
17 (Indiscernible - papers rattling) registration permit area  
18 there?  
19  
20 MS. MURPHY: The subunit sites?  
21  
22 MR. EWAN: Uh-hum.  
23  
24 MS. MURPHY: And those were just highlighted so it was  
25 easier to see.  
26  
27 MR. EWAN: I mean, I was just wondering how the  
28 boundaries were drawn on those?  
29  
30 MS. MURPHY: I'm sorry, I can't answer that. I'm not  
31 sure where he got this from. I assumed it was out of your --  
32 out of the regulation book.  
33  
34 CHAIRMAN LOHSE: I can give him a little information on  
35 it, if he wishes. Most of those boundaries are drawn by ridge  
36 tops, so they're different sheds. Or they're not? Oh, we've  
37 got somebody to correct me right there. Yes, please? I should  
38 have known you'd know the answer.  
39  
40 MR. GRIESE: Thank you, Mr. Chairman, Herman Griese  
41 with Fish & Game. We set those registration hunt areas up  
42 based on access, but they are all representing pretty much  
43 mountain groups, separated by either rivers or glaciers wide  
44 enough to more or less keep the pop- -- the groups of goats  
45 separate.  
46  
47 CHAIRMAN LOHSE: Yeah. And I guess ridge tops is the  
48 wrong word. What I meant was isolated, the area. Okay. So  
49 these are different bands basically of goats.  
50

0182

1 MR. EWAN: So there are goats around that area?

2  
3 CHAIRMAN LOHSE: Yeah.

4  
5 MR. EWAN: On the gray area?

6  
7 CHAIRMAN LOHSE: A lot of the -- the gray area is  
8 either state land or native land, or it's -- what is the gray  
9 area?

10  
11 MS. MURPHY: Actually, Herman, you're going to be able  
12 to answer that better.

13  
14 MR. GRIESE: Much of the gray area on the map have  
15 goats in them. They are not currently open by state  
16 regulations because of lower numbers. Those areas may change  
17 over time depending on -- as goat population levels increase,  
18 those areas will become open again. For example, those areas  
19 in 6(C) will become open by state regulation fairly soon.

20  
21 CHAIRMAN LOHSE: Because the population is building?

22  
23 MR. GRIESE: They have increased, that's correct.

24  
25 MS. MURPHY: And the Forest Service, in cooperation  
26 with Fish and Game have been monitoring these populations on --  
27 well, it's an alternating year schedule I believe to hit most  
28 of the sites in Prince William Sound.

29  
30 CHAIRMAN LOHSE: So you basically have a cooperative  
31 agreement for keeping track of.....

32  
33 MS. YATES: Right.

34  
35 CHAIRMAN LOHSE: .....goat populations there. If there  
36 are no other questions for Karen? Thank you muchly for your  
37 report.

38  
39 MS. MURPHY: Thank you.

40  
41 CHAIRMAN LOHSE: Thank you, Herman, for.....

42  
43 MR. GRIESE: You're welcome.

44  
45 CHAIRMAN LOHSE: .....for filling in. Okay. Did our  
46 U.S. Fish and Wildlife Service person show up? Mark? No?  
47 Then in that case what we'll do is we'll go on to the National  
48 Park Service, Wrangell/St. Elias National Park.

49  
50 MS. YATES: I'm Heather Yates with Wrangell/St. Elias,

0183

1 and just to bring you up to date on what we've been presenting  
2 to the public on the community outreach projects, the first one  
3 that just came out like a couple days ago is the subsistence  
4 brochure. Everybody got one on their desk. And this is going  
5 to be distributed to the local public only, and it basically  
6 simplifies subsistence hunting regulations. And it addresses  
7 mainly all the questions that we've been receiving on people  
8 coming into the Park, addressing -- or asking us about each one  
9 of these topics that are addressed on there.

10  
11 And the other -- another project that has been -- this  
12 is the second year, is the hunt map. You have those ones in  
13 front of you also. And the hunt maps have been distributed  
14 last year to Tanacross and Northway, but we're going to  
15 hopefully extend this to the other eight Ahtna villages, and  
16 this maps each for sheep, moose and caribou. Each of you have  
17 a different one. And on those maps, it shows the season and  
18 bag limits, the boundaries, and it shows the eligibility  
19 requirements for Tanacross and Northway.

20  
21 And finally the -- I don't have a copy of it in front  
22 of me, but the draft subsistence plan that was handed out to  
23 you last meeting is going to be in its final version come  
24 November 17th at the Wrangell SRC.

25  
26 And the brochure, to go back to that, that's -- that  
27 was one of the requests made by the Wrangells SRC. And it's  
28 finally available.

29  
30 And I would like to thank, personally thank Janice  
31 Meldrum from the National Parks Support Office, and Joanie  
32 Perry for all their work they've done on all these projects.  
33 Any questions?

34  
35 CHAIRMAN LOHSE: Now, you're going to make a map like  
36 this for basically all the different villages.....

37  
38 MS. YATES: Right.

39  
40 CHAIRMAN LOHSE: .....and entities in the area or  
41 for.....

42  
43 MS. YATES: For the Ahtna.

44  
45 CHAIRMAN LOHSE: Just the Ahtna villages?

46  
47 MS. YATES: Ahtna, yeah. There's eight different ones.

48  
49 CHAIRMAN LOHSE: Now, will something like this be done  
50 for the residents of the McCarthy road system?

0184  
1 UNIDENTIFIED VOICE: Request it.  
2  
3 MS. YATES: Yeah, it can be requested.  
4  
5 CHAIRMAN LOHSE: Okay.  
6  
7 MS. YATES: Would you formally like to request that?  
8  
9 CHAIRMAN LOHSE: I'd like to see the -- I'd like to see  
10 those residents included. You know, I think this is a good  
11 idea. I really like the looks of this. This is -- just the  
12 fact that you've taken questions that have been asked and put  
13 them in a simplified form. And now these are questions that  
14 people have come -- basically come to your office and asked  
15 you?  
16  
17 MS. YATES: Right.  
18  
19 CHAIRMAN LOHSE: And you just kept track of the  
20 questions and then decided which ones, you know, needed  
21 answered on a regular basis?  
22  
23 MS. YATES: Right.  
24  
25 CHAIRMAN LOHSE: So you can just hand the brochure out,  
26 instead of sitting there answering the questions.  
27  
28 MS. YATES: We're not going to give these to the  
29 tourists though that come in. It's just.....  
30  
31 CHAIRMAN LOHSE: No.  
32  
33 MS. YATES: .....mainly for the local subsistence  
34 users.  
35  
36 CHAIRMAN LOHSE: Well, that's what I was thinking of.  
37 If nothing else, what you could do is most of the -- most of  
38 the local communities are box holders. And one way that you  
39 could distribute this to people in Gakona, Copper Center,  
40 Chitna, McCarthy and places like that would be -- and --  
41 because these are questions that people ask all the time, would  
42 be to distribute it to the box holders, the local residents of  
43 the area, and that would be one way that would answer  
44 questions, you know, because some of these are questions that I  
45 hear that I don't know the answers to.  
46  
47 MS. YATES: Same here.  
48  
49 CHAIRMAN LOHSE: So -- Devi?  
50

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1 MS. D. SHARP: I'm Devi -- let's see if I can get this  
2 -- okay. I'm Devi Sharp, Chief of Resource Management for  
3 Wrangell-St. Elias. And the two things I'd like to bring to  
4 you is, first of all, the environmental assessment for the  
5 resident zone -- for extension of resident zone community for  
6 the Park and Preserve, and the second is the Mentasta Caribou  
7 Herd update.

8  
9 The environmental assessment for the addition of the  
10 four communities to the resident zone, and that would be the  
11 communities of Dot Lake, Tetlin, Tanacross and Northway, has  
12 been written, and the official date for public review is  
13 October 1st, so you have a day early, and there's copies in the  
14 back, and you all have copies. And there's a 45-day comment  
15 period.

16  
17 And there are three alternatives. One alternative is  
18 the no action alternative.

19  
20 The second alternative, which is the preferred  
21 alternative, is to designate the community boundaries, and the  
22 designation of the community boundaries would be done by the  
23 communities, and -- working with the park superintendent and  
24 staff. And if that is not done within two years, then the  
25 boundaries from the census, the census-designated place  
26 boundaries would be used.

27  
28 And the third alternative is to use the community  
29 designations that are currently existing for the 18  
30 communities, which are very loose, an affiliation with the  
31 community, which provides some problems down the road, because  
32 in times of perhaps short resources or looking at different  
33 communities and their status for subsistence use, it's a lot  
34 easier for the Park Service and for the SRC to know who's in  
35 the community and who's in the community and who's out of the  
36 community, and if it's chosen by the community, it should be a  
37 better alternative.

38  
39 So the public comment period again is from October 1st  
40 to November 14th, and hopefully there will be a signed decision  
41 to present to the Wrangells SRC in November, 17th and 18th.  
42 Any questions on that? That's been a long time coming, and  
43 again this is something that Janice has worked hard to see.

44  
45 CHAIRMAN LOHSE: Fred, have you got any questions on  
46 that? That was particularly of your interest.

47  
48 MR. JOHN: Yeah. I'm glad it's going forward.

49  
50 MS. D. SHARP: Yeah, it's time. It's overdue.

1           The Mentasta Caribou Herd has continued to decline. We  
2 conducted composition counts -- let me back up for a minute.  
3 In the book there's some updated information. The Board has  
4 the update, and if you'd pass these back, that's the updated  
5 information. Some of the numbers have changed with the most  
6 recent counts.

7  
8           So we conducted composition counts for the Mentasta  
9 herd in June and September. The June cow/calf ratio, about 13  
10 calves to 100 cows, was pretty much what it was last year. The  
11 June population totalled 416 caribou, which is down 31 percent  
12 from last year. The September count, composition count was 43  
13 bulls, 100 cows and 10 calves, which is up from 1997, but not  
14 by a lot. And the September population was 535, which was 13  
15 percent down from last year at this time.

16  
17           The work done in September, in early September, looking  
18 at the calves, indicated that the calves and the cows both were  
19 in very poor condition for going into winter. The cows that  
20 were looked at were way low on the fitness ratio. There's a  
21 scale where you measure -- you take different girth  
22 measurements, and little pinch tests the way the fitness police  
23 measure fat on people, and the cows were very skinny, and the  
24 calves were -- the calves that they knew were yearling calves  
25 looked like brand new calves. So there may be some issues  
26 about nutrition on the range, and that's something that Wilson  
27 Justin brought up, and we will be looking at that.

28  
29           And we're starting a new study this year looking at the  
30 cows to try -- I mean, the bulls, to try to figure out how much  
31 of the bulls' time is spent with the Nelchina herd. And if we  
32 can figure out that the bull population is shared between the  
33 Nelchina and the Mentasta herd, there may be in time the  
34 opportunity to open up a limited Mentasta bull hunt, if we  
35 through scientific study can determine that that's not going to  
36 be detrimental to the population.

37  
38           CHAIRMAN LOHSE: Have they ever done any genetic  
39 studies on them to see if there's any genetic difference  
40 between the two of them?

41  
42           MS. D. SHARP: I asked that question, and the answer I  
43 was told is there appears to be no genetic difference. But I  
44 think we're recruiting for a graduate student to do that,  
45 because that's extremely time intensive, and expensive, because  
46 it's helicopter flights. But.....

47  
48           CHAIRMAN LOHSE: I mean, if there's no genetic  
49 difference, then that goes along with what Wilson Justin says  
50 is that's basically just an off-shoot of the Nelchina herd

0187

1 based on range conditions.

2

3 MS. D. SHARP: Right.

4

5 CHAIRMAN LOHSE: That just come and go.

6

7 MS. D. SHARP: Right. And that's why I think we really  
8 do need to look at where the bulls winter and look at the  
9 genetic population. And we do have a national biological  
10 survey grant, NBS grant and RPP money to pull together to do  
11 both studies on Mentasta caribou in the next two years.

12

13 CHAIRMAN LOHSE: Have they ever done any tagging  
14 studies to find out whether those caribou that leave from the  
15 Mentasta herd come back -- are the same caribou that come back  
16 to the Mentasta herd?

17

18 MS. D. SHARP: That's what we started doing this  
19 September.

20

21 CHAIRMAN LOHSE: You started doing that this September.

22

23 MS. D. SHARP: Yeah.

24

25 CHAIRMAN LOHSE: Because I mean, it's possible that  
26 what you have is a whole different bunch of animals coming back  
27 yearly, you know. I mean, a proportion of the herd anyhow.

28

29 MS. D. SHARP: Right. Yeah, there are a lot of  
30 possibilities, and they -- it may be that taking a few Mentasta  
31 bulls wouldn't make any difference if the issue is calf  
32 survival.

33

34 CHAIRMAN LOHSE: Well, if the range is poor, it may not  
35 make any difference taking cows and calves either.

36

37 MS. D. SHARP: That's true. That's a much harder one  
38 to document. We do have actually some base line information on  
39 that taken, I don't know, about ten years ago. And I don't  
40 know if we could use it now to re-examine the range. It's a  
41 good idea.

42

43 CHAIRMAN LOHSE: Any questions for her?

44

45 MR. EWAN: I have a comment. I have said this before,  
46 and I don't believe that the feed on the range is the problem  
47 myself. I hunt in that area. This year I didn't hunt up  
48 there, but over the last ten years previously, I've been in  
49 that area there. And I think there's plenty of feed for  
50 caribou. There's 13 million acres approximately over there.

0188

1 Gee whiz, for 400 caribou, they could find a lot of food over  
2 there. But I think the problem is wolves and bear chasing them  
3 around all the time. They don't have time to eat. That's  
4 probably what the problem is. I've said that time and time  
5 again, every year. And I know that nothing can be done about  
6 that, but nobody mentions that as a problem, try to find some  
7 other reasons.

8  
9 MS. D. SHARP: Would you like me to mention it?

10  
11 MR. EWAN: Yeah.

12  
13 MS. D. SHARP: We recognize that the predation is high  
14 on calves and cows.

15  
16 CHAIRMAN LOHSE: And like he's saying, that constant  
17 factor of predation can keep them from feeding.

18  
19 MS. D. SHARP: Absolutely.

20  
21 CHAIRMAN LOHSE: So -- or at least putting on any  
22 weight. If you run every day, you don't put on much weight.

23  
24 MS. D. SHARP: Some of us try.

25  
26 MR. EWAN: I've got.....

27  
28 MR. JOHN: I've got.....

29  
30 MR. EWAN: Excuse me. I didn't hear the comment about  
31 the Northway, Tetlin, and was it Dot Lake, the other community?  
32 Did you say that a determination may be made by November? I  
33 was looking at something here, and I didn't.....

34  
35 MS. D. SHARP: Yeah. It is our intention to have a  
36 decision made. The public comment period will close on  
37 November 14th, and hopefully we'll have time to have gathered  
38 everything that's come in, and then kind of rush and finish up  
39 the final document for signature. And hopefully when I see you  
40 again at the SRC meeting, we will have a decision in hand.

41  
42 MR. EWAN: Thank you.

43  
44 MS. D. SHARP: And it may not be exactly one of the  
45 three alternatives. Part of the public comment process is  
46 taking the public comments and incorporating them into the  
47 decision. So I encourage people to read it, and if you see  
48 something better, you should -- or have any comments, you  
49 should let us know.

50

0189

1 CHAIRMAN LOHSE: Fred?

2

3 MR. JOHN: Yeah, I've got a completely different  
4 subject I just want to bring up. About a week ago my -- a  
5 cousin of mine came to me and asked me to bring it up. He went  
6 up the Nabesna Road to pick up some steam bath rock, and I  
7 guess he did not -- a ranger or somebody, but it -- he told --  
8 the ranger told him not to do that, and I thought I'd better  
9 get it nipped right now. The Village of Northway, Tanacross,  
10 and Dot Lake, Mentasta, they always pick up their steam bath  
11 rock up that way for as long as we know, you know, and it's  
12 volcanic rock, and they use it for their steam bath. It's  
13 about the only area they really could get it, unless they go  
14 down to Gulkana or Gakona and them area. But that's the  
15 closest for our area, and I was wondering, you know, what's the  
16 situation on it? It's a different thing, right?

17

18 MS. D. SHARP: Actually, I'm going to ask Hunter Sharp,  
19 who's the chief ranger, who's in the back of the room, to  
20 answer to that.

21

22 MR. JOHN: Well, one of the rangers said it was not to  
23 be -- it couldn't be disturbed, but the village has been  
24 picking steam bath rock up there as long as I could remember,  
25 you know, and it's a com-.....

26

27 MS. D. SHARP: Is it one of those.....

28

29 MR. JOHN: .....I do that.

30

31 MS. D. SHARP: .....things that's listed in the CFR?

32

33 MR. BOYD: We have a three-rock limit in our.....

34

35 (Laughter)

36

37 CHAIRMAN LOHSE: And only over eight inches.

38

39 MR. H. SHARP: My name is Hunter Sharp, I'm the Chief  
40 Ranger for Wrangell-St. Elias. And to answer your question,  
41 Fred, I believe the CFR permits the collection of mineral,  
42 which would be rock, for private use, as long as it's not  
43 commercial. So it may be an misinterpretation on the ranger's  
44 part, and we can talk about that. I don't think there's a  
45 direct obstacle to this.

46

47 MR. JOHN: Okay. Yeah, these rock are mostly for.....

48

49 MR. H. SHARP: Yeah.

50

0190  
1 MR. JOHN: .....personal steam bath.  
2  
3 MR. H. SHARP: This doesn't sound like a serious  
4 problem. It permits the collection for private use, so I think  
5 it may have been a misinterpretation.  
6  
7 MR. JOHN: Okay. I thought.....  
8  
9 CHAIRMAN LOHSE: Yeah, that was good. If we're going  
10 to have to start worrying about picking a rock up on the river.  
11  
12 (Laughter)  
13  
14 MS. D. SHARP: There's a lot of rock.  
15  
16 CHAIRMAN LOHSE: Can you throw them at a -- can you  
17 throw them at a spruce hen (indiscernible - laughing).  
18  
19 MR. H. SHARP: Don't go there.  
20  
21 MS. D. SHARP: any questions Wrangell-St. Elias?  
22  
23 CHAIRMAN LOHSE: Any questions from anybody else?  
24 Thank you for your report. Thank you for your comments. We  
25 have Robert.  
26  
27 MR. WILLIS: Thank you, Mr. Chair, Fish and Wildlife  
28 Service.  
29  
30 I had a little more information on Wrangell-St. Elias  
31 that I got from the Park on Monday that might be of interest to  
32 the Council. As you remember, we created two new hunts in that  
33 area last year that opened this fall. We created the first  
34 subsistence goat hunt which opened August the 25th, and runs  
35 through the end of December, and the elders' sheep hunt which  
36 opened on September the 21st and runs through October the 20th.  
37 And I called the Park just to find out if we'd had any  
38 participation in those hunts, and to date we've had only three  
39 persons who have picked up applications -- or registration  
40 permits for the goat hunt, and one elder has picked up a  
41 registration permit for the elders' sheep hunt, and we have no  
42 reported harvest yet. I do expect there will be some increase  
43 in the use as the season progresses and the snow brings the  
44 animals down lower. Thank you.  
45  
46 CHAIRMAN LOHSE: Could you give us those dates again,  
47 Robert? The dates of those hunts?  
48  
49 MR. WILLIS: The goat hunt opens on August the 25th,  
50 and runs through December 31st. And the elders' hunt for sheep

0191  
1 opens September 21st and runs through October 20th.  
2  
3 CHAIRMAN LOHSE: And you have to be 60, right?  
4  
5 MR. WILLIS: 60 years of age or older for the sheep,  
6 not for the goats.  
7  
8 CHAIRMAN LOHSE: Don?  
9  
10 MR. KOMPKOFF: Yes, Mr. Chairman. On this sheep  
11 hunting, it opens on September?  
12  
13 MR. WILLIS: September 21st.  
14  
15 MR. KOMPKOFF: 21st, and then October 20 it closes?  
16  
17 MR. WILLIS: That's correct.  
18  
19 MR. KOMPKOFF: And you could get a hunter, you know,  
20 like say an elder can pick up a permit and give it to somebody  
21 or.....  
22  
23 CHAIRMAN LOHSE: No.  
24  
25 MR. WILLIS: No, not for this hunt. That was a  
26 specific restriction. This hunt was requested by the elders in  
27 that area, because they wanted the opportunity to hunt later in  
28 the season when the snows had brought the sheep down to lower  
29 elevations where they could reach them. They were not  
30 interested in having someone go out and harvest an animal for  
31 them. They wanted to hunt themselves, and to take younger  
32 people along to teach them how to hunt.  
33  
34 MR. KOMPKOFF: Because I just turned to be 60 and I was  
35 looking for somebody to hunt a goat or sheep for me.  
36  
37 CHAIRMAN LOHSE: One more clarification on that,  
38 Robert. Isn't -- that sheep hunt is only for people who have a  
39 c&t in 13 and 11?  
40  
41 MR. WILLIS: That's correct.  
42  
43 MR. KOMPKOFF: So I used to goat there, too, when I was  
44 living in -- I was working Chitna, and just about any place  
45 almost in Alaska I was -- you know, like I'd go to Dutch Harbor  
46 and I'd hunt seal down there, too, you know, and we'd eat the  
47 seal down there when I was crabbing. We'd go up on the beaches  
48 there and I have a movie picture of me catching a seal with a  
49 big wave behind me when I was running down and getting it with  
50 a hook and the wave coming right behind me. You could see it.

