

1 KODIAK/ALEUTIANS FEDERAL SUBSISTENCE
2 REGIONAL ADVISORY COUNCIL MEETING

3
4 PUBLIC MEETING

5
6 VOLUME I

7
8 Cold Bay, Alaska
9 September 20, 2011

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12
13 COUNCIL MEMBERS PRESENT:

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15
16 Speridon Simeonoff, Chairman
17 Alfred Cratty
18 Patrick Holmes
19 Richard Koso
20 Richard Rowland
21 Antone Shelikoff
22 Della Trumble

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P R O C E E D I N G S

(Cold Bay, Alaska - 9/20/2011)

(On record)

CHAIRMAN SIMEONOFF: Okay. Good morning. I'm Speridon Simeonoff and I'd like to call the Kodiak/Aleutians Advisory Council meeting to order. Before we start with anything we have an invocation. I'll ask Pat to do that.

MR. HOLMES: Okay. Thank you, Mr. Chairman. I was privileged to talk to some of the anthropologists in Kodiak before I left and they've done some rubbings down there where Mitch lives on the rocks. And one of the common themes in Kodiak, I just had mentioned that I had talked to the anthropologists and they did some work down at -- south of Akhiok this year and then there's a very common rubbing and this is the man of the universe or the universe and man and it shows how people relate to the environment and our responsibilities to the environment and to each other. And I found -- many years ago I found a small little pin that came from Chenega which is another Alutiig culture and they have the same universal man.

So I think that we should reflect a moment this morning before we start and whichever way and whichever perspective of god and the universe that we have to give us guidance and help us reach the best solutions in trying to provide for the standards of all folks for subsistence and that we don't forget to share and that we don't forget to care about each other.

Thank you.

CHAIRMAN SIMEONOFF: Thank you, Pat. Can we have -- now have the roll call, please.

MR. HOLMES: Roll call. Antone Shelikoff.

MR. SHELIKOFF: Here.

MR. HOLMES: Patrick Holmes. I'm here. Richard Koso.

MR. KOSO: Here.

1 MR. HOLMES: Sam Rohrer is absent, he
2 said that he wouldn't be able to make it. Al Cratty.
3
4 MR. CRATTY: Here.
5
6 MR. HOLMES: Rick Rowland.
7
8 MR. ROWLAND: Here.
9
10 MR. HOLMES: Alex Panamaroff, Jr. Alex
11 got stuck in Larsen Bay and can't make it. Della
12 Trumble. I believe she was going to try and be online.
13
14 MS. BROWN: She is.
15
16 MR. HOLMES: Okay. We have Della.
17
18 MS. TRUMBLE: I'm here.
19
20 MR. HOLMES: Speridon Simeonoff.
21
22 CHAIRMAN SIMEONOFF: Here.
23
24 MR. HOLMES: And Tommy Johnson couldn't
25 make it from Kodiak today. We have a quorum, Mr.
26 Chair.
27
28 CHAIRMAN SIMEONOFF: Thank you, Pat.
29
30 MS. BROWN: Hi, did someone else join
31 us?
32
33 MR. JENNINGS: I was -- Tom Jennings.
34 Good morning.
35
36 MS. BROWN: Good morning.
37
38 CHAIRMAN SIMEONOFF: And good morning,
39 Tom.
40
41 MR. JENNINGS: Just listening in.
42
43 CHAIRMAN SIMEONOFF: Before we get to
44 introductions I wanted to ask the Board if they wanted
45 to take action on any of the absences that we have,
46 excused or unexcused absences of our Board members.
47
48 MR. HOLMES: Mr. Chair. As long as I
49 -- I really do like Tommy, but he really hasn't made a
50 lot of meetings. So I hope that he's able to join us

1 on our teleconference.

2

3 MR. COBB: I just want to let you know
4 that Kodiak Refuge is online.

5

6 MS. BROWN: Great. Okay. Thank you.

7

8 MR. HOLMES: You there, Tom?

9

10 MR. CRATTY: Mr. Chair.

11

12 CHAIRMAN SIMEONOFF: Yes, Al.

13

14 MR. CRATTY: Mr. Chair. Could Pat
15 state the name of both, I don't know who he's talking
16 about.

17

18 Thank you.

19

20 CHAIRMAN SIMEONOFF: That was Tom
21 Johnson that came on?

22

23 MS. BROWN: The Kodiak Refuge, yeah,
24 could you identify yourselves, please.

25

26 MR. COBB: Yes, we're here.

27

28 MS. BROWN: Who specifically.

29

30 MR. COBB: We have Bill Pyle, the
31 supervisory biologist, and myself and myself, I'm
32 McCrea Cobb, I'm a biologist.