0192

1 It's really nice. But just -- I just want to say that if I put  
2 a c- -- how do I get a c&t for, you know, like -- am I too late  
3 to go hunting there now?

4  
5 CHAIRMAN LOHSE: Yeah, I think, Don, presently you're  
6 living in Valdez, right?

7  
8 MR. KOMPKOFF: Right.

9  
10 CHAIRMAN LOHSE: And Valdez is classed as a non-rural  
11 area. And also Valdez is Unit 6, and I don't think Unit 6 has  
12 c&t in Unit 11 or 13 either. I don't think. I'm not positive  
13 on that. Robert, do you have.....

14  
15 MR. WILLIS: I don't think they do either, like you,  
16 Ralph, but I'd rather look at the book to be sure.

17  
18 CHAIRMAN LOHSE: Yeah.

19  
20 MR. WILLIS: I'm reasonably certain Valdez is not a  
21 resident zone community for.....

22  
23 CHAIRMAN LOHSE: No.

24  
25 MR. WILLIS: .....the Park either, is it?

26  
27 CHAIRMAN LOHSE: No.

28  
29 MS. MASON: No, no Unit 6.

30  
31 CHAIRMAN LOHSE: Yeah.

32  
33 MR. WILLIS: I'm sure we'd all like to see the.....

34  
35 CHAIRMAN LOHSE: You'll have to do without sheep meat  
36 this winter.

37  
38 MS. MASON: You're out of luck.

39  
40 MR. WILLIS: I'm sure we'd all like to see that movie  
41 though, Don, if you'd like to bring it in.

42  
43 CHAIRMAN LOHSE: If you want to bring that next time.

44  
45 MR. KOMPKOFF: Yeah. Okay.

46  
47 CHAIRMAN LOHSE: Okay. We are now on to -- I've got to  
48 turn back to my -- I keep losing my agenda, because I keep  
49 turning back to something else. Again, Fish and Wildlife  
50 Service. No Fish and.....

0193

1 MR. BOYD: I went looking for Mark, and he is not  
2 around, so.....

3  
4 CHAIRMAN LOHSE: Okay. That's Kenai National Wildlife  
5 Refuge. Did anybody particularly have any questions they  
6 wanted to ask about the Kenai National Wildlife Refuge? We  
7 could make up a list of questions to make sure they answered  
8 them at the next meeting, if anybody's got any specific  
9 questions.

10  
11 MR. ROMIG: Yeah, I saw Mark walk in. I thought  
12 I'd.....

13  
14 COURT REPORTER: I can't hear you.

15  
16 MR. ROMIG: Yeah, I saw Mark walk in, too. I was going  
17 to -- I had some questions on the wolf relocation. It seems to  
18 me like they're doing pretty good down there, except for the  
19 one that.....

20  
21 UNIDENTIFIED VOICE: Escaped?

22  
23 CHAIRMAN LOHSE: That went home.

24  
25 MR. ROMIG: And he went home, yeah. Or she went home.  
26 So I kind of wanted to bring that up at this meeting, but --  
27 because I know that his boss is the one that authorized the --  
28 made the final authorization to relocate them.

29  
30 CHAIRMAN LOHSE: Well, if he doesn't end up showing up  
31 before the end of the meeting, maybe what we can do is, you  
32 know, ask for specific information, you know, have him prepared  
33 for that next time. On wolf -- on the status of the wolf  
34 relocation program there.

35  
36 MS. EAKON: Yes.

37  
38 MR. ROMIG: Yeah.

39  
40 CHAIRMAN LOHSE: Or even just send some information out  
41 on it.

42  
43 MR. ROMIG: Well, they've got some information on it,  
44 I'm just wondering.....

45  
46 CHAIRMAN LOHSE: Oh, you have some questions on that  
47 information?

48  
49 MR. ROMIG: Yeah.

50

0194

1 CHAIRMAN LOHSE: Okay. So, Denali. You seem to get up  
2 here a lot, Hollis.

3  
4 MR. TWITCHELL: I'll make it fairly short. I only have  
5 two items that I was going to bring before this Council, and  
6 both of them involve actions that the Denali Subsistence  
7 Resource.....

8  
9 CHAIRMAN LOHSE: They can't hear behind you.

10  
11 MR. TWITCHELL: Okay. Is this any better?

12  
13 CHAIRMAN LOHSE: Yeah, that's better.

14  
15 MR. TWITCHELL: In only have two items to bring  
16 forward, and both of them resulted from the Denali Subsistence  
17 Resource Commission meeting in August 28th. One of them is a  
18 letter to the Federal Subsistence Board, which was mailed out  
19 shortly after the meeting, but apparently some of the  
20 communications are not getting out to the councils, so I  
21 brought a copy with you -- to leave with you.

22  
23 The letter is in response to Proposal 38, which the  
24 Board deferred at their last meeting, and referred it to the  
25 Solicitor for review as to whether there's authority to do  
26 individual c&t determinations on park lands. This proposal  
27 involved an individual, Dan O'Connor, who lives in the  
28 community of Healy who has requested an individual  
29 authorization for Denali Park lands for moose. The  
30 Commission's letter expresses disappointment in the Board's  
31 action, and urges that the review by the Solicitor be done in  
32 an expedient manner so that this issue can be readdressed by  
33 the Board and resolved. They feel that the review wasn't  
34 necessary, and that the results is that the O'Connor family  
35 continues to be excluded from uses that they believe he is --  
36 should receive. So I have a copy of that letter, and I'll  
37 leave it with Helga as well.

38  
39 The second item is the subsistence management plan that  
40 the Commission and the Park is working on. The Commission at  
41 their previous meeting had requested that the Park Service  
42 prepare not only a subsistence management plan, but also what's  
43 called a subsistence user guide. They were concerned that  
44 subsistence individuals in the communities around Denali, and  
45 other public, were not aware of all the opportunities and the  
46 complications of dual management and subsistence use. And so  
47 we brought back to the Commission at their last meeting a  
48 subsistence user guide for the Denali area, and it's only been  
49 reviewed once by the Commission, so they don't have it in a  
50 state in which they're ready to bring it out into the open

0195

1 forum. But this guide is directed towards the subsistence  
2 user, to try to provide them background information on Denali  
3 subsistence programs.

4  
5 And the main topics that are in this user guide is  
6 subsistence eligibility, sport and subsistence hunting in the  
7 preserve areas, federal registration permits for the Denali  
8 area, access to the park, transportation and discharge of  
9 firearms, the role of Subsistence Resource Commission, the  
10 Denali Subsistence Resource Commission, how changes are made to  
11 the federal subsistence regulations, when to submit proposals  
12 to change subsistence regulations, timber harvest, plants and  
13 berry usage, cabin construction and use, and where to find  
14 state and federal harvest regulations. And it's organized into  
15 a manual that will be able to be folded up, with addresses on  
16 it, in which we can mail it out to the subsistence users in our  
17 resident zones, and our other individual permittees.

18  
19 I'll leave this copy here if anyone has an interest in  
20 looking at it over breaks or lunch hours or whatever. We will  
21 be coming back to this council and the other councils with not  
22 only the Denali Subsistence Management Plan, but with this user  
23 guide for your comments at the next meeting.

24  
25 That's all I had. Thank you.

26  
27 CHAIRMAN LOHSE: Any questions for Hollis? Or  
28 comments?

29  
30 MR. ROMIG: Did you say you had a copy of the letter?

31  
32 MR. TWITCHELL: Yes, I do.

33  
34 CHAIRMAN LOHSE: Helga?

35  
36 MS. EAKON: I can make copies over here.

37  
38 CHAIRMAN LOHSE: I think those user guides are  
39 something that's been long overdue.

40  
41 MR. TWITCHELL: Very much so. And the Commission was  
42 concerned that our subsistence resource management plan is too  
43 thick and too bureaucratic and too detailed for being  
44 functional within the communities, and it's their direction  
45 that we come forward with this version.

46  
47 MR. EWAN: I have a question, Hollis. On the Kantishna  
48 closed area, you know, how is that going? I don't remember  
49 exactly how it was, but it was so much distance from the road  
50 or surrounding Kantishna Lodge or something?

0196

1 MR. TWITCHELL: That's correct. I submitted.....

2

3 MR. EWAN: Yeah, I just wondered how that was going?

4

5 MR. TWITCHELL: Oh, it's going fairly well. I  
6 mentioned yesterday that we -- it varies from year to year, but  
7 we have anywhere between three and six people that go out into  
8 the Kantishna area for subsistence moose hunting each year. We  
9 are initiating temporary closures, firearm discharge closures  
10 along the Kantishna Road from the old park boundary, McKinley  
11 Park boundary, to the Kantishna air strip, one mile on either  
12 side.

13

14 I mentioned yesterday in the superintendent's response  
15 to your inquiry the seasons that are open in that area. The  
16 harvest numbers are fairly low. There's only been one moose  
17 harvested within that area that we're aware of.

18

19 CHAIRMAN LOHSE: Any other questions for Hollis? Thank  
20 you. Now, what kind of time have we got right here? Oh, we've  
21 got plenty of time for the Alaska Department of Fish and Game.

22

23 MS. EAKON: BLM.

24

25 CHAIRMAN LOHSE: Oh, we have BLM?

26

27 MS. EAKON: Yes.

28

29 CHAIRMAN LOHSE: Oh, I missed that one. How did we  
30 ever miss that one? BLM first. You thought you'd get out of  
31 it?

32

33 MS. BECKER: Hey, you were by-passing me, and it's.....

34

35 CHAIRMAN LOHSE: I'm sorry. I don't know how I jumped  
36 from the other one to the Park Service. I just missed you.

37

38 MS. BECKER: I'm Brenda Becker, I work for BLM in  
39 Glennallen.

40

41 And we issue subsistence caribou moose permits for the  
42 residents of Unit 13. We also issue subsistence caribou  
43 permits now for the residents of 20(D). It's gone well this  
44 year, even with the 20(D) people being involved in it. We --  
45 in the deal that is in your book, there's actually a mistake,  
46 because we did go to Delta for two days, and we issued permits,  
47 but we issued 254 permits, not the 148 that was on the paper.  
48 I don't have any of the harvest data for this year yet, but as  
49 far as issuing permits, our normal year is about 1500 permits  
50 that we issue. We've already issued over 2,000 for this

0197  
1 caribou season.  
2  
3 CHAIRMAN LOHSE: This is for the subsistence caribou  
4 hunt?  
5  
6 MS. BECKER: Yes. Yeah.  
7  
8 CHAIRMAN LOHSE: So there's been a definite increase in  
9 interest?  
10  
11 MS. BECKER: Yes, sir. We -- at this point, we've  
12 actually issued 320 to 325 people from Unit 20(D). The rest of  
13 it has all been Unit 13 people, and -- but the numbers are  
14 still up even with that approximately 250 more than what we  
15 normally issue. The caribou are still -- they're not moving  
16 that much. They're like in pockets all over the place, so --  
17 but.....  
18  
19 CHAIRMAN LOHSE: Now, this -- these permits are  
20 available for 13 and 20(D)?  
21  
22 MS. BECKER: Yes, sir.  
23  
24 CHAIRMAN LOHSE: Not 12, not 11, not -- they're  
25 strictly 13.....  
26  
27 MS. BECKER: Well,.....  
28  
29 CHAIRMAN LOHSE: .....and 20(D), right?  
30  
31 MS. BECKER: I'd have to get the regulation book again.  
32 It could extend -- yes, the people on the McCarthy Road can  
33 come in and get the subsistence permits for caribou only. The  
34 people that live on the Mentasta Road -- Nebesna Road can come  
35 in and get permits for caribou, and moose if I'm not mistaken.  
36 Thank you. Right. Residents of Unit 11 and 12 can both get.  
37 Residents of Dot Lake and Healy Lake. It also includes  
38 Chikaloon. And the moose is pretty much the same way. The  
39 residents of Unit 12 and 13, Chikaloon and Dot Lake can get the  
40 moose permits.  
41  
42 CHAIRMAN LOHSE: I was just wondering if the increase  
43 was evenly spread across the boarder, if the increase was from  
44 new areas that were added, you know?  
45  
46 MS. BECKER: I'm not exactly sure. I haven't really --  
47 I've tried to keep track as far as that goes. As far as the  
48 resid- -- I've definitely kept track of the residents of 20(D),  
49 so I know.....  
50

0198  
1 CHAIRMAN LOHSE: And that's.....  
2  
3 MS. BECKER: .....that one.  
4  
5 CHAIRMAN LOHSE: And that is -- that's a new area?  
6  
7 MS. BECKER: That's a new area.  
8  
9 CHAIRMAN LOHSE: Okay. And you said like 354 from that  
10 area?  
11  
12 MS. BECKER: Right.  
13  
14 CHAIRMAN LOHSE: That almost takes care of the increase  
15 then.  
16  
17 MS. BECKER: Pretty much. There's still about 250 more  
18 permits that we have issued to this point. As we're about that  
19 far up, not counting the 20(D) over the residents. We've had  
20 some new families move in that are able to come in and get the  
21 permits. So.....  
22  
23 CHAIRMAN LOHSE: I was trying to -- I was just trying  
24 to remember whether this was the first year that Chistochina  
25 and the residents in Unit 20(D), and the residents of Unit 11  
26 were available, or whether -- 11 I think was already in there  
27 last.....  
28  
29 MS. BECKER: Eleven was in there last year.  
30  
31 CHAIRMAN LOHSE: Eleven was in there previously.  
32  
33 MS. BECKER: Right. It's been in there consistently,  
34 11 and 12. 20(D) is actually the only new area.....  
35  
36 CHAIRMAN LOHSE: Okay.  
37  
38 MS. BECKER: .....that has been opened up.  
39  
40 CHAIRMAN LOHSE: Okay.  
41  
42 MS. BECKER: I know that the people from Unit 13 wanted  
43 -- have expressed their gratitude over the designated hunter  
44 permit that the Board has graciously given us back the  
45 opportunity to issue. Mostly they go to elders, and it's been  
46 working out real well.  
47  
48 CHAIRMAN LOHSE: So that could be a little of the  
49 increase right there, too?  
50

0199  
1 MS. BECKER: It could be a little bit, yes.  
2  
3 CHAIRMAN LOHSE: Have you got more for us?  
4  
5 MS. BECKER: I don't think so.  
6  
7 CHAIRMAN LOHSE: Ben?  
8  
9 MR. ROMIG: I have a question for you.  
10  
11 COURT REPORTER: I can't hear you.  
12  
13 MR. ROMIG: Yeah, Brenda, I was wondering, is there --  
14 I know the signs -- you know, the signs that mark the  
15 territories?  
16  
17 MS. BECKER: Uh-hum.  
18  
19 MR. ROMIG: And under the federal I guess, you know,  
20 you could shoot a cow.  
21  
22 MS. BECKER: On the caribou only, yes,.....  
23  
24 MR. ROMIG: Yes. And then I.....  
25  
26 MS. BECKER: .....it's either sex.  
27  
28 MR. ROMIG: .....know on the state, you know, it's a  
29 bull.  
30  
31 MS. BECKER: Yes.  
32  
33 MR. ROMIG: Is there much of a problem, you know, being  
34 reported back to your office as far as, you know, people may be  
35 -- because there really isn't a lot of federal land there that  
36 we're talking about issuing all these permits. Is there.....  
37  
38 MS. BECKER: Right.  
39  
40 MR. ROMIG: .....are a lot of the caribou kind of  
41 getting beyond these arbitrary lines, and are you getting  
42 complaints from the people from the State?  
43  
44 MS. BECKER: We actually haven't had very many  
45 complaints. We have been very careful as far as -- most of the  
46 federal lands are within the road system. You can drive most  
47 of them. We have the two wild and scenic rivers that we have  
48 the corridors for that are also opened up to the hunting. We  
49 haven't had many complaints over that, to be really honest,  
50 that I have heard. We're -- we've got -- I look at your map

0200

1 over there, and it's actually not accurate as far as where the  
2 federal hunting lands are. We have -- every spring before we  
3 get ready to issue the permits before the book comes out, I go  
4 through it and doublecheck all the land status to make sure  
5 whether or not the federal lands have increased, if they've  
6 decreased, you know, and make sure that the map in the book is  
7 accurate. This year was the first year that we've been able to  
8 do a GIS map and have color copies made of it to hand out to  
9 the people to where they are aware of where the federal areas  
10 are. We're -- we try to be very careful over that, so that we  
11 don't have problems.

12  
13 MR. ROMIG: But the herd, you know, since the State  
14 went to, you know, the bull only, there was a decrease in the  
15 herd of, what, 15,000 or something, is that correct?

16  
17 MS. BECKER: I'm not exactly sure on the numbers.

18  
19 CHAIRMAN LOHSE: Robert?

20  
21 MR. WILLIS: I could answer that for you. As I recall,  
22 the herd dropped from about 43,000 to about 35,000, but I don't  
23 have any figures for this year. That was attributed to --  
24 mostly to a severe winter and poor calf survival. But you're  
25 correct that it dropped, what is that, about 7,000 I guess, six  
26 or 7,000 animals, between 1996 and 1997 counts.

27  
28 CHAIRMAN LOHSE: Anybody else have any questions for  
29 Brenda? I've got one question, Brenda, I was, you know, on the  
30 ATV thing with the -- you know, with the Board of Game has  
31 convened a committee to study ATV,.....

32  
33 MS. BECKER: Yes, sir.

34  
35 CHAIRMAN LOHSE: .....and yet at the same time I was  
36 under the impression that all federal land had to have a plan  
37 for, you know, all -- on all federal land, all ATVs had to be  
38 on designated trails whether it was Forest Service, BLM or.....

39  
40 MS. BECKER: As far as I'm aware.....

41  
42 CHAIRMAN LOHSE: .....National Park.....

43  
44 MS. BECKER: .....the only lands that we have ATV  
45 restrictions on is the Tangle Lakes Archaeological District up  
46 on the Denali Highway.

47  
48 CHAIRMAN LOHSE: And that's the only lands you have  
49 restrictions on?

50

0201

1 MS. BECKER: That's the only lands that we have  
2 restrictions on at this point in time. Now, -- and in that  
3 area we have brochures that we hand out to.....

4  
5 CHAIRMAN LOHSE: Uh-hum.  
6

7 MS. BECKER: .....our hunters and stuff, showing where  
8 the designated trails are, you know, where they're allowed to  
9 go as far as with ATVs.

10  
11 Now, from what I understand, and the way that the  
12 brochure reads, that's strictly when there is no snow cover.  
13 If there is a show cover, then there are no restrictions in  
14 that area.

15  
16 MR. EWAN: On the trails, I don't if you're -- if you  
17 know the answer to this question, but, you know, out in - one  
18 of the trails that went to Round Top,.....

19  
20 MS. BECKER: Uh-hum.

21  
22 MR. EWAN: .....do you know where that is?

23  
24 MS. BECKER: Uh-hum.

25  
26 MR. EWAN: There are so many trails that we use some of  
27 the trails -- I -- you know, you can get out there so far, and  
28 then the trail kind of peters out.

29  
30 MS. BECKER: Right.

31  
32 MR. EWAN: It's easy to get off on -- you know, get  
33 into an area that there's no trail,.....

34  
35 MS. BECKER: Right.

36  
37 MR. EWAN: .....and how do you handle a situation like  
38 that anyway? I know, I've been out there, and there's so many  
39 trails all over the place out there.

40  
41 MS. BECKER: Out around Round Top as far as I know, as  
42 far as I'm aware, there are no restrictions.

43  
44 MR. EWAN: But you say you have designated trails?

45  
46 MS. BECKER: In the archaeological district.....

47  
48 MR. EWAN: Oh, that's the only one?

49  
50 MS. BECKER: .....up on Denali Hi- -- up on Denali

0202

1 Highway, right. The rangers try to enforce that. We just got  
2 a new archaeologist into the district that is going to be doing  
3 stuff out there on the trails. Outside of that, I really don't  
4 know.

5  
6 MR. EWAN: You answered my question. I thought you  
7 said you had designated trails that you -- but you only have  
8 one. Okay.

9  
10 MS. BECKER: There's nine or ten in the archaeological  
11 district.

12  
13 MR. EWAN: Oh, out there, yeah. Okay.

14  
15 MS. BECKER: Yeah.

16  
17 MR. EWAN: But it's only one area.

18  
19 MS. BECKER: But that's the only area.

20  
21 MR. EWAN: Yeah.

22  
23 CHAIRMAN LOHSE: Any other questions for Brenda? Thank  
24 you. Sorry we missed you before.

25  
26 And I think we still have time? Yes, we still have  
27 time for the -- I think we have time for the Alaska Department  
28 of Fish and Game reports.

29  
30 MR. EWAN: Could I go back to another question that  
31 I.....

32  
33 CHAIRMAN LOHSE: Okay.

34  
35 MR. EWAN: .....kind of occurred to me as the reports  
36 were coming in, and that's about Unit 11. We just had this  
37 lady mention that Unit 12 people and Unit 11 people could hunt.  
38 Do we have any idea how many people reside in Unit 11 that are  
39 eligible hunters?

40  
41 MS. MASON: You mean from census data or something?

42  
43 MR. EWAN: From Unit 11. You know, for the Board -- I  
44 mean, for the Council's purpose, I don't think there's hardly  
45 -- there's anybody up in Unit 11.

46  
47 CHAIRMAN LOHSE: You mean there's not very many people  
48 out there?

49  
50 MR. EWAN: I don't think there's anybody residing on

0203

1 that side or I've met -- up in Nebesna and McCarthy Road maybe,  
2 but I don't now.

3  
4 CHAIRMAN LOHSE: Yeah.

5  
6 MR. EWAN: Do we know of a number of people that reside  
7 in Unit 11, because, you know, some day it will come to the  
8 point of what the impact of allowing unit so and so to hunt in  
9 an area. Unit 11, there's practically no impact in my opinion,  
10 just for your information.

11  
12 CHAIRMAN LOHSE: Yeah.

13  
14 MR. EWAN: And it's listed as eligible to hunt in say  
15 13, but it's really nothing.

16  
17 CHAIRMAN LOHSE: I off the -- you know, I'm just trying  
18 to think from -- just trying to think of neighbors and stuff  
19 like that. I would doubt if the McCarthy road system has 100  
20 people, and that would include all the way up to Paul Klauson,  
21 the guys at Dan Creek and every place else. Somewhere in the  
22 neighborhood of 100 people. And what does Nebesna have? Does  
23 it have 15 or 20? Somewhere in that neighborhood?

24  
25 MR. JUSTIN: I was in that -- from the Unit 11  
26 boundary, which is about 26 miles on back down that side  
27 (Indiscernible - away from microphone).

28  
29 CHAIRMAN LOHSE: Well, Justin, do you want to come?  
30 Yeah, maybe he can answer the question for you.

31  
32 MR. EWAN: I just want to have an idea of how many  
33 people we're talking about when we're.....

34  
35 CHAIRMAN LOHSE: Not many.

36  
37 MR. EWAN: .....we're saying Unit 11 eligible to hunt  
38 in a certain area, yeah.

39  
40 MR. JUSTIN: Well, that is a good question. I was  
41 trying to get to that question in a round about way yesterday.  
42 The issue with us has always been that the two units, 11, 12 --  
43 actually it's three units, 11, 12 and 13, has different kinds  
44 of population basis. Your population in Unit 11 down further  
45 along the road, not Nebesna area, is primarily a working class  
46 population. They have access to road system, they have access  
47 to markets, and they're generally a very well-travelled  
48 community base residents. But when you get into our area,  
49 where it's a very small population, very isolated, the chances  
50 of these people getting out and getting into market situations

0204

1 is zero. In the Unit 11 from where I'm from, down below us  
2 there's hardly any people, but they wouldn't be travelling  
3 anywhere.

4  
5 And the same goes for the Unit 12 designations. If you  
6 get into Unit 12 down in Northway area and on the other side of  
7 the range, you're talking a large population area that's pretty  
8 mobil. They have snow machines, cars, planes, a lot of that  
9 stuff. But when you get about Unit 12 in my area, the method  
10 of take and reach and scope changes really dramatic. But we're  
11 still a part -- we still have to react to regulations the same  
12 as a person who comes from another community that has an  
13 entirely different method of take. And I was trying to bring  
14 that up in a round about way yesterday. I just didn't know  
15 how. So I'm glad the question is asked.

16  
17 MR. H. SHARP: I'm Hunter Sharp again from Wrangell-St.  
18 Elias. In addressing the Unit 11 question, if I understand you  
19 right, you wanted to know who from Unit 11 can hunt, and then  
20 if you look in the federal regs on the species,.....

21  
22 MR. EWAN: The question is do we have any idea of who  
23 -- how many reside in Unit 11 that are eligible to hunt  
24 for.....

25  
26 CHAIRMAN LOHSE: In other words, population base.

27  
28 MR. EWAN: Yeah.

29  
30 MR. H. SHARP: Hunt what, because by species.....

31  
32 MR. EWAN: Well, whatever. We've got -- we talk about  
33 Unit 11. We always say Unit 11 is eligible to hunt in say Unit  
34 13.

35  
36 CHAIRMAN LOHSE: For caribou.

37  
38 MR. H. SHARP: When she was up before from the BLM, she  
39 was addressing caribou particularly. So then I would go into  
40 the federal subsistence regulation for caribou and look, and  
41 what I would find, of course, with no season for Unit 11, but I  
42 would also find there's a split at the Sanford River. And if  
43 you want to know numbers of people, then you're looking at  
44 those people in Glennallen, Copper Center, Kenny Lake, Chitna  
45 and on out McCarthy Road as one group south of Sanford. And  
46 then the people from Unit 12 and down into Nebesna would be in  
47 the other group north of Sanford. But no federal season on the  
48 Mentasta herd.

49  
50 CHAIRMAN LOHSE: Yeah, I think he's talking about the

0205

1 fact that those people aren't really residing in Unit 11,  
2 Copper Center, Glennallen and all of those. Those are all in  
3 Unit 13.

4  
5 MR. EWAN: Uh-hum.

6  
7 CHAIRMAN LOHSE: The people -- what he wonders is just  
8 what is the population, because sometimes we've given customary  
9 and traditional to people from Unit 11, like on the 13 caribou  
10 hunt. How many people live in Unit 11? How many people -- in  
11 other words, we've got the McCarthy road system, and up the  
12 Chitna Valley, maybe 100 people.

13  
14 MR. H. SHARP: Yeah.

15  
16 CHAIRMAN LOHSE: How many live on the Nebesna side?  
17 How many of them are residing in Unit 11?

18  
19 MR. H. SHARP: Yeah, you've just about put your finger  
20 on all of them right there.

21  
22 MS. D. SHARP: Half way out to Nebesna (Indiscernible -  
23 away from microphone), people (indiscernible) living at Nebesna  
24 are actually from.....

25  
26 CHAIRMAN LOHSE: They're in Unit 12.

27  
28 MS. D. SHARP: Yeah.

29  
30 CHAIRMAN LOHSE: So the only thing we have is anybody  
31 that would live up the Nebesna Road, and is there anybody even  
32 staying up the Nebesna Road any more?

33  
34 MR. JUSTIN: My family's up there. The Unit 11  
35 boundary is about three and a half miles from where my family  
36 resides on the Nebesna itself.

37  
38 CHAIRMAN LOHSE: Okay.

39  
40 MR. JUSTIN: We don't hunt down in Unit 11, because  
41 none of us are ever really sure of what the regs say in that  
42 particular unit. And that's part of what I was saying  
43 yesterday, there's a major problem with the boundaries in terms  
44 of hunting patterns at the community and small village level.

45  
46 CHAIRMAN LOHSE: Uh-hum. But in answer to Roy's  
47 question, are there residents on the Nebesna Road that live on  
48 the Unit 11 side of the border?

49  
50 MR. JUSTIN: Down by Slana, yeah.

0206  
1 CHAIRMAN LOHSE: Down by Slana. There are?  
2  
3 MR. H. SHARP: The Slana group would be the  
4 largest.....  
5  
6 CHAIRMAN LOHSE: Okay.  
7  
8 MR. H. SHARP: .....population, other than on McCarthy.  
9  
10 CHAIRMAN LOHSE: And so we're talking.....  
11  
12 MR. EWAN: (Indiscernible - simultaneous speech).....  
13  
14 CHAIRMAN LOHSE: .....how many people?  
15  
16 MR. EWAN: .....some day we -- I think some day we'll  
17 have an answer, because we're talking about impact on -- I  
18 don't think there's any impact right.....  
19  
20 MR. JUSTIN: Yeah, 150 people.  
21  
22 MR. EWAN: .....now. I mean, there's so few people, so  
23 -- but.....  
24  
25 MR. JUSTIN: Maybe 175.  
26  
27 MR. EWAN: .....some day there may be a larger group.  
28  
29 CHAIRMAN LOHSE: You figure about 75 people now?  
30  
31 MR. JUSTIN: No, 150,.....  
32  
33 CHAIRMAN LOHSE: 150.  
34  
35 MR. JUSTIN: .....175. You wouldn't get more than  
36 that, and it's basically -- the question that Roy asked is  
37 about impact. And impact is what I was trying to build my  
38 discussion yesterday about. There's no impact from Unit 11 on  
39 13, period.  
40  
41 CHAIRMAN LOHSE: Right. That's what he was asking. So  
42 basically we're looking at 275 people maybe for Unit 11.  
43  
44 MR. JUSTIN: And that's the same question that I was  
45 building around this Mentasta herd question. There wouldn't be  
46 any impact on the Mentasta herd from 12 and 11 residents.  
47  
48 MR. H. SHARP: We've got some census figures here from  
49 1998 or -- not census, but they're '98 figures. If I can  
50 follow them across right, Slana was 59 people, McCarthy looks

0207

1 like 33, so you're still well under your, you know,  
2 hypothetical 200 there. You're not even getting close.

3  
4 MR. EWAN: Yeah, I questioned it after I  
5 (indiscernible).

6  
7 CHAIRMAN LOHSE: Yeah, you've got an -- not very many  
8 people, isn't that right? Yeah. I think that that's McCarthy  
9 -- when that's McCarthy, that's not the road system, that's  
10 just McCarthy. And Slana's probably bigger, because it's not  
11 taking the outlying, but it's not very many people. Thank you.  
12 That was all -- that answers your question, Roy?

13  
14 Okay. Now, could we take our lunch break? How about  
15 the Alaska Department of Fish and Game, are you capable of  
16 staying for after lunch, or would you prefer us to run it  
17 through right now before lunch, and then.....

18  
19 UNIDENTIFIED VOICE: It doesn't matter.

20  
21 CHAIRMAN LOHSE: We have -- how -- it's 15 minutes till  
22 noon right now. We could either.....

23  
24 MR. EWAN: Finish.

25  
26 CHAIRMAN LOHSE: Will you be done in 15 minutes?

27  
28 UNIDENTIFIED VOICE: I doubt it.

29  
30 UNIDENTIFIED VOICE: We have three.

31  
32 CHAIRMAN LOHSE: You have three of them. Okay. In  
33 that case, let's take our break. It's 11:45. We have on the  
34 agenda lunch break at 11:45. Let's take a lunch break till  
35 1:00 o'clock. We'll start with the Alaska Department of Fish  
36 and Game, and we'll go on to opening the floor for proposals  
37 after lunch.

38  
39 (Off record)

40  
41 (On record)

42  
43 CHAIRMAN LOHSE: Okay. We'll call this Southcentral  
44 Alaska Subsistence Regional Advisory Council meeting back into  
45 order. At this point in time, we were going to have the Alaska  
46 Department of Fish and Game, and I see them all sitting there.  
47 So if you -- you know how you want to make your presentation,  
48 so you can make it in any way that you would like.

49  
50 MS. ANDREWS: Sure. Thank you, Mr. Chairman. My name

0208

1 is Elizabeth Andrews again. I'm the Department's liaison to  
2 the federal program. I just wanted to take this chance and  
3 introduce some of our staff who are here today to give you a  
4 presentation on some of the resources in the area. So we'll  
5 have Herman Griese from our Palmer office is going to talk  
6 about some of the wildlife populations in the area where he's  
7 the area biologist. And then we also have Ellen Simpson from  
8 the Commercial Fisheries Division who will talk about the  
9 Southcentral status of the salmon fisheries and some of the  
10 other fishery-related matters in this region that you might be  
11 interested in. You can ask her questions. And then Tom Taube  
12 from Glennallen, he's with our Sport Fish Division, which  
13 actually has a lot to do with managing the subsistence and the  
14 personal use fishery on the Copper River, and he'll give you an  
15 update on that. So I just wanted to give you an idea of who  
16 else from our staff will be here to present some information,  
17 and let them go for it, and feel free to ask them questions.

18  
19 CHAIRMAN LOHSE: Thank you, Elizabeth.

20  
21 MS. ANDREWS: Thank you.

22  
23 MR. GRIESE: Thank you, Mr. Chairman, Council members.  
24 I thought what I would do would be to present information on  
25 the wildlife resources in Game Management Unit 16. I'm the  
26 area biologist for 14(A), 14(B) and 16, but currently there  
27 aren't many seasons or there isn't much federal land in 14(A)  
28 or 14(B), so I thought I'd skip that, unless you had some  
29 questions about it.

30  
31 In -- we'll start out with moose, and in Unit 16, we  
32 have roughly 10,000 moose broken down 3,500 in 16(A) and 6,500  
33 in 16(B). And we break that down further in our management  
34 scheme, looking specifically at northern 16(B) versus middle  
35 and southcentral B -- south 16(B). The northern 16(B)  
36 population is roughly 2,000 animals. And since the winters of  
37 89/90 through 93/94, there was a long series of winters that  
38 snow depth created a substantial amount of winter mortality,  
39 and those populations in both northern 16(A) and northern 16(B)  
40 declined substantially. Since '95 we've seen what we think is  
41 a stabilization, and possibly even an increase in those numbers  
42 of animals. During the same time we had a substantial increase  
43 in the predator population, and I'll talk about that as well,  
44 but the impact of predators has also reduced the potential for  
45 that northern population to recover.

46  
47 In the middle portion of 16(B) there's roughly 3,000  
48 animals, and the southern portion -- or 3,500, and the southern  
49 portion around Tyonek and the coastal areas of Redoubt Bay  
50 slightly over 1,000, 1500 animals.

1 In both the southern portion of 16(B) and the northern  
2 portion of 16(B) our calf/cow ratios in the fall have been  
3 hovering around 10 calves per 100 cows, and we believe that  
4 that's a function of the predator populations in that area.

5  
6 As I mentioned earlier, the predator populations have  
7 increased. A little bit of background, in the 60s and 70s with  
8 state area wolf management or wolf hunting opportunities beyond  
9 the Alaska Range in Unit 19, so we believe a number of the wolf  
10 hunters in the process of going out and coming back  
11 opportunistically took additional wolves that were not in the  
12 hunt areas. Illegally, obviously. But during that period also  
13 we had fairly conservative bear seasons. And in my mind, you  
14 know, there's a number of theories of how our bear populations  
15 respond to a higher harvest on the boars, the adult boars, but  
16 it would appear that beginning in 1985 when we liberalized our  
17 bear seasons, a substantial increase in the harvest on the  
18 boars in the spring by guided hunters has also allowed our  
19 brown bear population to increase along with the wolf  
20 population. With the restrictions on the wolf hunting  
21 opportunities in the 80s, during the 90s we saw an increase of  
22 wolves roughly ranging from 30 to 50 at most during the 80s to  
23 almost 100 wolves in 16(B) and 16(A) combined.

24  
25 The impact by the predators on the moose as shown by  
26 the calf percentage, or the calf/cow ratios is probably also  
27 having an effect on the caribou and the sheep in that area,  
28 too, in the Alaska Range. We have the Rainy Pass Caribou Herd  
29 that resides between the Denali National Park and Lake Clark  
30 National Park. It goes back and forth, obviously, between the  
31 16(B) side and the 19 -- Unit 19 side, and in many area it also  
32 goes into the federal lands north and south. That population  
33 is roughly 2,000 animals. We've never had a complete survey of  
34 that area. We recently combined an effort with the Denali  
35 National Park staff to survey both sheep and caribou in that  
36 area, and came up with a rough estimate of around 2,000, 2500  
37 caribou. And based on observations from guides and hunters in  
38 that area, a long term period of time, the trend, recent trend,  
39 has been a decline in the caribou numbers.

40  
41 Sheep numbers on the other hand have increased from the  
42 early 70s, but a very recent trend shows a slight decline in  
43 some areas. We're looking at roughly 1,000 sheep on the 16(B)  
44 side of the Alaska range, and they, of course, occur both in  
45 the Denali National Park/Preserve and in portions of the Lake  
46 Clark National Park.

47  
48 And that's essentially all I have for the resources in  
49 Unit 16. Do you have any questions?

0210

1 CHAIRMAN LOHSE: Has there been any increase in hunting  
2 pressure and everything in that area, or is it pretty stable  
3 or.....

4  
5 MR. GRIESE: Mr. Chairman, in recent years the hunter  
6 population, or the use, hunter effort in Unit 16 hasn't changed  
7 a great deal. If you look at a longer period of time, prior to  
8 the spike fork 50 regulations that we currently have, in the  
9 early 80s when we had an any bull -- or any moose bag limit in  
10 16, there was a substantially greater interest in Unit 16. But  
11 since the restrictive antler bag limit, that has declined, and  
12 remained pretty much stable. The same thing is true for the  
13 caribou and sheep. Brown bear hunting interests have remained  
14 fairly stable, and most of the interest is from guided hunters.

15  
16 CHAIRMAN LOHSE: For brown bear?

17  
18 MR. GRIESE: Brown bear.

19  
20 CHAIRMAN LOHSE: Do you have any idea what the, you  
21 know, average yearly harvest of moose in that area is at all?

22  
23 MR. GRIESE: In Unit 16(B)? Or how specific do  
24 you.....

25  
26 CHAIRMAN LOHSE: 16 -- just 16.

27  
28 MR. GRIESE: In Unit 16(A), for example, we're reaching  
29 a harvest of around 200 bulls. 16(B) we have a general season  
30 harvest of close to 180, 200, and a Tier II harvest approaching  
31 100.