33

34 MS. BROWN: Okay. Hi, McCrea. This is
35 Cole. Thank you.

36

37 MS. TRUMBLE: Cole, this is Della. Can
38 you ask the Council members -- I'm not really hearing
39 them clearly and I don't know if you have microphones
40 there, but sometimes they're cutting in and out.

41

42 MS. BROWN: Okay. Yeah, please --
43 we're going to try and take care of that, but if you
44 don't, you know, please speak up so we can keep trying.

45

46 Thank you.

47

48 MR. CRATTY: Mr. Chair. I'm still
49 trying to understand who Pat was talking about when he
50 mentioned somebody not -- I don't know, he mentioned

1 the name Tom.

2

3 CHAIRMAN SIMEONOFF: Well, he mentioned
4 that Tom hasn't made a meeting in a while.

5

6 MR. CRATTY: Oh. Tom who?

7

8 CHAIRMAN SIMEONOFF: Tom Johnson.

9

10 MR. CRATTY: Oh, okay. Thank you.

11

12 CHAIRMAN SIMEONOFF: I call for a
13 motion from the Board to either excuse or unexcuse
14 Board members that are not here. That motion is in
15 order.

16

17 MR. HOLMES: Well, Mr. Chair, I guess
18 in a concept of fairness we should give the folks that
19 advised us before they wouldn't be here an excused
20 absence and hopefully some of them will get online.

21

22 And I'd like to apologize to the other
23 members because the pick up on this mic just doesn't
24 come through on my headphones. So if I don't answer I
25 can't hear you for diddle, Al, so please toss something
26 my way or let me know because there's a big pause, I
27 just didn't get it. So I apologize, too many guns and
28 motors.

29

30 CHAIRMAN SIMEONOFF: Okay.

31

32 MR. ROWLAND: Mr. Chair.

33

34 CHAIRMAN SIMEONOFF: Rick.

35

36 MR. ROWLAND: My thought comes -- I'm
37 wondering about what the policy is on excused or absent
38 determination and what the procedure is for an
39 individual in the event that they can't make the
40 meeting, do they call the Chair, do they call Fish and
41 Wildlife, do they call the -- just another Council
42 member or do.....

43

44 CHAIRMAN SIMEONOFF: No.

45

46 MR. ROWLAND:we just wait to see
47 if they show up and decide whether they're excused or
48 absent? This is Rick Rowland from Kodiak.

49

50 CHAIRMAN SIMEONOFF: Yeah, the people

1 that call, they will talk to our coordinator and
2 they'll let them know if they're going to be here or
3 not. And our concern with Tom Johnson is there was no
4 communication. They tried to contact him, but were
5 unable to make contact. And I guess this is more than
6 three meetings that he's missed. And as far as Sam
7 and Alex, they contacted our coordinator, said they
8 couldn't make it. But there was no contact with Tom.

9

10 MR. ROWLAND: So like what's the policy
11 on absent.....

12

13 CHAIRMAN SIMEONOFF: We -- I think if
14 they miss three they're -- then the Board will make a
15 recommendation to replace.....

16

17 MR. ROWLAND: Oh.

18

19 CHAIRMAN SIMEONOFF:you know, but
20 if we move to excuse his absence then he'll remain on
21 the Board. We have not in the past made a
22 determination for excused or unexcused because in the
23 past all the people that did not make a meeting had
24 communication with our RAC coordinator. And they said
25 they called, we -- you know, there has been some clear
26 communication with the Board members that could not
27 make it. Unfortunately we -- they just could not make
28 contact with Tom.

29

30 MR. HOLMES: Mr. Chair. I was thinking
31 perhaps the solution for Tom because he really hasn't
32 -- I only recall maybe one meeting, but then I missed
33 one myself, but maybe we could ask the OSM coordinator
34 to ask him if he wishes to continue on the Council and
35 then that's sort of a gentle way of being able to
36 replace him if he's not going to be able to attend
37 further meetings.