32  
33 CHAIRMAN LOHSE: And those are all spike fork 50s,  
34 right?

35  
36 MR. GRIESE: The general season, yes, is spike fork 50.

37  
38 CHAIRMAN LOHSE: And the Tier II is?

39  
40 MR. GRIESE: Any bull.

41  
42 CHAIRMAN LOHSE: Any bull.

43  
44 MR. GRIESE: And as far as I know, the federal harvest  
45 ranges from zero to three, zero to two cows or moose per year  
46 as far as we know.

47  
48 CHAIRMAN LOHSE: Any questions for Herman? Thank you.

49  
50 MS. SIMPSON: My name's Ellen Simpson. And I work for

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1 the Alaska Department of Fish and Game as a regional resource  
2 development biologist for Prince William Sound and Cook Inlet  
3 here in Region 2. I generally do permitting and planning of  
4 enhancement activities in the region but I do other things too.  
5 Like I was asked to come here today to give you an overview of  
6 the commercial fisheries of the area. And to be honest with  
7 you, I really don't know how much familiarity most of you have  
8 with commercial fisheries in the central region so please ask  
9 me questions if you have any, I'll be happy to try to answer  
10 them.

11  
12 I'll start off with kind of the high points of the  
13 commercial return for this last year. Pink salmon returns to  
14 the Prince William Sound were really strong, both the hatchery  
15 returns and the wild stock returns. The total Prince William  
16 Sound pink catch was 27.7 million fish. 16.1 million of those  
17 fish were captured by the commercial purse seine fishery which  
18 operates in the general waters of Prince William Sound.  
19 Generally the purse seine fleet concentrates in the  
20 southwestern portion of the Sound targeting on hatchery -- on  
21 fish returning to the hatcheries. The remaining 8.5 million  
22 fish were captured in the hatchery cost recovery harvest. And  
23 in the state of Alaska, private non-profit hatcheries can hold  
24 harvests and sell the fish to offset their operating costs. In  
25 Prince William Sound there are two hatchery corporations, PWSAC  
26 and Valdez Fishery Development Association. And both those  
27 corporations achieved their cost recovery goals this year. And  
28 the wild stock escapement throughout all the systems in the  
29 Sound was very good with goals being either met or exceeded.  
30 There's also -- oh, then the 1998 pink salmon catch was about  
31 18 percent greater than the pre-season forecast. So it was a  
32 good year in Prince William Sound.

33  
34 There's also a gillnet fishery that operates on the  
35 western side of Prince William Sound. And they target sockeye  
36 returning to Coghill Lake, which is a wild return. The catch  
37 this year, the commercial catch was about 62,000 fish.  
38 Generally that same fleet also targets chum salmon returning to  
39 a hatchery on Esther Island, the Wally Normberg Facility. And  
40 there's gillnets, both drift and set gillnets that fish in the  
41 Eshamy District. And they generally target sockeye salmon  
42 returning to the hatchery in the Eshamy District. The other  
43 drift gillnet fleet in the Prince William Sound area is the  
44 Copper River fleet. They fish off the Barrier Islands at the  
45 mouth of the Copper River. And it's the earliest sockeye  
46 fishery in the state so they generally get a good price for  
47 their product. They target sockeye returning both to the main  
48 stem Copper and the smaller systems on the Delta stretching  
49 from Cordova east to the Bering River. This years total run  
50 was about 2.3 million fish and the catch was 1.3 million of

0212

1 that. It was the fourth largest sockeye catch in the last 20  
2 years.

3  
4 The coho fishery that happens later in the season,  
5 would have just closed now, was closed early this year because  
6 of the low return. But the biologists in Cordova expect to  
7 make their escapement goals.

8  
9 There's five herring fisheries in Prince William Sound,  
10 four in the spring, one in the fall. The four spring  
11 fisheries, there's two sac roe fisheries, a gillnet and a purse  
12 seine sac row. And then the wild harvest and the pounded row  
13 on kelp. Last years sac roe harvest was 3,847 tons of sac roe.  
14 And recently we announced the guideline harvest level for next  
15 year of 5,934 tons which is about the same as it was last year.  
16 So the herring stocks have kind of seemed -- or are seeming to  
17 level out after the past few years of some real low stock  
18 abundance. The first fishery of the herring year is the fall  
19 food and bait fishery, which is going to open this year on  
20 November 2nd.

21  
22 The shellfish stocks in Prince William Sound are in  
23 pretty bad shape. Commercial fisheries for dungeness, tanner  
24 crab, king crab and spot shrimp have been closed or severely  
25 restricted for the last five to 10 years, although there is a  
26 small trawl fishery in the western part of the Sound for side-  
27 striped shrimp. You might have seen Whittier shrimp for sale  
28 on trucks, maybe in the Anchorage area. That's where those  
29 come from, is from the side-stripe fishery. Valdez Arm and  
30 parts of the western part of the Sound are open for personal  
31 use and subsistence shellfish fisheries. Recent stock  
32 assessment surveys in the sound for dungeness, tanner crab and  
33 spot shrimp have been the poorest that we've ever seen. So  
34 it's not a very pretty sight for shellfish.

35  
36 But one of the winter fisheries that has been recently  
37 developed is the pollack mid-water trawl fishery. And last  
38 years trawl fishery was very successful with about 1,800 tons  
39 being caught. And most of that was delivered to Cordova. So  
40 it's a real local fishery that helps the community in the  
41 winter when there isn't a lot else going on.

42  
43 Lower Cook Inlet, down by Homer and Katchemak Bay also  
44 had strong pink returns this year. The Lower Cook Inlet  
45 supports a small number of purse seiners and a few setnetters.  
46 The setnet fleet is concentrated down by the Port  
47 Graham/Nanwolek area. The fishery in the Lower Inlet is really  
48 dominated by enhanced returns to Tutka Hatchery, which is a  
49 pink facility. And stock sockeye returns to several lakes in  
50 the Lower Inlet. Both of these projects are operated by Cook

0213

1 Inlet Aquaculture Association. And the sockeye fishery in  
2 those lakes is more or less kind of like a put and take  
3 fishery. The lakes are barriered with falls or some other  
4 natural barrier where the sockeye can't return and so they're  
5 just vulnerable to the purse seine fishery. Even though the  
6 pink return to Tutka didn't meet the preseason expectations, it  
7 was pretty good for an even year. And the corporations cost  
8 recovery goals were met and they contributed about a half  
9 million fish to the common property fishery.

10  
11 Let's see, Lower Cook Inlet also has a purse seine sac  
12 roe herring fishery. However, this year the population  
13 assessment didn't reach the threshold of 8,000 tons and it will  
14 not open this year. It's at the -- the last few years the  
15 population level has been declining and it's finally gotten so  
16 low that we're not going to prosecute a fishery this year.

17  
18 Upper Cook Inlet, you're probably familiar with the  
19 gear types in the Upper Inlet. It's generally known as a  
20 sockeye gillnet fishery, both setnet and gillnet, drift  
21 gillnet. This last year in 1998, the catch was pretty much  
22 split evenly between the two gear types. However, the catch  
23 was very, very poor. It was only a small portion of the  
24 preseason forecast of 2.5 million. The catch actually came in  
25 at about 1.2 million sockeye. It was far short of the 10 year  
26 average of 4.6 million fish. It's the lowest catch since 1979.  
27 And commercial fishing was severely restricted in an effort to  
28 achieve escapement goals in the systems around Cook Inlet. And  
29 this resulted in lower catches of chinook and coho as well.  
30 However, all escapement goals were met with the exception of  
31 Fish Creek, which is the Big Lake Upper Knik Arm System. So at  
32 least we got our escapement, even though they didn't -- you  
33 know, fishing wasn't so good. The excess value is very, very  
34 low at only \$9 million which is the lowest since 1975. And it  
35 looks like sockeye returns to the Inlet, especially the Kenai  
36 River System are going to continue to be low for the next  
37 couple of years.

38  
39 Does anyone have any questions?

40  
41 MR. KOMPKOFF: Mr. Chairman.

42  
43 CHAIRMAN LOHSE: Go ahead.

44  
45 MR. KOMPKOFF: I didn't hear anything on the Coghill  
46 Lake, was there a return?

47  
48 MS. SIMPSON: Yeah, Coghill -- well, you know, Coghill  
49 Lake is -- they fished Coghill Lake and actually the catch was  
50 about 62,000 fish to the gillnet fleet plus their escapement

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1 and they got their escapement. So it was a good year. It was  
2 a pretty decent year.

3  
4 MR. KOMPKOFF: Okay. And also Eshamy?

5  
6 MS. SIMPSON: Eshamy at a Main Base sockeye, the common  
7 property fishery got about 118,000 fish. You're writing this  
8 down, I can't lie.

9  
10 MR. KOMPKOFF: Okay.

11  
12 MS. SIMPSON: And they got their cost recovery revenue  
13 as well. But the next couple years are expected to be fairly  
14 poor to the Main Bay hatchery because of the pipeline break  
15 several years ago.

16  
17 MR. KOMPKOFF: Okay.

18  
19 MS. SIMPSON: Yeah, it doesn't look -- it's going to  
20 take them a few years to get back on their feet.

21  
22 MR. KOMPKOFF: And I was looking at these red salmon in  
23 Bay of Isles and.....

24  
25 MS. SIMPSON: Oh, Marsha Bay?

26  
27 MR. KOMPKOFF: .....Marsha Bay and Jackpot. Do you  
28 know how much fish went up Jackpot River?

29  
30 MS. SIMPSON: You know, I don't know the escapement of  
31 Jackpot. I could find out for you what they saw in the aerial  
32 survey.

33  
34 MR. KOMPKOFF: Okay.

35  
36 MS. SIMPSON: Bay of Isles, I know there's a small red  
37 return there. And a few years ago PWSAC released some fish  
38 into Marsha Lake there, but I those have -- that return's  
39 complete and they haven't released there for several years.

40  
41 MR. KOMPKOFF: Okay, thanks.

42  
43 MS. SIMPSON: But I can get that for you. Ralph.

44  
45 CHAIRMAN LOHSE: How long did they no escapement at  
46 Eshamy Lake?

47  
48 MS. SIMPSON: Well, we didn't operate the weir this  
49 year.

50

0215

1 CHAIRMAN LOHSE: Oh, you didn't operate the weir.

2

3 MS. SIMPSON: Due to budget limitations.

4

5 CHAIRMAN LOHSE: So they didn't do any observation  
6 there at all, just flyovers?

7

8 MS. SIMPSON: You know, that's on our survey route in  
9 Prince William Sound. And I don't know what their  
10 escapement.....

11

12 CHAIRMAN LOHSE: So they had an idea of what was going  
13 on though probably?

14

15 MS. SIMPSON: Yeah, yeah, they probably have a pretty  
16 good idea. I can get back to you on that.

17

18 CHAIRMAN LOHSE: Yeah, well, it will be in the report,  
19 I'm sure this spring.

20

21 MS. SIMPSON: Anybody else? Mr. John.

22

23 MR. JOHN: This is just for information. In Sinona  
24 Creek, where they spawn, a little creek up in our area,  
25 Batzulnetas Creek which is the Tanada Creek.

26

27 MS. SIMPSON: Oh, oh, yeah.

28

29 MR. JOHN: Owen Creek and Fish Creek. This summer all  
30 the fish died right at the mouth, they got no water to go up.  
31 And I just want that information -- we called in a couple -- I  
32 think Wilson Justin took some pictures of it and called in and  
33 everything but it seems like we lost probably a whole stock of  
34 fish there, like the Batzulnetas fish, it's a slough of fish  
35 and stuff like that. And I know that -- I know at Batzulnetas  
36 there was -- down below there was a dam there that wouldn't let  
37 the fish go by. And when we had our culture camp this summer  
38 it was -- the water was so low. And I went down to Sinona,  
39 Sinona Creek, where the fish go up to spawn and they just make  
40 it about probably a hundred feet up and they went across a  
41 little place and they died right there. They all just -- I  
42 mean hundreds of fish just died right there at the mouth of the  
43 Sinona Creek and going into the Copper River. And there might  
44 be other creeks, I didn't know about those. And Bone Creek,  
45 there's no fish at all there. That happened a couple -- I  
46 never seen fish there for a long time. I go across there and  
47 everything but I haven't seen fish there. And Fish Creek, I  
48 hardly see any fish this year. I mean these are just  
49 observations, salmon, almost all the salmon -- I usually see  
50 quite a few. And Suslota Creek was real low, too.

0216

1 That's just information that I observed this summer.

2

3 CHAIRMAN LOHSE: Fred, by low, you mean low on water?

4

5 MR. JOHN: The water was really low. The fish couldn't  
6 go anyplace, they just -- you know, they go up to spawn and  
7 then -- but where they spawn -- and they just die there at the  
8 inlet.

9

10 MS. SIMPSON: Well, I'll pass that along.

11

12 MR. JOHN: Yeah. The Fish and Game might know about it  
13 in Glennallen but I thought maybe you should know.

14

15 MS. SIMPSON: Uh-huh.

16

17 MR. EWAN: Does your survey include that area he's  
18 talking about?

19

20 MS. SIMPSON: Yeah.

21

22 MR. EWAN: Your district or whatever -- your planning  
23 district or whatever you have?

24

25 MS. SIMPSON: Yeah, the management biologist in  
26 Cordova, Slim Morrstad who manages the gillnet fleet off of  
27 the mouth of the Copper River flies several surveys in that  
28 area, I believe -- or do you do that in cooperation with him?

29

30 MR. TAUBE: I do the king and.....

31

32 MS. SIMPSON: You do the king and he does the sockeye;  
33 is that how it works?

34

35 MR. TAUBE: Right. Yeah, and actually -- I'll come up  
36 there. Yeah, we got the call about Sinona Creek and I went out  
37 and flew that after we got the report and it was mainly because  
38 of the beaver dams. And we went up about 10 miles upstream and  
39 started counting beaver dams and I think we ended up with about  
40 two dozen before we hit the village itself and there were three  
41 dams right at the village. And the water was -- there was no  
42 water 10 miles upstream and then the beaver dams had several  
43 little ponds that were blocked off. When I flew it, I can't  
44 remember the specific date, but I believe it was the first part  
45 of August, end of July. And at that time I counted about 100  
46 dead kings at the mouth of the Sinona and there were only two  
47 live ones. And I believe what the village council had asked or  
48 request of Habitat Division was to blow the dams. And by that  
49 time the damage had already been done. You know, if the dams  
50 had been blown out there wouldn't have been any water that may

0217

1 well have even flushed down, if it had it might have flushed  
2 those remaining two salmon into the Copper River and they may  
3 not have had the ability to swim back in and spawn.

4  
5 Yeah, there's just so many beaver dams up that Sinona,  
6 that I don't know how you can control that except maybe trap  
7 the beavers out and then pull out the dams.

8  
9 MR. JOHN: I got a question. I just want to make a  
10 comment. I don't think it was mostly beaver dam, I think just  
11 the lack of water to what I've seen, you know.

12  
13 MR. TAUBE: Yeah.

14  
15 MR. JOHN: But what would the result be if like a whole  
16 stock, like the Sinona Creek, if they all died off, what would  
17 it.....

18  
19 MR. TAUBE: Well, one year would probably not effect --  
20 I mean you may have a lower number. But king salmon, you have  
21 several years returning -- several age classes returning in one  
22 years time. So it kind of buffers it a little bit. It'd be a  
23 matter of if you had three or four years of the fish unable to  
24 spawn due to low water or some other factor that you could see  
25 really effecting.

26  
27 MR. JOHN: The way I was thinking, you know, if it's  
28 like this year, you wait for what five years before the return,  
29 maybe there wouldn't be any fish left.

30  
31 MR. TAUBE: Well, five years, you get several age  
32 classes and they'll start returning at four through seven years  
33 of age. And so you'll get a mixed group of ages coming in a  
34 single year return.

35  
36 MR. JOHN: That's all I had.

37  
38 CHAIRMAN LOHSE: That would have more effect on the red  
39 salmon than it would on king salmon, wouldn't it?

40  
41 MR. TAUBE: Yes. Yeah. And those other streams you  
42 mentioned they are red salmon streams, I believe, right?

43  
44 MR. JOHN: One question. Up at Bone Creek, you know,  
45 the king salmon used to go up there all the time and I haven't  
46 seen it for years now. So I don't know when it stopped.

47  
48 MR. TAUBE: Yeah.

49  
50 MR. JOHN: It's further up than -- it's above Mentasta.

0218

1 That's where all the king salmon spawn and I haven't seen that  
2 for -- I don't know what stopped that one.

3  
4 MR. TAUBE: Yeah, it might have just been small  
5 numbers. What we fly for the king salmon surveys are nine  
6 index streams and Chistochina -- east fork of the Chistochina  
7 is one. And we will occasionally fly the Otell also. But the  
8 other streams, there isn't consistent enough numbers where we  
9 can get every year a return number and so there will be two  
10 streams, the Klutina, the entire Gulkana. Two streams from the  
11 Tonsina and two streams from the Tazlina drainage, including  
12 the east fork of the Chistochina that we'll fly. And this year  
13 those streams, the escapement objectives were met on all the  
14 streams for the king salmon.

15  
16 MR. JOHN: Thank you.

17  
18 CHAIRMAN LOHSE: One these streams that end up with low  
19 escapement or like he's talking about, the stream that hasn't  
20 had any fish for awhile, as the habitat changes and if the  
21 habitat gets back to where it's good habitat, how much  
22 pioneering do you have in king salmon?

23  
24 MR. TAUBE: I don't know if you can answer that better.

25  
26 CHAIRMAN LOHSE: I know we've got streams in the  
27 Chitina Valley that haven't had -- didn't have king salmon for  
28 quite a few years that have small populations of king salmon  
29 right now that we know of.

30  
31 MS. SIMPSON: I think you probably have some, say less  
32 than pink salmon, but probably more than say sockeye.

33  
34 CHAIRMAN LOHSE: So you do have a chance if the habitat  
35 improves, even if the stream doesn't have fish to get fish back  
36 in there, like what we've seen in the Chitina Valley?

37  
38 MS. SIMPSON: I would think so, yeah.

39  
40 MR. TAUBE: And I think it would depend upon the run  
41 strength in the given year, too.....

42  
43 MS. SIMPSON: Yeah.

44  
45 MR. TAUBE: .....like this year where there was a large  
46 number of kings coming into Copper River. There was probably  
47 more of a chance for straying or pioneering to occur.

48  
49 MS. SIMPSON: I know in other salmon, when they have  
50 large returns like that, you know, there are places where they

0219

1 are when they're -- you know, there are places where they're  
2 not when there's a lower return.

3

4 CHAIRMAN LOHSE: But it's not enough to compensate for  
5 a less -- over a long period of time, it's not enough to  
6 compensate if you'd have two or three years in a row with low  
7 water that would wipe out a stream?

8

9 MR. TAUBE: It could potentially, yes. Yeah.

10

11 CHAIRMAN LOHSE: One other question. Do beaver dams  
12 stabilize the water flow? I mean if -- or do they cutoff the  
13 water flow? I mean if you have water coming down -- if you've  
14 got water in the system and you've got a series of beaver dams,  
15 don't they basically stabilize the flow, but if you don't have  
16 any water they can cut it off?

17

18 MR. TAUBE: Right. Well, what I saw in Sinona was -- I  
19 mean there was dry areas upstream and then water would -- I  
20 think it was flowing beneath the rocks. And it was -- the  
21 water level itself was low enough and -- and there may have  
22 been potential for rearing if there had been small fry or smolt  
23 up stream for rearing in those ponds. But the spawners  
24 couldn't make it up this year because it came down below the  
25 last dam by the village and the water just disappeared in the  
26 rocks and the fish just couldn't make it up to spawn. And I'm  
27 sure if the beaver dams are there long enough I suppose you  
28 could eliminate certain stocks just on that. But there were so  
29 many on the Sinona Creek, that going in and blowing one or two  
30 by the village probably wouldn't have made much of a difference  
31 with the number that we saw upstream.

32

33 CHAIRMAN LOHSE: We need an increase in beaver prices.

34

35 MR. TAUBE: Or a bounty, yeah.

36

37 CHAIRMAN LOHSE: Roy, did you have a question?

38

39 MR. EWAN: Yeah. The question is, do you have any king  
40 salmon stock in any of the Copper River streams?

41

42 MR. TAUBE: Any stocking?

43

44 MR. EWAN: Yeah. Of king salmon?

45

46 MS. SIMPSON: No.

47

48 MR. TAUBE: No. No, there isn't any at this time.  
49 There was a sport fish doing some terminal stocking of kings, I  
50 believe, in Whittier and Cordova and Valdez. And at one point

0220

1 they were looking at taking the brut stock from the Gulkana but  
2 that has been changed and I think they're taking them from Cook  
3 Inlet.

4  
5 MS. SIMPSON: Willow Creek.

6  
7 MR. TAUBE: Willow Creek.

8  
9 MR. EWAN: Willow Creek?

10  
11 MS. SIMPSON: Yeah. Our genetist has -- since there  
12 are no native king salmon stocks in Prince William Sound, there  
13 isn't a problem. We don't have to worry about -- or the risk  
14 is lower, let's say. Some people would still worry, but the  
15 risk is lower to straying because there are no stocks for those  
16 stocked fish to stray to. So he -- our genetist said that it  
17 was fine to use the Willow.

18  
19 MR. EWAN: A follow-up question on that. On other  
20 salmon, like red, are you involved in that -- like the  
21 Crosswind Lake project? I guess it's -- I don't know which  
22 lake it is.

23  
24 MS. SIMPSON: Crosswind Lake? You have questions about  
25 Crosswind Lake?

26  
27 MR. EWAN: Yeah. I heard that there's a lot of salmon  
28 returning in August sometime and just -- Fish Lake, which I'm  
29 very familiar with it because I used to go up there a lot, many  
30 years ago.

31  
32 MS. SIMPSON: Well, you know -- yeah.

33  
34 MR. EWAN: That's kind of strange for that area. And I  
35 was wondering what kind of impact that has on the system?

36  
37 MS. SIMPSON: Well, all of those are stocked fish.  
38 That's one of Prince William Sound Aquaculture's stocking  
39 projects. And they've put about 10 million fry a year into  
40 Crosswind Lake. The last couple of years they've had a project  
41 at -- I think it's on Fish Lake, the weir where they -- a  
42 gentleman from -- Bruce Cain.

43  
44 MR. TAUBE: From Glennallen.

45  
46 MS. SIMPSON: From Glennallen has found a market for  
47 these fish so.....

48  
49 MR. EWAN: Bruce Cain?

50

0221

1 MS. SIMPSON: Yeah. He's operating -- it's not -- it's  
2 an Ewan property -- yeah, that he operates on. The lake -- as  
3 far as like the lineology of the lake, I don't believe that  
4 these fish have had any impact on the lineology of the lake.  
5 It's a really productive lake, the.....  
6

7 MR. EWAN: I'm just wondering about the other species  
8 that use those streams, you know, the Dall Creek, Crosswind,  
9 what impact it might have on those?  
10

11 MS. SIMPSON: There's no native stocks of sockeye that  
12 go up there. I think it was a very, very small native.....  
13

14 MR. EWAN: There is salmon going up there, I know that  
15 for a fact -- used to go up there. You're right, very small.  
16

17 MS. SIMPSON: Very small.  
18

19 MR. EWAN: Very few.  
20

21 MS. SIMPSON: Very few number. I guess the lake trout  
22 are doing well.  
23

24 MR. TAUBE: Yeah, that's partly.....  
25

26 MS. SIMPSON: Quite well.  
27

28 MR. TAUBE: Yeah, partly with the sockeye and partly  
29 with regulation restrictions.  
30

31 MS. SIMPSON: Yeah.  
32

33 MR. TAUBE: I mean if it was dropped to one -- one fish  
34 a day.....  
35

36 MR. EWAN: You know, that's where I come from, the  
37 Gulkana area, Gulkana Village in the Copper River area. I'm  
38 wondering how that all started without too much public input?  
39 Here we have, you know, a fishery program that's effecting an  
40 area, I understand there's more bears in there than ever  
41 before.  
42

43 MS. SIMPSON: Yes. Two years ago, three years ago, we  
44 had a lot of complaints -- the Department received a lot of  
45 complaints about bears breaking into cabins at Crosswind Lake  
46 where there had been no bear troubles before. And there's -- I  
47 understand there's a very liberal bear limit. So -- you know,  
48 there's very liberal hunting regulations there. And as a  
49 result of some public meetings, we met with some of the  
50 residents of Crosswind Lake, PWSAC representatives, Fish and

0222

1 Game representatives. We no longer let a lot of fish into the  
2 lake like that, so that it's not an attractant to bears. And  
3 that's why Mr. Cain captures -- you know, PWSAC has their weir  
4 and they stop these fish at Fish Lake.

5  
6 MR. TAUBE: They also relocated the weir further  
7 downstream so it's further away from Crosswind Lake. They  
8 moved that this year, it's down by Pup Lake, I believe is where  
9 the weir is at now.

10  
11 MS. SIMPSON: Oh, the second weir?

12  
13 MR. TAUBE: Yeah.

14  
15 MS. SIMPSON: They have actually two weirs. The fail-  
16 safe second weir, right?

17  
18 MR. TAUBE: Yeah.

19  
20 MS. SIMPSON: Yeah, in case they, you know, make it  
21 past the first one.

22  
23 CHAIRMAN LOHSE: Out of curiosity, do you have the  
24 contribution to the subsistence and the personal use fisheries  
25 that they estimate was made by the hatchery up on Gulkana this  
26 year?

27  
28 MS. SIMPSON: No, not yet.

29  
30 CHAIRMAN LOHSE: Not yet.

31  
32 MR. TAUBE: Not from this year, no.

33  
34 CHAIRMAN LOHSE: On an average -- how about last year,  
35 would.....

36  
37 MS. SIMPSON: Has it increased in the personal use and  
38 subsistence fishery over.....

39  
40 MR. TAUBE: Last year the personal use contribution was  
41 less than what it had to the commercial and to the Crosswind  
42 Lake and that was partly due to our -- you know, we were  
43 overwhelmed with the number of participants and so our sampling  
44 effort was less. But I believe it stayed -- I want to say 20  
45 percent but I'm not sure if that's.....

46  
47 MS. SIMPSON: Yeah, I don't know.

48  
49 CHAIRMAN LOHSE: You don't have any idea of what the  
50 numbers are?

0223

1 MR. TAUBE: No.

2

3 MS. SIMPSON: The whole project is designed to  
4 contribute about 250,000 fish.

5

6 CHAIRMAN LOHSE: Right. And that goes to commercial  
7 and subsistence and personal use?

8

9 MS. SIMPSON: Right.

10

11 MR. TAUBE: Yes. And a small sport.....

12

13 MS. SIMPSON: Yeah.

14

15 CHAIRMAN LOHSE: One other question.

16

17 MS. SIMPSON: And then there's excess.

18

19 CHAIRMAN LOHSE: If there -- if -- yeah. If they're  
20 putting these weirs and they're taking fish before they get  
21 into the lake are they letting any fish get into the lake for  
22 fertilization purposes?

23

24 MS. SIMPSON: I believe -- in conversations with the  
25 hatchery manager, you know, they -- it's really only efficient  
26 for them to run a weir -- you know, they can't run a weir year-  
27 round so there's fish that get into the lake before the weir's  
28 put in and then there's fish that get into the lake after the  
29 weir comes out. You know, it gets cold, there's.....

30

31 CHAIRMAN LOHSE: Okay.

32

33 MS. SIMPSON: .....things are freezing up, fish are  
34 still moving into the lake.

35

36 CHAIRMAN LOHSE: So they feel that they're getting  
37 enough in there to keep the lake fertile?

38

39 MS. SIMPSON: That lake only turns over about every 17  
40 and a half years Ralph, and that's a long time.

41

42 CHAIRMAN LOHSE: Yeah.

43

44 MS. SIMPSON: That's a long time.

45

46 CHAIRMAN LOHSE: So basically what you have to have is  
47 you have to have fertilization in the shallow water which is  
48 what the carcasses do? Because all of their nutrients settle  
49 down into the bottom of the lake.

50

0224  
1 MS. SIMPSON: Well, it's a fertile lake.  
2  
3 CHAIRMAN LOHSE: Oh, it is a fertile lake?  
4  
5 MS. SIMPSON: The lake is doing -- is fine. To flush  
6 all that water out takes 17 years, so it's a real productive  
7 lake.  
8  
9 CHAIRMAN LOHSE: Okay.  
10  
11 MS. SIMPSON: Compared with, say Bear Lake at Seward.  
12 Maybe you're familiar with Bear Lake. It empties -- water runs  
13 through Bear Lake every nine months. So there's a big  
14 difference between the two systems. And Crosswind Lake is  
15 doing -- it's fine.  
16  
17 CHAIRMAN LOHSE: So Crosswind Lake doesn't have --  
18 Crosswind Lake's a deep lake, right?  
19  
20 MS. SIMPSON: I'd have to -- I can't.....  
21  
22 CHAIRMAN LOHSE: Does it turnover -- I was.....  
23  
24 MS. SIMPSON: Oh, turnover.....  
25  
26 CHAIRMAN LOHSE: .....wondering if it turns over.....  
27  
28 MS. SIMPSON: .....this -- turnover this way.  
29  
30 CHAIRMAN LOHSE: .....twice -- does it turnover twice a  
31 year and mix or is it.....  
32  
33 MS. SIMPSON: I believe it does.  
34  
35 MR. TAUBE: I believe it does.  
36  
37 CHAIRMAN LOHSE: Okay.  
38  
39 MS. SIMPSON: Yeah.  
40  
41 MR. TAUBE: I know it's over 100 feet deep. But I'm  
42 not sure how much over.  
43  
44 MS. SIMPSON: And it's large. It's a large lake.  
45  
46 CHAIRMAN LOHSE: But it's not like Coghill Lake where  
47 it doesn't turnover?  
48  
49 MS. SIMPSON: No.  
50

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1 CHAIRMAN LOHSE: Okay.

2

3 MS. SIMPSON: No. Coghill Lake is an exception. It's  
4 a special case.

5

6 CHAIRMAN LOHSE: Okay. Any other questions?

7

8 MR. EWAN: I have another question that has to do with  
9 shellfish. I know you said it wasn't doing good in Prince  
10 William Sound, but for an Interior person, I'd like to know how  
11 bad -- say on a scale of one to 10, how bad it is compared to  
12 what it was and what is being done to improve the condition in  
13 the future?

14

15 MS. SIMPSON: Well, we've had -- management agencies  
16 have had kind of a notoriously difficult time of managing  
17 shellfish resources. And these fisheries have been closed as a  
18 result of depleted stocks.

19

20 MR. EWAN: Like I say, how bad is it? You know, I  
21 could probably find it in the statistics somewhere, but how bad  
22 is it?

23

24 MS. SIMPSON: How bad is it?

25

26 CHAIRMAN LOHSE: About a zero.

27

28 MR. EWAN: Zero?

29

30 MS. SIMPSON: Is it? Ralph probably knows better than  
31 I do.

32

33 MR. EWAN: It's about zero then?

34

35 CHAIRMAN LOHSE: I was talking to one of the fishery  
36 biologists and at the same time that shellfish go down, cod and  
37 pollack go up. And he feels that we're in the top of a cod and  
38 pollack cycle.

39

40 MR. EWAN: Fish cycle.

41

42 CHAIRMAN LOHSE: And so as long as the cod and pollack  
43 are up, our shellfish don't have a chance to come back because  
44 as fast as they're reproducing they're getting eaten. And when  
45 the cod and pollack crash then the shellfish will come back up.  
46 And so Don, you were going to say something.

47

48 MR. KOMPKOFF: Yeah, Mr. Chairman, I just -- for your  
49 information there, when we set before the Spill, we'd set a pot  
50 -- 11 pots, you know, and then we'd get half a bucket of

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1 shrimp, but now you set a half of -- you set it again this  
2 year, like last year, I sat out overnight, soak, like 14 or 15,  
3 you could count the shrimp.

4  
5 CHAIRMAN LOHSE: Right.

6  
7 MR. KOMPKOFF: That's how bad it got.

8  
9 CHAIRMAN LOHSE: Yeah. And crab are just about as bad.

10  
11 MR. EWAN: So what's happening is just waiting out the  
12 cycle and see what happens in the future then?

13  
14 MS. SIMPSON: We continue to do stock assessment work.

15  
16 CHAIRMAN LOHSE: And they closed all commercial  
17 fishing. There's just.....

18  
19 MS. SIMPSON: Yeah, it's been closed for a long time.

20  
21 CHAIRMAN LOHSE: Yeah.

22  
23 MR. KOMPKOFF: Mr. Chairman, one more. On the king  
24 salmon that were released in Chenega, the fry, we had 50,000  
25 salmon released. Last year was the last time we did it and we  
26 got a return approximately, I'd say, almost 200 kings.

27  
28 MS. SIMPSON: Is this the first year that they're  
29 returning or second year?

30  
31 MR. KOMPKOFF: This is the fourth -- the second year  
32 that they returned. The first year was a little less than this  
33 year so this year was a little better return.

34  
35 MS. SIMPSON: You have two age classes coming back.

36  
37 MR. KOMPKOFF: Right.

38  
39 MS. SIMPSON: This year, okay. That's interesting.  
40 Thank you.

41  
42 CHAIRMAN LOHSE: Thank you, Don. Any other questions  
43 for Ellen or do you have more to report?

44  
45 MS. SIMPSON: No. It was a pleasure talking to you.

46  
47 CHAIRMAN LOHSE: Now, you have a report, right?

48  
49 MR. TAUBE: Yes, now, I have a report. I'll introduce  
50 myself, I'm Tom Taube. I'm the sport fishery biologist out of

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1 the Glennallen office. Our office is responsible for the  
2 management of the personal use fishery and we basically  
3 implement the subsistence fishery on the Upper Copper River.  
4 Commercial fisheries is actually the manager of the subsistence  
5 fishery but we issue the permits and we collect the harvest  
6 data and then report back to them. So I'll just briefly  
7 summarize what happened this year.

8  
9 Our subsistence data is just preliminary because the  
10 fishery -- today is the last day of both subsistence and  
11 personal use fisheries. They close today and the subsistence  
12 permits aren't due back in until the end of October and so we  
13 only have about 40 percent return. The subsistence fishery  
14 occurs upstream of the Chitina/McCarthy bridge all the way up  
15 to Slana in the mainstream of the Copper River and the personal  
16 use fishery occurs downstairs of the Chitina/McCarthy bridge,  
17 approximately about 11 river miles down to Haley Creek. The  
18 subsistence fishery runs from June 1st through September 30th.  
19 We issued 999 permits this year. Last year we had a record  
20 number of subsistence permits issued which was 1,131 just for  
21 comparison.

22  
23 I've got some averages here. Based from 1991, we saw  
24 influx of non-rural participants in the subsistence fishery  
25 with the McDowell Decision. From '91 to '97, the average  
26 number of permits that were issued for subsistence were 850.  
27 And prior to the -- the 10 years prior to that 484 permits were  
28 issued in the subsistence fishery. The average harvest from  
29 '91 to '97 was around 58,000 and from '81 to '90 was 33,000.  
30 This year, from our nearly a thousand permits, 41 percent of  
31 those were from the Copper River Basin communities, 25 percent  
32 were from Anchorage, seven percent from Fairbanks, 10 percent  
33 from the Mat-Su, and approximately 17 percent from other  
34 communities in the state which a majority of that was from  
35 Delta and Tok. Prior to '91 82 percent of the permits were  
36 from the Copper River area, zero percent from Anchorage and  
37 Fairbanks, three percent from the Mat-Su and 15 percent from  
38 other communities.

39  
40 Our preliminary data for this year for the subsistence  
41 fishery, with 40 percent of the permits turned in we've got a  
42 harvest of around 28,000 of salmon and other species. About  
43 27,000 of that is sockeye, around 700 kings, 300 coho and 50  
44 other species which include steelhead and dolly varden.

45  
46 Our permits are issued for subsistence from the  
47 Glennallen office and Chitina Fish and Game offices as well as  
48 the Tok office and also out of the Slana Park Service office.  
49 CRNA also issues permits and as well as Chistochina Village  
50 also issues permits for that.

1 I'll just briefly summarize personal use. The season  
2 this year began the 6th and 7th of June for a 36 hour opening  
3 and then was shut down for three days and reopened June 10th  
4 and has been open continuous through September 30th. This year  
5 we issued so far 9,967 permits which is a record number of  
6 permits issued for the personal use fishery. The estimated  
7 harvest so far is approximately 151,000 salmon by personal use.  
8 In the past from '91 through '97, our average number of permits  
9 during that time were 7,200. Permits for personal use from '81  
10 to '90, the previous 10 years, was 4,800. So we've seen an  
11 increase in the personal use participation. There is very  
12 limited use by Copper River residents in the personal use  
13 fishery, about one percent is the average and about 35 percent  
14 from Anchorage, around 40 percent from Fairbanks, 12 percent  
15 from the Mat-Su and about 10 percent from other communities  
16 statewide.

17  
18 And that's about the brief summary I have. I'll field  
19 any questions regarding any of these fisheries or anything else  
20 I'll try to answer.

21  
22 CHAIRMAN LOHSE: Roy.

23  
24 MR. EWAN: You mentioned 151,000 salmon were harvested,  
25 how does that compare to previous years; do you have an idea?

26  
27 MR. TAUBE: That is slightly less than last year. And  
28 the average harvest from '91 through '97 was approximately  
29 about 100,000. From '81 to '90 it was around 60,000. So it's  
30 an increase. This year there was -- the escapement objective  
31 is around 600,000 past Miles Lake, so that's what we base our  
32 management on, the number of fish escaping. And there's --  
33 when we have a 600,000 we meet the escapement objective, the  
34 allocation for the personal use fishery is around 100,000 and  
35 for subsistence around 70,000 was the case this year.

36  
37 MR. EWAN: Along the same line, do you think that it's  
38 going to continue to increase?

39  
40 MR. TAUBE: I believe the.....

41  
42 MR. EWAN: I believe it.

43  
44 MR. TAUBE: I believe the personal use fishery will.  
45 And I guess what I see with the Federal takeover of the  
46 subsistence fisheries, we're going to see, you know, the  
47 subsistence participants will decrease, probably about half,  
48 you know, based upon the percentages, what we have from  
49 Anchorage and Fairbanks. And those will probably end up  
50 becoming personal use participants. But last year we had that

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1 record number of reds in the Copper River and we went over  
2 9,000 permits for the first time. And this year we nearly hit  
3 10,000. And part of that was probably due to the record number  
4 last year and just increased participation, the word getting  
5 out. So we'll probably see more people participating in the  
6 personal use.

7  
8 CHAIRMAN LOHSE: I have a question. That 151,000 for  
9 personal use, that's your estimate of what it's going to come  
10 out at about or is that.....

11  
12 MR. TAUBE: Yes.

13  
14 CHAIRMAN LOHSE: .....based on reports?

15  
16 MR. TAUBE: That's based on the harvest reports. With  
17 the personal use, anybody who participates is required to  
18 return their permit after they complete their fishing trip. So  
19 we manage on a weekly basis.

20  
21 CHAIRMAN LOHSE: Okay.

22  
23 MR. TAUBE: And that's from permits returned so far.  
24 And generally -- well, it's within plus or minus 5,000 by the  
25 end of the year. I guess one thing to mention, with that,  
26 7,100 of those were kings.

27  
28 CHAIRMAN LOHSE: 7,100.

29  
30 MR. TAUBE: And that's a record number of kings  
31 harvested.....

32  
33 CHAIRMAN LOHSE: Wow.