38

39 CHAIRMAN SIMEONOFF: Okay. Yeah. And
40 we've dealt with a situation like this before, it was a
41 letter from the Chair to the Board member giving him
42 the opportunity to get back in the game, but if it.....

43

44 Go head, Rick.

45

46 MR. ROWLAND: So my thought is
47 that.....

48

49 MR. COBB: Colleen, this is McCrea in
50 Kodiak, we can't hear anything that's going on online.

1 MR. ROWLAND: Yeah. So my thought is
2 that.....

3
4 MS. BROWN: Okay. Thanks, McCrea.

5
6 MR. ROWLAND:it's my
7 responsibility to deal with subsistence, not somebody's
8 truancy. If they don't show up it's not my issue to
9 sit and make a decision or long term discussion. That
10 should be the Fish and Wildlife and the Federales'
11 decision. I'd like to be spending more time on the
12 subsistence.

13
14 CHAIRMAN SIMEONOFF: Yeah, that's
15 understood, but in our attempt to get involved in
16 determining who sits on this Board, you know, we got to
17 -- we got to start someplace. And talking -- making
18 decisions on excused or unexcused absences would become
19 part of our responsibility.

20
21 MR. KOSO: Mr. Chair.

22
23 CHAIRMAN SIMEONOFF: Rick.

24
25 MR. KOSO: You know, I kind of agree
26 that, you know, we should maybe just go ahead and send
27 a letter out as you proposed from the Chairman to ask
28 what his intentions are. And if we don't get a
29 response, I know he's already missed three meetings and
30 usually in our book it says that if you miss three
31 meetings you're off of the Board if you don't have a
32 firm excuse. So if we don't get an excuse and he
33 missed three meetings he's already beyond that point.
34 So in my mind, you know, I would go for a nonexcused
35 absence for that -- Tom.

36
37 CHAIRMAN SIMEONOFF: Thank you, Rick.
38 Pat, did you have something?

39
40 MR. HOLMES: Mr. Chairman. It sounds
41 like my motion that we're working towards voting it
42 down, unexcused absence. I would suggest we wait a
43 second and see if we can't get -- there seems to be
44 some technical difficulties because my ear phones don't
45 pick up from the teleconference and they're not hearing
46 us unless we're talking loud enough for our voices to
47 go over to the teleconference machine. So these
48 speakers aren't communicating and so maybe before we go
49 further we'd want to try to get that technical problem
50 solved or we'll all have to just speak really loud.

1 CHAIRMAN SIMEONOFF: It's good to speak
2 loud, as long as they're not angry. So we'll draft a
3 letter to Tom and give him the rundown on the
4 situation.

5
6 MR. HOLMES: Do we need to have a
7 motion to say that we do not excuse him them?

8
9 (No comments)

10
11 MR. HOLMES: I guess I'll just back up
12 and then just say that we would have a letter -- I move
13 that we send a letter to Tommy asking if he plans to
14 continue and that we don't excuse him because we
15 haven't heard that he wouldn't be here.

16
17 Does that kind of go with the rest of
18 the Council's thoughts?

19
20 MR. KOSO: I'll second that.

21
22 CHAIRMAN SIMEONOFF: Moved and
23 seconded.

24
25 MR. CRATTY: Call for the question.

26
27 CHAIRMAN SIMEONOFF: Any discussion.

28
29 (No comments)

30
31 CHAIRMAN SIMEONOFF: Hearing no
32 discussion, is there any objection to the motion?

33
34 (No comments)

35
36 CHAIRMAN SIMEONOFF: Hearing no
37 objections then the motion carries.

38
39 Okay. That puts us into welcome and
40 introductions. I'll start. My name is Speridon
41 Simeonoff, I'm from the Native Village of Akhiok,
42 Chairman of the Kodiak/Aleutians Regional Advisory
43 Council. I'm from Kodiak Island.

44
45 MR. HOLMES: I'm Pat Holmes from
46 Kodiak. And I think I've been on the Council 11 or 12
47 years and like all of us here on the Board I'm very
48 passionate about making sure that folks all over
49 Archipelago and in the Aleutians are able to obtain
50 their traditional subsistence foods.