34  
35 MR. TAUBE: .....by the personal use.

36  
37 CHAIRMAN LOHSE: Now, so we take the same number that  
38 you had for subsistence, 28,000, that's at 40 percent, isn't  
39 it?

40  
41 MR. TAUBE: That's right.

42  
43 CHAIRMAN LOHSE: That's not final numbers?

44  
45 MR. TAUBE: That's not final. No, and suspect that's  
46 probably going to be around 60, 70,000.

47  
48 CHAIRMAN LOHSE: You figure 60, 70?

49  
50 MR. TAUBE: Yeah.

0230

1 CHAIRMAN LOHSE: And what was your king on that one?

2

3 MR. TAUBE: That was 715 kings reported so far. And I  
4 expect that will probably be around, between 1,500 and 2,000  
5 kings. A lot depends where the wheels are located. In the  
6 subsistence fishery, there are a lot of these dip nets and fish  
7 wheels and personal use is dip net only.

8

9 CHAIRMAN LOHSE: Well, that's quite a -- you know,  
10 proportionally, that's a lot less kings for per fish caught in  
11 the subsistence than it is in the personal use?

12

13 MR. TAUBE: Right.

14

15 CHAIRMAN LOHSE: Is it because the personal use  
16 fishermen have learned how to target kings or is it that middle  
17 of the river fishery that's taking place that's taking the  
18 kings?

19

20 MR. TAUBE: That would be my theory on it. We don't  
21 have any actual data documented. When people turn in their  
22 permits we don't ask them whether they are boat fishermen or  
23 bank fishermen. That would be something to look at to  
24 determine whether or not it's -- I mean generally the kings are  
25 more apt to stay in the main water flow. They're stronger  
26 swimmers than sockeyes and sockeye are more bank oriented. But  
27 people do pick up kings from shore also.

28

29 CHAIRMAN LOHSE: Yeah. But I mean most of your  
30 subsistence fishery takes place in fish wheels next to shore.

31

32 MR. TAUBE: Right. Right.

33

34 CHAIRMAN LOHSE: And it's been a long time ago, I ran  
35 fish wheels one year for Fish and Game down at Woods Canyon,  
36 both ends of Woods Canyon.

37

38 MR. TAUBE: Right.

39

40 CHAIRMAN LOHSE: And we didn't catch very many kings in  
41 the fish wheel comparison to our reds because you're right next  
42 to the shore.

43

44 MR. TAUBE: Yeah.

45

46 CHAIRMAN LOHSE: And I mean this is -- you know, for  
47 double the amount of fish, you're talking about five times the  
48 amount of kings for personal use fishery versus subsistence  
49 fishery.

50

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1 MR. TAUBE: Right. Yeah, part of that is also that our  
2 efforts, the highest in June and July when the kings are  
3 present and so you get a fair number of personal use  
4 participants targeting kings. They're allowed four. The bag  
5 limits for the personal use is 30 fish per household, 15 for  
6 individual, four of those may be kings. Dip netting in the  
7 subsistence, they're allowed five kings and fish wheels are --  
8 since kings aren't usually able to release.....

9  
10 CHAIRMAN LOHSE: Right.

11  
12 MR. TAUBE: .....there's no limit on that. But I think  
13 part of that reason why the proportion is higher in the  
14 personal use is that we probably see close to 50 or 60 percent  
15 or higher of our participation occurring in the first six weeks  
16 of the season when the kings are present.

17  
18 CHAIRMAN LOHSE: Okay. So it could be a case of not  
19 just targeting as much as opportunity, that's when they're  
20 there?

21  
22 MR. TAUBE: Right. Yeah.

23  
24 CHAIRMAN LOHSE: And is the subsistence fishery spread  
25 out over a longer period of time then?

26  
27 MR. TAUBE: Yes.

28  
29 CHAIRMAN LOHSE: Roy, did you have another question.

30  
31 MR. EWAN: Yes. I know that that fishing, probably  
32 never -- but do you think you're reporting is pretty accurate?  
33 Your reporting of the harvest?

34  
35 MR. TAUBE: I think it's as good as we can get right  
36 now. With the subsistence permit are required to record every  
37 day before they leave their fishing site now. And I can't see  
38 how we can improve it any better than that.

39  
40 MR. EWAN: But you leave it up to the individual's to  
41 report?

42  
43 MR. TAUBE: Yes.

44  
45 MR. EWAN: Maybe the question is, have you caught  
46 people not reporting?

47  
48 MR. TAUBE: Yeah. The local protection officer, he  
49 does -- is pretty active during the season and he will check  
50 people and he has found people not reporting. You know, it is

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1 a voluntary -- it's required by law but we only have one  
2 protection officer in the area and he can't be every place at  
3 once. But I think reasonable -- our estimates are accurate  
4 enough for the management of it.

5  
6 MR. EWAN: Maybe the way to kind of have an idea is to  
7 have knowledge of what the average catch of the day the fish  
8 wheel will have, you know. Them wheels I see are going for  
9 days and days and days. I know they're catching a lot of fish.

10  
11 MR. TAUBE: Yeah.

12  
13 MR. EWAN: I don't know if they're all reported. I've  
14 watched Copper River for a number of years. Especially the  
15 Copper Center area. There's about five or six wheels just  
16 going day after day, a month -- couple months. I know that  
17 they're catching a lot of fish. Because I catch all the fish I  
18 need in one day in my fish wheel. That's why I asked that  
19 question.

20  
21 MR. TAUBE: Well, what we see is a lot of multiple  
22 users of a single wheel. You know, where the wheel may run the  
23 entire season, but there'll be maybe 20 people working that  
24 wheel. And a lot depends where the wheel is located. There is  
25 some wheels, I know, where they catch two or three fish a day  
26 and others where they may get 50, 60 when the fish are really  
27 pushing through. You know, the longer you leave a wheel in,  
28 the more apt it's to get knocked out, too, where there's some  
29 down time in there. But yeah, they're -- I guess I can't  
30 answer that directly whether how accurate our estimates are,  
31 but I'm just hoping that they are. The reporting is relatively  
32 accurate.

33  
34 CHAIRMAN LOHSE: Roy, you got any more questions?

35  
36 MR. EWAN: No, go ahead.

37  
38 CHAIRMAN LOHSE: Are you allowed to have somebody  
39 operate your wheel for you? Take your fish out for you and  
40 take care of your fish for you?

41  
42 MR. TAUBE: No, you need to do that. If you have a  
43 permit you need to -- if -- the way it works, there's someone  
44 who registers the fish wheel.

45  
46 CHAIRMAN LOHSE: Uh-huh.

47  
48 MR. TAUBE: But they can have other people use their  
49 wheel. But if you have the permit in your hand and you're  
50 getting fish that day you need to be handling the fish

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1 yourself, working the fish off yourself. There isn't, say, a  
2 proxy for fish wheel.

3  
4 CHAIRMAN LOHSE: Yeah. Because we have some friends  
5 that ran into somebody down there who basically says he makes  
6 his living taking, you know, taking care of people's fish  
7 wheels and taking care of the fish.

8  
9 MR. TAUBE: Yeah.

10  
11 CHAIRMAN LOHSE: You know, I mean so we wondered if  
12 that was something they are legally allowed to do.

13  
14 MR. TAUBE: Legally not, not the way the regulation is  
15 interpreted. They need to handle the fish themselves. Once  
16 they've taken them out of the basket and they're there.....

17  
18 CHAIRMAN LOHSE: They can take them to somebody to have  
19 them taken care of?

20  
21 MR. TAUBE: Right.

22  
23 CHAIRMAN LOHSE: They can't have somebody come down and  
24 pick up their fish out of the fish wheel?

25  
26 MR. TAUBE: No. If you're name is on the wheel, you  
27 need to be checking the wheel yourself that day. And that's  
28 how it works, where the owner of the wheel will have his name  
29 on wheel itself and whoever's checking the wheel that day  
30 should also have their -- or they're required to have their  
31 name on the wheel, too.

32  
33 CHAIRMAN LOHSE: Uh-huh. Don.

34  
35 MR. KOMPKOFF: Yeah, I just want to bring this up  
36 again, that when I was up in July -- in July I was up in the  
37 Chitina there and I helped a couple of guys, you know, just for  
38 getting their heads out of the kings and -- I helped them pack  
39 big totes of kings out into their car. And I don't know if  
40 they were reporting all that, you know.

41  
42 MR. TAUBE: Were they downstream or upstream of the  
43 bridge?

44  
45 MR. KOMPKOFF: They were downstream.

46  
47 MR. TAUBE: Were they in the subsistence -- so they  
48 were in the personal use area?

49  
50 MR. KOMPKOFF: Yes.

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1 MR. TAUBE: So they were only allowed four kings per  
2 person is what they were allowed.

3  
4 MR. KOMPKOFF: I see.

5  
6 MR. TAUBE: Or per permit.

7  
8 MR. KOMPKOFF: Yeah, they were taking off in their  
9 skiffs and going downriver. And I don't know where they were  
10 going but they'd be gone for an hour and coming back with a  
11 load, go back down again, come back and they'd have a load  
12 every time.

13  
14 CHAIRMAN LOHSE: Kind of illegal.

15  
16 MR. TAUBE: Yeah, we did have some over limits,  
17 substantial, one group -- a particular member had 200 some fish  
18 and they were fishing down in the personal use area. Though  
19 that was one group we did catch. But you know, that's a  
20 concern I have, I guess, as managing down there is that we have  
21 limited enforcement capabilities down there and unless you have  
22 like a vehicle check, it's difficult to actually see what -- I  
23 mean when our staff is out there sampling for our biological  
24 sampling they do count the number of fish, they do examine the  
25 permits. But our objective is more getting accurate numbers  
26 instead of enforcement. So if someone's over limit they will  
27 write them a ticket.

28  
29 MR. KOMPKOFF: Uh-huh.

30  
31 MR. TAUBE: But otherwise, you know, if they're not  
32 clipping their tail fins or not reporting, we usually just give  
33 them a verbal warning and then leave the ticket writing for the  
34 protection staff.

35  
36 CHAIRMAN LOHSE: Any other questions? Thank you.

37  
38 MR. TAUBE: Okay, thank you for the opportunity to talk  
39 with you here.

40  
41 CHAIRMAN LOHSE: Okay, I see that Mark Chase is here.  
42 So if Mark wants to give the report for the Kenai Wildlife  
43 Refuge I'm going to take a break myself. I found out that  
44 paper is real sharp and I got to go take care of something.

45  
46 MR. CHASE: Good afternoon. I've been pretty much out  
47 of the office, out of the state or out of the country for the  
48 last two months. I haven't had a lot of involvement, but the  
49 good news along that line is there's not a whole lot going on,  
50 I guess, on the Kenai from a subsistence point of view. I

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1 think people are real -- things are pretty quiet, people are  
2 waiting to see what's going to happen with the fisheries issue.

3  
4 And so there's -- we had the moose season probably --  
5 I'm not sure how many total permits were issued, but I don't  
6 think as many as the year before which was less than the year  
7 before. So the participation in that is apparently declining.  
8 I don't know the exact numbers on it. I don't know if we have  
9 any preliminary harvest reported or -- and I don't know of any  
10 harvest that occurred. So that's going on with that. Like I  
11 said, people are very interested in what's going to happen with  
12 fish beginning the first of December as you all can understand.

13  
14 I understand that there was a question earlier about  
15 the relocated wolves. And I can tell you what I know which  
16 doesn't take very long. There were 18 wolves moved by the  
17 State Fish and Game to the Kenai last year and one went home,  
18 an adult female, she went home. And four have been killed by  
19 hunters or automobiles or various things so there's 13 of those  
20 wolves that are surviving today. Eight of them are -- have  
21 formed up one pack that has stayed together and then the rest  
22 of them are generally in singles or in pairs in various parts  
23 of the Kenai Peninsula. So that's kind of.....

24  
25 MR. ROMIG: Yes, if.....

26  
27 MS. SWAN: Do we have any -- oh, go ahead.

28  
29 MR. ROMIG: Go ahead Clare.

30  
31 MS. SWAN: Where is the pack, the eight pack?

32  
33 MR. CHASE: They're near the release site down in  
34 15(C). And that's the southern half of the Peninsula.

35  
36 MR. ROMIG: I guess my question Mark was when -- I  
37 think Ted was kind of elaborating on it and the way they were  
38 going to kind of even each other out so that there really  
39 wouldn't be an increase, they were more or less interested in  
40 getting a different gene. But it seems -- are they surviving  
41 better than they thought they were?

42  
43 MR. CHASE: Surviving better than anybody, I think,  
44 anticipated. In wolf relocation projects in the past, about 40  
45 percent of the wolves die. So if we put in 18, you'd expect  
46 seven or eight of them, anyway, to die off fairly soon after  
47 those transplants occur. They go out and they wander a lot,  
48 they get hit by cars, they run into other wolves and get killed  
49 or different kind of things. So the survival has actually been  
50 very good. Of the known mortality that we have, three of them

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1 are known human factors. We know that two of them were shot  
2 and we know that one was hit by a car. And we don't know what  
3 happened with the fourth one but we suspect it was probably  
4 shot as well. And so the survival is very good for a  
5 transplanted population of wolves.

6  
7 MR. ROMIG: I guess my next question was, I know that  
8 your boss, Dave Allen, made the final decision on the  
9 relocation, and were they planning on moving more in from the  
10 Tok area -- the Fortymile.....

11  
12 MR. CHASE: We'd have to ask the Fish and Game right  
13 now. I don't know if they're planning to move more. As it  
14 turns out the refuge Federal lands weren't involved at all in  
15 the transplant but the State had gone through an environmental  
16 process and we looked at it and basically said maybe there's  
17 some potential good to come of this. There's probably little  
18 biological risk and so we didn't tell them, no, you can't put  
19 them on the refuge. As it turns out they weren't released on  
20 the refuge anyway. And I don't know if the State is planning  
21 to continue this year with an additional -- I guess that would  
22 depend on the Fortymile plan and how the need to move more --  
23 continue to move wolves out of that area. I don't know whether  
24 that decision's been made or not.

25  
26 MR. ROMIG: You know, you say that they didn't release  
27 them, you know, on the Federal land necessarily, but 85 percent  
28 of the land on the Kenai is Federal land, so essentially they  
29 just dropped them off somewhere and then they did, you know, go  
30 out and they are probably now within Federal land, aren't they?

31  
32 MR. CHASE: Right.

33  
34 MR. ROMIG: And I know that it was brought up at one  
35 time that there was a state statute that when they translocated  
36 game, that that information was supposed to be kept within the  
37 confines of the department? I mean isn't there a statute that  
38 says.....

39  
40 MR. CHASE: Yeah, for some time. And there was a time  
41 there that only the individuals that were directly involved  
42 with the transplant knew where the wolves went and when. And  
43 then after a certain period of time the Department released,  
44 you know, they were released in Game Management Unit 15(C), and  
45 that was in the newspaper and things. But initially, yeah,  
46 they -- I wasn't told where the wolves were released except  
47 they were not released on the refuge. And that's just to -- to  
48 protect the individual animals for a period of time until they  
49 move away from the release site so they're less vulnerable.

50

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1 MR. EWAN: We probably were told where these wolves  
2 came from in that Fortymile area, but were they from the same  
3 pack?

4  
5 MR. CHASE: Some of them were. I think out of the 18  
6 animals, I think there was about five packs represented but I  
7 don't know that for sure. I know there was one fairly large  
8 pack.

9  
10 MR. EWAN: And you say eight of them made a pack now?

11  
12 MR. CHASE: Yes. Those were siblings, basically from  
13 the same pack and the same litter of pups that were put  
14 together and they kind of stayed together.

15  
16 MR. EWAN: My other question is, so they're not mixing  
17 with other wolves?

18  
19 MR. CHASE: We don't know. This winter, hopefully,  
20 we'll get to do some flying and find them and actually see them  
21 and see if they've met up with other wolves. The one that was  
22 hit by the car, I think, did -- was running with a wolf from  
23 the Kenai and then it was killed by a car.

24  
25 MR. JOHN: I heard that a lot of the wolves in Kenai  
26 were infected, I was wondering if that had any -- if it effects  
27 the imported ones?

28  
29 MR. CHASE: The -- there's a potential -- that really  
30 shows up it's really visible in January and February during the  
31 winter where they lose patches of skin and they get frostbite  
32 and other things.

33  
34 MR. JOHN: Are they lice infected?

35  
36 MR. CHASE: The wolves on the Kenai are, yes. And the  
37 transplanted wolves, if we can handle them this -- catch a few  
38 of them this winter or next winter then we'll see whether or  
39 not they are showing those effects from those lice as well as  
40 the Kenai wolves. And that will be very interesting to see if,  
41 you know, whether there's a genetic link there from the wolves  
42 or whether it's the louse itself or something about the  
43 environment down there that's causing the wolves to react that  
44 way to the lice. But that -- we'll have to wait a while. When  
45 they were moved, they were given a shot of ivermectin and  
46 that's pretty good -- basically is real good protection from  
47 parasites like that for about 60 days, I think. And so if  
48 they're in contact with Kenai wolves and susceptible to that,  
49 this winter they should be showing -- should be showing those  
50 signs.

1 CHAIRMAN LOHSE: I have one question, if Kenai wolves  
2 have kind of stuck around the Kenai, these wolves have shown a  
3 -- well, at least some of them have shown a propensity to move  
4 back out of the area, now what happens if they turn out to be  
5 susceptible to the lice, they pick the lice up, carry the lice  
6 back out of the area to wolf packs in other places?

7  
8 MR. CHASE: The intent of the State is not to let them  
9 off the Peninsula infected with lice. So if there's a radioed  
10 animal that's moving off the Peninsula it will be captured  
11 treated with ivermectin and either moved back down on the Kenai  
12 or let go, depending on the condition. And interesting thing  
13 about the particular louse that's found on the Kenai wolves, is  
14 it's found in most wolves around the country and Canada. It  
15 just doesn't effect the wolves the same was as it is on the  
16 Kenai. And so that's kind of the million dollar question, is,  
17 why are the Kenai wolves showing all these ill effects caused  
18 by this louse when other wolves co-exist with the louse and we  
19 don't see those impacts?

20  
21 MR. EWAN: I don't know, we've probably talked about  
22 this, too, also but it's hard for me to recollect. But their  
23 main diet then is moose down in that area?

24  
25 MR. CHASE: We're hoping it will be moose and not  
26 caribou.

27  
28 MR. EWAN: A small -- small game.

29  
30 MR. CHASE: Right. Because the caribou are in smaller  
31 bands and smaller numbers than moose and moose is kind of a  
32 stable. So we're hoping they'll eat moose. We have seen --  
33 some of them that have been observed have been observed on  
34 moose kills. So it appears that they're able to adapt from a  
35 diet of caribou over to a diet of moose pretty readily.

36  
37 CHAIRMAN LOHSE: That's a hard word to say, we're  
38 hoping they'll eat moose.

39  
40 MR. CHASE: Yeah. Yeah, if they get on -- the State  
41 has written into the plan, if they began dining on the small  
42 bands of caribou that they were going to deal with them. They  
43 were going to move them some place else or do something else  
44 with them because there's not -- there's moose down there for  
45 them to eat, there's not a lot of caribou that people are  
46 willing to share with them down there.

47  
48 CHAIRMAN LOHSE: How much public comment was there on -  
49 - the people that lived down there, their willingness to share  
50 the moose with them?

1 MR. CHASE: Well, it was -- I attended two of the  
2 public meetings and there was a diversity of views. Of people  
3 that thought we had enough wolves already and people thought  
4 that they shouldn't be in there. And not a real preponderance  
5 of one side or the other. The thing that moving 18 wolves,  
6 what we tried to tell me was that it was within -- biologically  
7 it's within what we call a natural variability of a population  
8 in a given year. If there were 18 wolves added to the Kenai  
9 population in one year because of a good year of pup survival  
10 that wouldn't be unusual. And so that people probably wouldn't  
11 notice more wolves, and I think that's been the case, I don't  
12 think a lot of people have noticed a whole lot more wolves than  
13 there were. The high survival though may indicate that there  
14 weren't as many wolves on the Kenai as we thought there were at  
15 the time of the transplant.

16  
17 MR. ROMIG: At this time, Mark, do they plan on having  
18 anymore -- if they do plan on relocating anymore, do they plan  
19 on having more public comment?

20  
21 MR. CHASE: I don't know. That would be up to the  
22 Department. I haven't heard anything along those lines. I  
23 don't know what their.....

24  
25 MR. ROMIG: It'd be up to the Department of Fish and  
26 Game?

27  
28 MR. CHASE: Fish and Game, yeah. I don't know what  
29 their plan is. And ultimately the hopes -- you know, one of  
30 the hopes is that these wolves will integrate into the  
31 population, breed with the Kenai wolves and maybe introduce  
32 some gene into the population that will allow them to deal with  
33 those lice and not show those dramatic hair loss effects from  
34 the lice. And that's one of the hopes of the program. And  
35 also that the program is very much driven by the Fortymile plan  
36 and the Kenai was a place where the State identified that they  
37 could put them with minimal biological risk. And so the  
38 Fortymile plan is still driving the movement of the addition or  
39 the lack thereof of wolves to the Kenai.

40  
41 MR. ROMIG: Thank you.

42  
43 CHAIRMAN LOHSE: Any other questions for Mark?

44  
45 MR. EWAN: I was wondering about the location now from  
46 where they were dropped off. How far away are they now from  
47 where they were disbursed?

48  
49 MR. CHASE: Well, one of them was dropped off near  
50 Homer and is back in -- back at Tok.

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1 MR. EWAN: I know, but.....

2

3 MR. CHASE: And that was an adult female.

4

5 MR. EWAN: The pack I was mainly interested in.

6

7 MR. CHASE: Yeah. They're probably within 15 miles of  
8 where they were released generally. And they've -- when the  
9 animals were first released, we saw large movements, kind of  
10 random movements over the Kenai Peninsula. And then they kind  
11 of have settled into spaces, presumably vacant areas where  
12 there wasn't an existing pack of wolves. Carved out a little  
13 spot there where they could make a living. But most of them  
14 are fairly close to the release site. I think the majority of  
15 them still remain in Unit 15(C), Subunit 15(C) where they were  
16 -- the unit that they were released in.

17

18 CHAIRMAN LOHSE: Any other questions for Mark?

19

20 MR. JOHN: I got one more question. The one that went  
21 back to Tok, is it an older wolf?

22

23 MR. CHASE: It was an adult female, yeah.

24

25 MR. JOHN: It's older than the others?

26

27 MR. CHASE: Right.

28

29 MR. JOHN: Yeah, okay.

30

31 MR. CHASE: Right, older than most of the rest. And so  
32 that's a little bit more expected of an older animal than it  
33 would be of a pup from the previous year.

34

35 MR. JOHN: Yeah.

36

37 MR. EWAN: I do, I remember now I had another question.  
38 And that is, the native wolves down there -- the wolves that  
39 were there, are they migrating out of there at all?

40

41 MR. CHASE: Some of them do. We've had radios on one  
42 that went to the Minto Flats up by Fairbanks from the Kenai a  
43 few years ago. And occasionally one will venture off the  
44 Peninsula, but not in any great numbers generally because of  
45 the development in the Anchorage bowl and down towards Portage  
46 and things, that's a pretty effective barrier to a lot of  
47 movements. Although occasionally something like brown bears  
48 and wolves will get on the railroad tracks and head north.

49

50 CHAIRMAN LOHSE: It puts the Lassie come home stories

0241

1 in perspective, doesn't it?

2

3 MR. CHASE: Yeah. After we get into the fisheries  
4 business, you won't be able to look forward to not having  
5 reports from us any -- you'll get a report every time after we  
6 get into that.

7

8 CHAIRMAN LOHSE: Any other questions for Mark? Okay,  
9 Mark, thank you muchly. Let's take ourselves a five minute  
10 break and then we'll get on to proposals.

11

12 (Off record)

13 (On record)

14

15 CHAIRMAN LOHSE: Okay, we'll call this meeting of the  
16 Southcentral Regional Subsistence Council back into session.  
17 At this point in time we would like to open the floor for  
18 proposals to change Federal Subsistence regulations. And these  
19 proposals can come from the public, any agencies or from the  
20 Regional Council. Does anybody have a proposal to change a  
21 Federal Subsistence regulation at this time? Don't everybody  
22 speak at once. Hearing no proposals to change Federal  
23 Subsistence regulations at this time, we'll go on to agency  
24 reports on non-resource related issues. We have a report on  
25 Federal Subsistence Board meeting, May 1998 from Gilbert.

26

27 MR. DEMENTI: Yeah, I attended the Federal Subsistence  
28 Board meeting in May to present our proposals from the region.  
29 And it was my first time and it was pretty intense for me, kind  
30 of nervous, but I had a lot of help from Rachel and Helga. And  
31 we went through all the proposals and I think all of our  
32 proposals, like we said, 90 percent goes through and I think is  
33 still going through.

34

35 CHAIRMAN LOHSE: I know the rest of you have got the  
36 report that showed what happened on it, is it in our book, too?

37

38 MS. EAKON: Yes, it's under Tab M.

39

40 CHAIRMAN LOHSE: That's what I thought, Tab M. Does  
41 anybody have any specific questions they'd like to ask Gilbert  
42 on it? How did you find it as far as their reception towards  
43 comments and things by you? Did you find them very receptive  
44 and very open?

45

46 MR. DEMENTI: Yeah, everything was open and I think  
47 everything pretty well explained.

48

49 CHAIRMAN LOHSE: Okay. Did you feel like they gave  
50 plenty weight and credit to what we had suggested?

0242

1 MR. DEMENTI: Yeah. Except for some of the, you know,  
2 from Eastern and Southcentral, those were the only ones  
3 that.....

4  
5 CHAIRMAN LOHSE: The only ones that were.....  
6

7 MR. DEMENTI: The only ones that had any, you know,  
8 controversial.

9  
10 CHAIRMAN LOHSE: Does anybody from the Council have any  
11 questions for Gilbert? Would anybody like to volunteer to go  
12 next May? Don't everybody shout at once. Well, we'll see what  
13 happens when next May comes around and we'll make sure we have  
14 somebody going. Thank you muchly, Gilbert, for going for us  
15 and representing us there.

16  
17 MR. DEMENTI: Okay.

18  
19 CHAIRMAN LOHSE: Now, when in May was that, that was  
20 early May wasn't it?

21  
22 MR. DEMENTI: I think around the 2nd, the 2nd of May.

23  
24 CHAIRMAN LOHSE: Yeah.

25  
26 MS. EAKON: May 3rd.

27  
28 CHAIRMAN LOHSE: May 3rd.

29  
30 MR. DEMENTI: May 3rd, okay.

31  
32 CHAIRMAN LOHSE: Are they pretty much around that time  
33 every year?

34  
35 MS. EAKON: Well, the Board and the Chairs get together  
36 in the morning -- I believe that was May 4th -- May 4th they  
37 had a joint session and the meeting proper on the proposals  
38 began at 1:00 o'clock May 4th, and they adjourned this year,  
39 was it the end of Wednesday -- or the morning of Thursday.

40  
41 MS. MEEHAN: Wednesday.

42  
43 MS. EAKON: Because of the consent agenda items.

44  
45 CHAIRMAN LOHSE: All right.

46  
47 MS. MEEHAN: The meeting for next year -- this is Rosa  
48 Meehan with the Subsistence office, is scheduled for the 3rd  
49 through the 5th of May.

50

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1 CHAIRMAN LOHSE: 3rd through the 5th of May.

2

3 MS. MEEHAN: And there's a chart that has all of the  
4 milestone dates for the program in your book, it's under Tab L.

5

6 CHAIRMAN LOHSE: Okay. We have a report from the U.S.  
7 Fish and Wildlife Service Office of Subsistence Management; is  
8 that you, Helga?

9

10 MS. EAKON: Well, I wanted to say that the material on  
11 the migratory bird information was not available at the time  
12 that this booklet went to print and I wanted to ask Rosa to say  
13 a little bit about the forums that are going to be happening.  
14 If you would, Rosa, please?

15

16 MS. MEEHAN: Very briefly, behind Tab K, there's a  
17 loose-leaf thing in there. And this explains what's happening  
18 with the migratory bird program. And somebody briefed you all  
19 last meeting about how the migratory bird program is working to  
20 implement Treaty changes to allow for spring subsistence  
21 harvest. And they are now -- the next step in that process is  
22 to go around and hold public meetings. There's a tentative  
23 scheduled on the last page of this, Page 3, that -- and I  
24 notice that there are none scheduled in the Southcentral  
25 region. However, the contact for this is Mimi Hogan. And if  
26 you want to write this down on the back sheet of that at the  
27 bottom of this briefing, if you're interested, it's Mimi Hogan,  
28 contact. I can give you her phone number, which is, 786-3673  
29 or you could call our 800 number and we can transfer you to  
30 their office.

31

32 So the important thing is that the process is moving  
33 on, it's moving into another phase of public comment and there  
34 will be another opportunity to do that. Hopefully, you all  
35 received the mailing that went out to all bush office holders  
36 that had -- it was sort of like a newsprint that said, making a  
37 new tradition, and that also asked for input. So there's  
38 definitely been a call out for this. And if you do have  
39 specific questions, I really encourage you to call the  
40 migratory bird office directly. And they've got both, Mimi  
41 Hogan and Bob Stevens as the other person working, and they can  
42 -- they're both very good and can help you out.

43

44 CHAIRMAN LOHSE: Thank you. Any questions for Rosa on  
45 the migratory birds? I just have one question, Rosa, does this  
46 apply all over the state of Alaska or just in Northern Alaska?

47

48 MS. MEEHAN: It applies all over Alaska. There are  
49 some areas that are tentatively excluded. For instance,  
50 Southeast, but that's still up for public review.

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1 CHAIRMAN LOHSE: Okay. Any other questions for Rosa?  
2 Okay, do you have some more for the U.S. Fish and Wildlife  
3 report?

4  
5 MS. EAKON: No, Mr. Chairman there is none.

6  
7 CHAIRMAN LOHSE: Okay. At this point in time, any  
8 other agency items? Any other agency have any items that they  
9 feel that they need to bring to our attention? Silence is  
10 deafening there, too.

11  
12 Okay, what we need then as a Council is we need to  
13 identify areas of concern to put in our annual report. Do we  
14 have any areas of concern to put in our annual report? Do we  
15 have anything that particularly is of concern to us right now?

16  
17 I, for one, would identify the Kenai rural/non-rural  
18 issue.

19  
20 MR. ROMIG: Well, I'd like to see a couple of Board  
21 members, too, at those meetings.

22  
23 CHAIRMAN LOHSE: At which meetings? Oh, at the Kenai  
24 rural/non-rural meetings?

25  
26 MR. ROMIG: Yes. So they can really, you know, take --  
27 you know, they're going to be making the final decisions.

28  
29 CHAIRMAN LOHSE: Right. We could put a request in our  
30 annual report that we feel that those meetings are -- of course  
31 it won't get there in time, will it? No.

32  
33 MS. MEEHAN: That's a -- Ben, I hear your concern on  
34 that. And just to let you know, we were sort of chatting about  
35 who, from the Staff perspective, could come along and help us  
36 out on that and we certainly had identified a couple of the  
37 Board members. You know, particularly Board members that have  
38 land holdings, like the Forest Service, like the Fish and  
39 Wildlife Service and it's a request that we can definitely pass  
40 on, and we'll certainly champion on your behalf.

41  
42 MR. ROMIG: Okay.

43  
44 CHAIRMAN LOHSE: Okay, we can put that as a form of  
45 request but not -- we can't put that as part of our annual  
46 report.

47  
48 MR. EWAN: Did you -- you know, I missed that part  
49 about the hearing down in the Kenai area, did you pick dates  
50 or.....

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1 CHAIRMAN LOHSE: The hearings are going to be held  
2 between October 15th and October 20th and November 20th,  
3 somewhere in that neighborhood. If at all possible, I mean  
4 that's the window we set up. And that's dependent on them  
5 getting the thing organized. Just another little job given to  
6 Helga.

7  
8 Any other items of concern? In the past we've  
9 expressed concern about the wolf predation but we've kind of  
10 gotten answers to that twice, so I don't think that -- the last  
11 answer showed that they were getting a little tired of us  
12 bringing it up so maybe we should skip it for a year.

13  
14 MS. SWAN: Mr. Chairman, the next public meeting?

15  
16 CHAIRMAN LOHSE: We will have.....

17  
18 COURT REPORTER: I can't hear you Clare.

19  
20 MS. SWAN: The next public meeting.

21  
22 CHAIRMAN LOHSE: That's the next item we have to --  
23 that's one of the next items we have to decide Clare. What  
24 we're working on right now is -- and that's for you, too, do  
25 you have any items of concern that you'd like to present to the  
26 Board, you know, as a Council, that you feel of are importance?

27  
28 I think, to me, I guess, actually the Kenai is the  
29 overriding issue at this point in time. The other issue, I  
30 suppose is the issue of what we end up coming up with on  
31 guidelines for c&t. And you know, I don't really know how to  
32 express that. But you know, what we worked on yesterday for so  
33 long, the idea that whether we have individual guidelines for  
34 individual Councils or whether, you know, where we were working  
35 on the eight factors, five factors, all of that stuff. I guess  
36 we all recognize that c&t determinations are an important  
37 thing, didn't we? I mean we did not want to do away with c&t  
38 determinations. And I guess we could express that in some way  
39 or another. I guess that's going to be part of our minutes and  
40 report to, so.....

41  
42 MS. EAKON: Well, c&t, generally, you could always have  
43 on the annual report.

44  
45 CHAIRMAN LOHSE: Yeah. C&T and c&t guidelines and  
46 determinations I think would be something to put in our annual  
47 report. Anybody else have any ideas? Fred, come up with  
48 something. Don.

49  
50 MR. KOMPKOFF: Yeah, Mr. Chairman. Yeah, I have one,

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1 on the c&t. You know, if somebody that has lived in certain  
2 areas, you know, throughout the years like I have. I traveled  
3 from Dutch Harbor all the way to Mt. Edgecumbe. I've hunted  
4 all the way up to -- almost up to, I think up to Cantwell,  
5 close to -- I think a guy -- individuals that could prove that  
6 they'd been hunting in these certain areas should be able to  
7 hunt in them areas. Like some people coming from up North came  
8 down to Prince William Sound and hunted all over there down  
9 there, too. And I don't see how a guy could go about doing  
10 this.

11  
12 CHAIRMAN LOHSE: So basically what you're talking about  
13 is individual c&t, something on the individual c&t process to  
14 make it easier to accomplish?

15  
16 MR. KOMPKOFF: Well, just for certain people, if they  
17 wanted to apply for a whole state c&t license.

18  
19 CHAIRMAN LOHSE: Anybody have an idea how to express  
20 that?

21  
22 MR. EWAN: Mr. Chairman, I had lunch with Don and we  
23 talked about this a little bit. One of the things that I told  
24 him to ask maybe of Park Service, is how to handle a situation  
25 like his where he did hunt up in the Chitina area and fish and  
26 all that; whether a permit for an individual like Don is  
27 allowed under the system now? What is it, a 1404 permit?  
28 Something like that.

29  
30 MS. MEEHAN: 1344.

31  
32 CHAIRMAN LOHSE: 1344, yeah.

33  
34 MR. EWAN: Is there anybody from the National Park  
35 Service -- can -- is he eligible to hunt?

36  
37 CHAIRMAN LOHSE: I don't know. Is there anybody from  
38 the National Park Service who could give us some information on  
39 that at this point in time?

40  
41 MR. TWITCHELL: Hollis Twitchell with Denali. The  
42 subsistence use permit that the Park Service uses for people  
43 who live outside of our resident zones, the individual will  
44 come in and show a personal or family history of use that  
45 predates ANILCA. And if they can demonstrate that they have  
46 this pattern and historical use, either themselves or through  
47 their family, other family members then the superintendent will  
48 take that into consideration and they can receive a permit to  
49 use that particular Park area. It's possible for an individual  
50 to hold permit authorizations in several National Parks if,

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1 indeed, they have demonstrated personal or family history of  
2 use in both those areas. So that is possible.

3

4 MR. EWAN: So that would suggest you could possibly  
5 hunt up in the Wrangell-St. Elias area?

6

7 MR. TWITCHELL: Well, that would apply in terms of  
8 eligibility to use the Park areas. We then incorporate the  
9 Federal c&t determinations as a condition to that permit. So  
10 even though Donald may be able to hold a permit in, for  
11 instance, Katmai or Wrangells, he would then be obliged to go  
12 by the c&t determinations for that particular area. So he may,  
13 indeed, be eligible in several areas. But if he doesn't, say,  
14 reside in that area that has a c&t determination, then he might  
15 not be able to utilize that particular species.

16

17 This is a problem that we have and a good example is  
18 Dan O'Connor. And that's why we moved his proposal through the  
19 Councils asking for an individual exception to an existing c&t  
20 determination. And of course, the general response from  
21 Eastern, Western and Southcentral is they didn't want to see  
22 individual's names showing up in the regulations as exceptions.  
23 But preferred to see an authorization where people who have  
24 already demonstrated this personal or family history of use in  
25 an area should be able to use the species in that area. In  
26 which case, the situation in Dan O'Connor, then on those Park  
27 lands, that he would then be able to exercise his subsistence  
28 use permit from the Park for those species within that area.

29

30 CHAIRMAN LOHSE: Does that answer your question, Don?  
31 Gilbert.

32

33 MR. DEMENTI: Mr. Chair, can I ask you a question,  
34 Hollis? How long back do you go for c&t? I mean how many  
35 years -- do you have how many years you go back for c&t?

36

37 MR. TWITCHELL: Well, when we look -- in terms of the  
38 eligibility?

39

40 MR. DEMENTI: Yes.

41

42 MR. TWITCHELL: The eligibility for the subsistence  
43 user permits is looking at a pattern of personal or history of  
44 use that predates ANILCA. And so we look to -- for people who  
45 can show that pre-ANILCA, and so we're looking for a  
46 demonstrated use that goes back into the '70s at a minimum.  
47 Then of course, most of the individuals that apply usually have  
48 a much more extended period than that. Usually multi-general  
49 context.

50

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1 CHAIRMAN LOHSE: Does that answer your question,  
2 Gilbert?

3  
4 MR. DEMENTI: Yes.

5  
6 CHAIRMAN LOHSE: Any other questions for Hollis while  
7 he's up here?

8  
9 MR. EWAN: I'm not really clear about the species  
10 though. Did you mention species? Let's say he hunted moose up  
11 there but is that all he's eligible to hunt then if he  
12 demonstrated that he hunted the moose?

13  
14 MR. TWITCHELL: When we look at issuing the permits  
15 we're looking at the full range of species that a person used.  
16 So we'd be looking at, not only moose or caribou but  
17 furbearers, fisheries, use of timber, the whole -- whole  
18 variety of resources and subsistence use activities that the  
19 individual would employ, and that's all taken into  
20 consideration. And so then the -- and when a person does show  
21 that, they receive a permit from the Park Service saying that  
22 they're an eligible subsistence user. Again, we incorporate  
23 the c&t determinations for each particular species as a  
24 condition to the subsistence use permit. So there are --  
25 subsistence users still have to meet the Federal Subsistence  
26 program c&t for species currently.

27  
28 MR. EWAN: He would -- because he comes from an area  
29 where there's c&t for the village, right -- or would he, I  
30 don't know? You don't?

31  
32 CHAIRMAN LOHSE: I don't think so right at the moment.  
33 No, he doesn't. So he could have eligibility there but because  
34 he resides in a non-c&t -- his residence is non-c&t, he could  
35 have eligibility but still be unable to hunt because he has no  
36 c&t finding for that species -- or for any species of game at  
37 this point in time.