1 MR. SHELIKOFF: Antone Shelikoff. I'm
2 quite new to this, to subsistence meetings, but in the
3 past I've worked with the Alaska Department of Fish and
4 Game. I was going to say something about the -- I'll
5 wait for number 5.

6
7 All right. Thanks.

8
9 MR. CRATTY: Al Cratty, Native Village
10 of Old Harbor, subsistence.

11
12 MR. KOSO: Yeah, Rick Koso from Adak.
13 And I'm here to represent Aleutian Islands on
14 subsistence.

15
16 MR. ROWLAND: My name's Rick Rowland,
17 I'm Natural Resource Director for Sun'aq Tribe of
18 Kodiak. I'm originally from Afognak, living in Kodiak.
19 Happy to be here to represent Kodiak and Aleutians
20 Regional Advisory Council on Subsistence.

21
22 Thank you.

23
24 (Pause for microphone test)

25
26 CHAIRMAN SIMEONOFF: Okay. We'll give
27 that a try, if it don't work speak up and we'll try
28 something else.

29
30 With that done then we're at item
31 number 4, review and adoption of our agenda.

32
33 MR. CRATTY: Mr. Chair.

34
35 CHAIRMAN SIMEONOFF: Yes, Al.

36
37 MR. CRATTY: Could we get an
38 introduction from the crowd so we know.

39
40 CHAIRMAN SIMEONOFF: Oh, I'm sorry. I
41 -- thank you, Al.

42
43 MR. CRATTY: You're welcome.

44
45 CHAIRMAN SIMEONOFF: Yeah, we're still
46 on introductions. We'll take a step back. Please find
47 a mic and come up and introduce yourself.

48
49 MS. HOFFMAN: Good morning. Nancy
50 Hoffman from Izembek National Wildlife Refuge.

1 MS. BROWN: This is Cole Brown with
2 Office of Subsistence Management.
3
4 MS. MELENDEZ: Good morning, everyone.
5 My name is Leticia Melendez, Deputy Refuge Manager,
6 Izembek.
7
8 MS. YUHAS: Good morning. Jennifer
9 Yuhas with the State of Alaska, Department of Fish and
10 Game. This is my first Kodiak/Aleutians RAC meeting.
11
12 MR. FRIED: Good morning. Steve Fried
13 with Office of Subsistence Management.
14
15 MR. CHEN: Good morning. My name is
16 Glenn Chen with the Bureau of Indian Affairs.
17
18 MS. KENNER: And I'm Pippa Kenner with
19 the Fish and Wildlife Service, Office of Subsistence
20 Management.
21
22 CHAIRMAN SIMEONOFF: Okay. And we also
23 have our recorder.
24
25 REPORTER: Lynn from Computer Matrix.
26
27 CHAIRMAN SIMEONOFF: Okay. Do we have
28 everyone online introduce themselves, have they.....
29
30 MS. BROWN: Yes.
31
32 CHAIRMAN SIMEONOFF: They did. Okay.
33 Okay. Anyone from the public?
34
35 (No comments)
36
37 CHAIRMAN SIMEONOFF: Okay. All right.
38 I guess we can move forward. Again we're down to item
39 number 4, review and adoption of our agenda. A motion
40 is in order.
41
42 MR. HOLMES: Mr. Chair. I move we
43 adopt the agenda and then I have some comments.
44
45 CHAIRMAN SIMEONOFF: Do I hear a
46 second.
47
48 MR. KOSO: Second.
49
50 CHAIRMAN SIMEONOFF: Moved and

1 seconded. Discussion.

2

3 MR. HOLMES: Well, Mr. Chair, I have
4 some items that I'd like to insert into the agenda with
5 the approval of the Council. I think when we get to
6 the discussion of the minutes themselves from the --
7 no, we're at the agenda, excuse me, probably need to
8 spend a little more time on the minutes when we get to
9 that point, but I'd like to add once we get into the
10 wildlife proposals a discussion of adding a spring goat
11 hunt for Unit 8 and I'd like to insert that after
12 number 10, let's see, on number 10, review and make
13 recommendations on wildlife proposals, I'd like to do
14 it in there if we could.