38  
39 MS. SWAN: Mr. Chairman.

40  
41 CHAIRMAN LOHSE: However if he moved there then he  
42 would be instantly eligible.

43  
44 MR. TWITCHELL: That is correct.

45  
46 MR. EWAN: I do have a question, Hollis. I don't know  
47 if you answered my question, I don't think you did.

48  
49 MR. TWITCHELL: Okay.

50

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1 MR. EWAN: That is, if the person who demonstrates that  
2 he hunted moose, is that all he's eligible to for.....

3  
4 MR. TWITCHELL: No.

5  
6 MR. EWAN: .....subsistence? You're saying that it  
7 could be open if he just demonstrates for one species?

8  
9 MR. TWITCHELL: Well, we certainly look for more than  
10 just one species. And certainly people who have that personal  
11 family history of use are showing multi-species usage. So we  
12 certainly look for that diversity because it does reflect  
13 subsistence practices.

14  
15 MR. EWAN: Does use include just hunting, unsuccessful  
16 hunts and so forth? Do you know what I mean. I could go out  
17 for 10 years in a row and not get anything, you know, it's  
18 possible.

19  
20 MR. TWITCHELL: No, we're not looking at success rates  
21 we're looking at participation.

22  
23 MR. EWAN: Oh.

24  
25 MR. TWITCHELL: A reoccurring pattern of use of the  
26 area.

27  
28 CHAIRMAN LOHSE: Hollis, I think one of the things that  
29 Roy is asking is, the fact that you went hunting someplace once  
30 would never give you that reoccurring pattern so that you would  
31 get the 13 -- what is it, 1344. I mean in order to get the  
32 Park one you have to show that you have a reoccurring pattern  
33 of use, like you went for 10 years and you did your moose  
34 hunting there or something on that order. The fact that you  
35 hunted there once does not make you eligible.

36  
37 Claire, I think you were going to ask something

38  
39 MS. SWAN: Does that have to do with gathering, such as  
40 bark and berries and those kinds of things?

41  
42 MR. TWITCHELL: Yes. We consider all of the  
43 subsistence activities; plants, fisheries, wildlife, trapping.

44  
45 MS. SWAN: Okay. Is there an age limit?

46  
47 MR. TWITCHELL: When we issue a permit it's for an  
48 individual in a household. Anyone who resides in that  
49 household is eligible as well. So it'd be essentially a family  
50 permit for people residing in that household.

0250

1 MS. SWAN: I see. Thank you.

2

3 MR. TWITCHELL: And when someone moves out, such as the  
4 case as Dan O'Connor, then he or she is issued a permit for  
5 themselves since they are now living in a different household.  
6 But based upon his and his family's pattern of use they, in  
7 deed, receive a permit also.

8

9 MS. SWAN: He's living in another -- he moves out into  
10 another household, does that permit apply to his whole  
11 household then?

12

13 MR. TWITCHELL: That's correct.

14

15 MS. SWAN: How far can you move out? I mean where can  
16 he go, you know, what's the limit? I have to stay in the state  
17 or can I move from wherever you are from -- then I can just go  
18 back and get a permit for there -- a c&t permit?

19

20 MR. TWITCHELL: Well, our eligibility permits. We  
21 don't have boundaries or a geographic mileage distance. But  
22 all our regulations are based on local rural for the National  
23 Park Service. And as people move farther away they become less  
24 and less likely to be coming back and utilizing the area.

25

26 For instance, we have individuals in Tanana who have  
27 subsistence use permits for Denali, people in Nenana who have  
28 permits also. So we go out sometimes, in terms of these  
29 communities, a hundred miles or more, but as we get much  
30 farther than that the travel and the distances, people are not  
31 returning to subsist in our area. So we don't define the  
32 distances in terms of mileages but just the economics and the  
33 distances is such that we tend to be dealing with communities  
34 around the Park areas.

35

36 MS. SWAN: Okay. Well, this brings up a lot of  
37 questions but I'm not going to belabor it. I just wanted to  
38 know, thank you. Thank you.

39

40 CHAIRMAN LOHSE: One last comment, this only applies in  
41 National Parks? This doesn't apply in Forest Service land, BLM  
42 land or anything else, this is just a permitting process that's  
43 been made for the National Parks?

44

45 MR. TWITCHELL: That's correct.

46

47 CHAIRMAN LOHSE: Okay.

48

49 MR. EWAN: The reason I spoke with Don was that the  
50 only Federal lands is in Unit 11 and this strip of land along

0251

1 the highway up North that I'm aware of in our area. That's why  
2 we're not talking about very much Federal land in the Copper  
3 River region where he's talking about. That's why I'm  
4 following up with you on whether he's eligible or not.

5  
6 CHAIRMAN LOHSE: As a Council, is the individual c&t  
7 process something that -- I mean before -- in the past we've  
8 expressed as a Council, like Helga was saying, we've expressed  
9 the idea that we don't like the idea of seeing individual names  
10 involved with c&t, that we like areas and groups and things  
11 like that. Is it a concern enough that we want to put it in  
12 our annual report or is it something we just want to drop at  
13 this point in time? We're dealing with the Dan O'Connor case  
14 right now. The Board is -- I can't remember -- the Board has  
15 not made a decision in it yet, has it?

16  
17 MR. TWITCHELL: No, it's deferred.....

18  
19 CHAIRMAN LOHSE: It's deferred.

20  
21 MR. TWITCHELL: .....action on that proposal.

22  
23 CHAIRMAN LOHSE: Right.

24  
25 MR. TWITCHELL: It's awaiting solicitor's review.

26  
27 CHAIRMAN LOHSE: Right. And so at that point in time  
28 when that case gets acted on at that point in time, we'll see  
29 in which direction this is going. So maybe we should just not  
30 mention that in our annual report. Have we got any -- thank  
31 you Hollis. Sorry to keep you there while I was talking.

32  
33 Gloria, can I ask you a question first?

34  
35 MS. STICKWAN: Yeah.

36  
37 CHAIRMAN LOHSE: Are you going to be dealing with our  
38 annual report or is that going to be a request for proposal?

39  
40 MS. STICKWAN: No, I'm just going to ask you a  
41 question.

42  
43 CHAIRMAN LOHSE: Okay, fine. Good. Because if you  
44 were going to have a proposal, I want to open it up back to  
45 you.

46  
47 MS. STICKWAN: No. My question is, what does this  
48 Council -- when fisheries, if fisheries comes into management,  
49 is this Council going to set up another Council for fisheries  
50 or what is your guy's -- what do you think is going to happen

0252

1 there? I mean I'm asking you what do you guys think?

2  
3 CHAIRMAN LOHSE: At this.....

4  
5 MS. STICKWAN: Do you think you need another Council  
6 for fisheries?

7  
8 CHAIRMAN LOHSE: At this point in time, Gloria, in the  
9 past this Council has said we thought we could handle it to  
10 start off with, we'll see. We won't hesitate to ask for  
11 another Council if we find out that it's a bigger load than we  
12 can handle.

13  
14 MS. STICKWAN: Because the Copper River is just going  
15 to be all under Federal management and that's kind of -- that's  
16 a lot. I think there should be two Councils.

17  
18 CHAIRMAN LOHSE: Yeah, we may end up having to have two  
19 Councils. I kind of think we will because I think it's going  
20 to be a big.....

21  
22 MS. STICKWAN: The other Councils have recommended to  
23 stay with one though for fisheries?

24  
25 CHAIRMAN LOHSE: Tom.

26  
27 MR. BOYD: Mr. Chair, I don't have the tally in front  
28 of me but I think many of the Councils have felt that they  
29 could handle the addition of fisheries. I think there's some  
30 questions about that that remain and it's something that we're  
31 going to be evaluating as we move into fisheries.

32  
33 MS. STICKWAN: Then all these other Councils, do they  
34 have a lot of Federal land in their -- I mean Federal waters  
35 like the Copper River runs? I mean it's just going to all be  
36 under Federal management. Are there other areas like that?

37  
38 MR. BOYD: Oh, yes.

39  
40 MS. STICKWAN: There is?

41  
42 MR. BOYD: Oh, yeah.

43  
44 MS. STICKWAN: And they feel that they can keep one  
45 Council?

46  
47 MR. BOYD: Well, there are a number of ways of managing  
48 this issue. And I think we haven't explored all of those yet,  
49 but one way is to -- and it's something that we need to  
50 consider is rearranging our regulatory process so that we're

0253

1 perhaps only taking up certain regions in a year. That's one  
2 example of some of the things that we can do to manage the work  
3 load. So in other words, we wouldn't come back to the  
4 Southcentral Council perhaps every year to deal with regulatory  
5 proposals, we might come back every other year or some  
6 arrangement like that. You know, there are a number of ways to  
7 manage an expanding work load other than duplicating the  
8 Council. But that's certainly in the realm of possibilities.

9  
10 But it's something -- I think you raise a good point.  
11 It's something that we're certainly thinking about in terms of  
12 how we're going to manage the additional fisheries expansion.

13  
14 CHAIRMAN LOHSE: Gloria, I think -- like I said, as a  
15 Council, we have said in the past that if we can't handle it  
16 we've thought, just like the other Councils, to give it a try  
17 and then go from there. Part of the problem is going to be  
18 whether they give more Staff. If they don't give more Staff  
19 then what's going to have to happen is his idea, we're going to  
20 have to handle game one year and fish the next year, otherwise  
21 we're not going to have the support we need to do it. So we'll  
22 have to wait and see on that. At this point in time there's no  
23 funding for another Council.

24  
25 MR. EWAN: Mr. Chairman.

26  
27 CHAIRMAN LOHSE: Yes.

28  
29 MR. EWAN: I think there's another aspect to that and  
30 that's the public interest will increase dramatically when you  
31 have fish -- include fisheries.

32  
33 CHAIRMAN LOHSE: Yeah. Thank you, Gloria. You know  
34 that is another concern that we can put on our annual report,  
35 is the Federal management of fish after December 1st and having  
36 adequate Staff, field Staff and office Staff to handle the  
37 increased work load. I think that's a concern that we should  
38 express. Does the rest of the Council concur with that; the  
39 need for adequate field Staff and office Staff to handle the  
40 increased work load with the takeover of the fish management?

41  
42 MR. JOHN: Helga could handle it.

43  
44 CHAIRMAN LOHSE: We're going to have to clone Helga.

45  
46 MS. SWAN: Mr. Chairman, you know, I think that an  
47 addition of Staff would be better because I really don't know  
48 what the difference between a Council and a committee is, but  
49 somebody said that if you get too many councils or committees -  
50 - I think that somebody once said that a camel is really a

0254

1 horse put together by a committee. So sometimes it happens  
2 when you have too many committees and councils and no staff to  
3 work.

4  
5 CHAIRMAN LOHSE: Yeah. But I think we should express  
6 that as a concern in our annual report. Does anybody have  
7 anything else to express in the annual report? If not, Helga,  
8 do you have anything that you think we should put in the annual  
9 report?

10  
11 MS. EAKON: No. What I was going to say is that a  
12 draft report will appear in your winter notebook and you will  
13 have another opportunity at the winter meeting if you think of  
14 additional issues.

15  
16 CHAIRMAN LOHSE: We could add to it.

17  
18 MS. EAKON: We can add it at that time.

19  
20 CHAIRMAN LOHSE: Thank you. Well, if that's the case,  
21 we'll pass on to any other new business. Do we have any other  
22 new business from Council, from Staff, from anybody else out  
23 there? Hearing none we will go on to the important new  
24 business of time and place of next public meeting. The next  
25 public meeting will be held when, in February sometime?

26  
27 MS. EAKON: Well, under Tab N as in Nancy, you do have  
28 a calendar on the very last page. Please note that North Slope  
29 Regional Council is going to meet February 23rd and 24th. The  
30 Northwest Arctic Council is going to meet either on September 2  
31 -- March 2 or March 3. And that's all we know about so far of  
32 other meetings. So you have that window there.

33  
34 CHAIRMAN LOHSE: So we basically have a window of --  
35 you wouldn't want to put one in the same week as the ones that  
36 are held on Tuesday and Wednesday, would you?

37  
38 MS. EAKON: No. At this point you're open because we  
39 don't like to have more than three meetings per week. So only  
40 two little slots are spoken for.

41  
42 MS. MASON: And those are ones that it doesn't matter  
43 if we overlap or not.

44  
45 MS. EAKON: It doesn't matter if we overlap with them  
46 because they are served by a different Staff than the ones that  
47 are here.

48  
49 CHAIRMAN LOHSE: Okay.

50

0255

1 MS. MEEHAN: But if you don't mind I'd like to share  
2 some other considerations that we'd appreciate your  
3 consideration on. And these are actually listed in your book  
4 behind Tab N. And some of the considerations -- and then this  
5 is just purely a selfish Staff concern, but in general this  
6 Council tends to come up with an awful lot of proposals, a lot  
7 of work, and it's easier for us to do the best job for you if  
8 we can have as much time as possible to work on the material.  
9 And so we appreciate this Council going later in the window  
10 rather than earlier. And it just gives us a chance to do a  
11 better job for you. So that helps us a lot.

12  
13 CHAIRMAN LOHSE: Does anybody know if Easter falls in  
14 any of this time slot right here?

15  
16 MS. SWAN: Let's see, Easter was in April this year,  
17 wasn't it.

18  
19 CHAIRMAN LOHSE: Easter was in April?

20  
21 MS. SWAN: It was in April, it was early. So it would  
22 probably be late this year.

23  
24 MS. MASON: I think it's beyond the window.

25  
26 CHAIRMAN LOHSE: Okay, it's beyond this window.

27  
28 MS. MASON: Yeah.

29  
30 CHAIRMAN LOHSE: So if we take a look at the calendar  
31 and they said they would like us to be later, the window closes  
32 on March 24th, so we've got anywhere from March 4th to March  
33 24th. What's the wish of the Council?

34  
35 MR. EWAN: Is there a reason for wanting a meeting on  
36 Tuesday, is a Monday okay?

37  
38 MS. MASON: I think it is.

39  
40 MR. WILLIS: It kind of depends on the travel and how  
41 far we have to go.

42  
43 MR. EWAN: For preparation it would probably be better  
44 on Tuesday.

45  
46 MS. EAKON: It depends on where you go.

47  
48 CHAIRMAN LOHSE: Yeah.

49  
50 MS. EAKON: Where do you want it and then we can better

0256

1 answer you?

2

3 CHAIRMAN LOHSE: Yeah. If we decide where we want it,  
4 it's probably easier to decide that first than to decide when.  
5 Because that would dictate a little bit of the when. Are there  
6 any -- I'll suggest McCarthy then. There's two lodges in  
7 McCarthy. They don't have heat that time of the year, but.....

8

9 MS. SWAN: Is there any reason why we can't have it  
10 here? I don't know how you guys do it.

11

12 CHAIRMAN LOHSE: This is the most central place.

13

14 MS. SWAN: This is the most central.

15

16 CHAIRMAN LOHSE: And we've ended up having it in  
17 Anchorage a lot of the times because of the centrality. But  
18 we've also opened it up in other places because it's, you  
19 know.....

20

21 MR. EWAN: We've called meetings in the Kenai area,  
22 Glennallen.

23

24 CHAIRMAN LOHSE: We had one in Glennallen. We had one  
25 in Cordova. We were talking about Cantwell and kind of decided  
26 that at that time of the year there wasn't sufficient places  
27 for us all to stay.

28

29 UNIDENTIFIED VOICE: How about having it here?

30

31 MR. JOHN: Here in Anchorage.

32

33 CHAIRMAN LOHSE: Well, I've heard two for Anchorage.

34

35 MR. JOHN: Three.

36

37 CHAIRMAN LOHSE: Three for Anchorage. Four for  
38 Anchorage. Clare?

39

40 MS. SWAN: This is fine. It's good.

41

42 CHAIRMAN LOHSE: Anchorage is fine with you. Roy?  
43 Anchorage is fine with Roy. And I have no objections to any  
44 place, so Anchorage is fine. That solves logistics because  
45 that makes getting in and out a little bit easier and hotels  
46 and everything a little easier.

47

48 Okay, next, let's pick a time. Does anybody have  
49 anything that interferes during this time period?

50

0257

1 MS. SWAN: I probably do but I don't know what it is.

2

3 CHAIRMAN LOHSE: I know exactly what you mean Clare.  
4 We probably do but most of us don't know that part yet.

5

6 MS. SWAN: Yeah.

7

8 CHAIRMAN LOHSE: The Staff has said that they would  
9 appreciate if we were towards the end of the window.

10

11 MS. SWAN: Okay.

12

13 CHAIRMAN LOHSE: And to me that means probably  
14 somewhere between the 14th and 24th would be handy for the  
15 Staff. That's not required, but that would be to their  
16 benefit. And then our question is, do we want to be at the end  
17 of the week or the beginning of the week? Because if we want  
18 the end of the week, we can go the 11th and 12th or 18th and  
19 19th, if we want the beginning of the week, we can go 15th,  
20 16th and 22nd and 23rd.

21

22 MR. DEMENTI: 22nd and 23rd is fine.

23

24 CHAIRMAN LOHSE: 22nd and 23rd is fine with you.

25

26 MR. EWAN: How about the 23rd and 24th.

27

28 UNIDENTIFIED VOICE: The window closes the 24th.

29

30 MS. MEEHAN: That's okay.

31

32 MR. JOHN: Yeah, the 23rd and 24th.

33

34 CHAIRMAN LOHSE: Yeah, that would give us a Monday to  
35 travel on.

36

37 MR. DEMENTI: That would be fine with me, too.

38

39 MS. EAKON: Okay.

40

41 CHAIRMAN LOHSE: If that's okay with you we'll schedule  
42 it for the 23rd and 24th. We'll schedule it in Anchorage and  
43 that gives you as much time as we can give you Rosa.

44

45 MS. MEEHAN: Thank you.

46

47 MR. WILLIS: We appreciate the break in travel. Since  
48 we'll be here in Anchorage already that gives us a break from  
49 traveling to Councils.

50

0258

1 CHAIRMAN LOHSE: Well, that also gives you Monday to  
2 get things organized.

3  
4 MS. MASON: To write the analysis.

5  
6 CHAIRMAN LOHSE: Okay. Then at this point in time, I  
7 think that pretty well takes care of our business. Let me take  
8 a look at my agenda one last time. Okay, unless anybody can  
9 think of anything else, that leads us to a motion for  
10 adjournment that's in order.

11  
12 MS. SWAN: Motion to adjourn.

13  
14 CHAIRMAN LOHSE: It's been moved to adjourn. Is there  
15 a second?

16  
17 MR. KOMPKOFF: Second.

18  
19 CHAIRMAN LOHSE: Motion carries. We don't need to vote  
20 on adjournment.

21  
22 MS. MASON: Everybody's getting up anyway.

23  
24 CHAIRMAN LOHSE: If don't adjourn there won't be  
25 anybody here anyway. Adjourned.

26  
27 (END OF PROCEEDINGS)  
28 \* \* \* \* \*

C E R T I F I C A T E

UNITED STATES OF AMERICA )

) ss.

STATE OF ALASKA )

I, Rebecca Nelms, Notary Public in and for the State of Alaska and Reporter for R&R Court Reporters, Inc., do hereby certify:

THAT the foregoing pages numbered 02 through 259 contain a full, true and correct Transcript of the Southcentral Regional Subsistence Advisory Council meeting taken electronically by Suzan Olson on the 29th and 30th days of September 1998, beginning at the hour of 8:30 o'clock a.m. at the Egan Center, Anchorage, Alaska;

THAT the transcript is a true and correct transcript requested to be transcribed and thereafter transcribed by Salena Hile, Meredith Downing and myself to the best of our knowledge and ability;

THAT I am not an employee, attorney, or party interested in any way in this action.

DATED at Anchorage, Alaska, this 5th day of October 1998.

\_\_\_\_\_  
Notary Public in and for Alaska  
My Commission Expires: 10/10/98