15

16 And under new business I would talk to
17 Mr. Cotten on -- when he came in, he's on the Council,
18 and the Council this week, the North Pacific Fisheries
19 Management Council will be dealing with halibut bycatch
20 and the potential reductions. And I think that our
21 Council should have a brief discussion on that and
22 perhaps prepare a letter of resolution to the North
23 Pacific Fisheries Management Council because we've had
24 testimony and I know individual members here in Kodiak
25 have -- and the Aleutians have had some questions on
26 reducing halibut bycatch.

27

28 I'd also -- at our previous meeting we
29 had a presentation from the Kodiak Regional Aquaculture
30 and Karluk Lake has had, I believe, five years in which
31 the chinook population have not reached their
32 escapement levels and the chinook subsistence harvest
33 has been halted in the river. And also the -- this is,
34 I believe, the fourth year on sockeye has not reached
35 its escapement goal and so that will become a stock on
36 concern. And Regional Aquaculture gave us a
37 presentation at our March meeting about rehabilitation
38 of Karluk Lake with nutrient enhancement and I think it
39 would be appropriate for us to discuss that.

40

41 And then at the very end I'd like to
42 suggest that we discuss the response of letter eight
43 from Tim Towarak, the Federal Board, and that was our
44 letter of concern that we composed in March, their
45 response.

46

47 And that's it. Thank you, Mr. Chair.

48

49 CHAIRMAN SIMEONOFF: Okay. Any other
50 additions.

1 MS. TRUMBLE: Mr. Chair.
2
3 CHAIRMAN SIMEONOFF: Yes, Della. Was
4 that you.
5
6 MS. TRUMBLE: I'm wondering if we can
7 set a time (indiscernible - away from mic).....
8
9 CHAIRMAN SIMEONOFF: We're having
10 technical difficulties here. When we get to that
11 proposal we'll take a break, if there are no people
12 there with you, you can -- at that time you can call
13 them in. Is that okay?
14
15 MS. TRUMBLE: Well, I guess I'm looking
16 for something a little more specific like 9:00 o'clock,
17 3:00 o'clock. I'm not only looking at King Cove, but
18 there's other communities.
19
20 CHAIRMAN SIMEONOFF: Yes.
21
22 MR. HOLMES: Oh, I get it. Mr. Chair.
23 Could we just specify that at 3:00 o'clock today we'll
24 be taking any available public comment, either on
25 teleconference or folks that show up here at Cold Bay
26 meeting room, can we add that to the agenda. Would
27 that do what you want to do Della?
28
29 MS. TRUMBLE: That is exactly correct.
30 Thank you.
31
32 CHAIRMAN SIMEONOFF: Okay. At 3:00
33 o'clock. Okay. I have one item here from Kodiak
34 Sports Fish, they wanted to participate and give us a
35 report on the Buskin adult stock assessment, they
36 wanted to report. The guy's here doing a presentation
37 at the school and he wanted to -- wanted us to see if
38 we can provide time for him around 1:00 o'clock to do
39 that presentation. And that's another time specific
40 presentation.
41
42 Any other additions to the agenda?
43
44 MR. CRATTY: Mr. Chair, Al Cratty here.
45
46 CHAIRMAN SIMEONOFF: Al.
47
48 MR. CRATTY: I was wondering where
49 Pat's coming on to halibut bycatch, I don't know, we
50 don't have anything in our book, but there was a chance

1 -- if there was something we needed to talk to Mr.
2 Cotten could come and explain it to us since he's here.
3 I'm trying to figure out where Pat's going there.
4
5 MR. HOLMES: Well, I can give you a
6 brief on it. If he's available and not.....
7
8 CHAIRMAN SIMEONOFF: Not right now.
9
10 MR. HOLMES:not fishing, but --
11 is he here? No.
12
13 CHAIRMAN SIMEONOFF: No.
14
15 MR. HOLMES: Oh, would you something on
16 that now, why?
17
18 CHAIRMAN SIMEONOFF: No.
19
20 MR. HOLMES: Okay.
21
22 CHAIRMAN SIMEONOFF: We're just adding
23 stuff to our agenda right now, we're not.....
24
25 MR. KOSO: Mr. Chair.
26
27 CHAIRMAN SIMEONOFF:we'll put it
28 on the agenda and I think we'll give Pat time to see if
29 he can get ahold of Sam, if Sam could come in unless
30 Pat got the information we'll take it when the time
31 comes.
32
33 MR. KOSO: Yeah, Mr. Chair. I talked
34 to Sam Cotten this morning and he's going to try to fly
35 out this morning. If not he said he would be down here
36 to the meeting. So if he's not here then he flew out,
37 he's not here right now.
38
39 CHAIRMAN SIMEONOFF: Okay.
40
41 MR. KOSO: Yeah.
42
43 CHAIRMAN SIMEONOFF: Any other items
44 you wish to add to the agenda?
45
46 (No comments)
47
48 CHAIRMAN SIMEONOFF: If there are no
49 other items that need to be added, is there any further
50 discussion?

1 (No comments)

2

3 CHAIRMAN SIMEONOFF: Hearing none, is
4 there any objections to adopting the agenda with
5 additions?

6

7 (No comments)

8

9 CHAIRMAN SIMEONOFF: Hearing no
10 objections, then the motion carries.

11

12 Item number 5, the minutes of our last
13 meeting. Our Secretary, Pat.

14

15 MR. HOLMES: Mr. Chairman. Mr.
16 Jennings sent us a draft shortly before we left town
17 and then some members have just gotten it. I probably
18 spent about six or eight hours going through the
19 transcripts of the last meeting and unfortunately Tom
20 had to pick up from when Ann Wilkinson retired before
21 the minutes were completed. And so there's a lot of
22 large holes and gaps and some inaccuracies. And, you
23 know, I can do another late nighter on it, but I
24 suggest that we hold and bypass approval of the minutes
25 until our next meeting and then that would give the
26 Council members that find something short a chance to
27 put that together and that we accept or that minutes at
28 the next meeting because we had a very large -- part of
29 our last session in Kodiak discussing caribou and
30 predator prey and the EA and that's just basically
31 summarized that we had a lot of discussion about
32 caribou. And there's a whole lot of points that really
33 need to be fleshed out in our minutes and I feel that
34 they're totally inadequate at this point.

35

36 Thank you, Mr. Chair. So I'd move that
37 we don't adopt the minutes at this time.

38

39 CHAIRMAN SIMEONOFF: Do I hear a
40 second.

41

42 MR. KOSO: Second.

43

44 CHAIRMAN SIMEONOFF: Moved and
45 seconded. Any discussion.

46

47 MR. SHELIKOFF: Yes, Mr. Chair.

48

49 CHAIRMAN SIMEONOFF: Antone.

50

1 MR. SHELIKOFF: I have a statement to
2 make about these minutes from the last meeting. I
3 participated telephonically and it says here that I was
4 absent, that's wrong. I was wondering if Pat could
5 amend that.

6
7 CHAIRMAN SIMEONOFF: Okay. That stands
8 corrected, Antone. I remember -- I remember you being
9 on the teleconference.

10
11 MR. ROWLAND: Mr. Chairman.

12
13 CHAIRMAN SIMEONOFF: Yes, Rick.

14
15 MR. ROWLAND: Yeah, my question is if
16 these basically minutes are tabled when will they be
17 brought back on the -- for discussion for approval?

18
19 CHAIRMAN SIMEONOFF: At our next
20 meeting. At our -- I believe our next meeting will be
21 in Kodiak and we'll have two sets of minutes to approve
22 at that time, one for this meeting and one for the
23 meeting that -- before this one.

24
25 MR. ROWLAND: Okay. And then so are we
26 going to have a discussion about what the incorrect
27 items were related to the minutes and the transcript or
28 are we going to find time at the next meeting to have
29 that discussion?

30
31 CHAIRMAN SIMEONOFF: No.

32
33 MR. ROWLAND: Okay.

34
35 CHAIRMAN SIMEONOFF: Pat will work on
36 that with Cole, Jennings and whoever at OSM to have a
37 complete set of minutes from the transcript we got.
38 When Ann retired she was working on the minutes and
39 then when Jennings took over there was -- they just --
40 there's a lot of things missing on there.

41
42 MR. ROWLAND: Okay. I can understand
43 that. And I'd appreciate if in the -- because I read
44 the transcripts too is that in the places where they
45 insert ellipsis where it shows as if someone is
46 continuing to talk in the transcript, there are a
47 number of different parts in there to where I asked
48 about the wolf management plan and it was noted in the
49 transcript with ellipsis. So if we could have the
50 response written related to those questions during our

1 next discussion I appreciate that.

2

3 CHAIRMAN SIMEONOFF: Yes, that's part
4 of the reason why we want to table it or not approve
5 them until our next meeting so that we can get all the
6 information in our minutes.

7

8 Any further discussion.

9

10 (No comments)

11

12 CHAIRMAN SIMEONOFF: Hearing no further
13 discussion, is there any objection to the motion to
14 dispense of our minutes of our last meeting?

15

16 (No comments)

17

18 CHAIRMAN SIMEONOFF: Hearing no
19 objection, then the motion carries.

20

21 Item number 6, the Council members'
22 reports. And we start with Al.

23

24 MR. CRATTY: Well, Mr. Chair, Al Cratty
25 here, Old Harbor. I don't have nothing, just
26 everything's fine in Old Harbor.

27

28 CHAIRMAN SIMEONOFF: Al.

29

30 MR. KOSO: Yeah, Mr. Chair, Al Koso
31 here. I missed the last meeting so I'm still in
32 catchup mode here is to figure out what's really going
33 on. But as far as Adak goes, we're doing fine as of
34 today.

35

36 CHAIRMAN SIMEONOFF: Mr. Rowland.

37

38 MR. ROWLAND: Oh, thank you. I was
39 able to attend a Kodiak KANA roundtable where tribal
40 leaders and corporate members and members of the
41 community were able to sit and have discussions about a
42 number of different topics related to our area and it
43 altered our positive. And I'll again put in a good
44 word for knowing that there's an avenue for comments to
45 come to the Regional Advisory Council to be submitted
46 on up for either proposals or having a concern
47 addressed.

48

49 Also we had Alaska Migratory Bird Co-
50 Management Council meeting in Kodiak and related to

1 that was creation of proposals and putting together
2 discussion about appropriate uses related to migratory
3 birds.

4
5 Also in the opportunities that I've had
6 to speak with elders throughout the community, there's
7 a number of different issues that are coming up, one of
8 them's about the fine line of harassment related to
9 catch and release when dealing with salmon in the
10 streams or pulling them out for a photograph which
11 leads to is -- does it make sense to have no catch and
12 release in the region.

13
14 The -- also about discussions with the
15 elders about how sodium lights on commercial fishing
16 vessels have a high mortality impact on the migratory
17 birds in the North Pacific and the Bering Sea.

18
19 Also there was discussion about whether
20 or not the geese that are being planted in our region
21 are becoming invasive species and pushing the smaller
22 ducks, saltwater, freshwater, out of their original
23 habitat.

24
25 In addition to that I was able to
26 participate in a teleconference with the -- some
27 Federal Subsistence Board members and there were -- it
28 was a call in that was allowed to tribes and it was
29 apparent that there was a lack of communication getting
30 the information out to the tribes to know that they
31 have teleconferences available. And so there needs to
32 be a better mode of communication to get information
33 out to tribal members in our region or throughout
34 Alaska.

35
36 One thing -- a couple more things that
37 came up is that some of the discussion we had at the
38 Federal Subsistence Board teleconference was no
39 closures or limitations to the priority of subsistence
40 and creating consistency of use regarding handicrafts
41 related to items that are taken with subsistence.

42
43 And so although it seems like a lot,
44 those are just a couple of the few things that I talked
45 about with the elders and teleconferences and groups.

46
47 Thank you.

48
49 CHAIRMAN SIMEONOFF: Thank you, Rick.
50 Antone, do you have a report?

1 MR. SHELIKOFF: No, that information on
2 migratory birds, Sam's on the Alaska Marine Birds Co-
3 Management Council and they're having a teleconference
4 10:00 a.m. tomorrow. And that's all I got to report.

5
6 Thank you.

7
8 CHAIRMAN SIMEONOFF: Thank you, Antone.
9 Pat.

10
11 MR. HOLMES: Mr. Chairman. I continue
12 to try to keep communications going amongst the Kodiak
13 tribes and Rick's doing a good job there with Sun'aq
14 and also with the Fish and Game Advisory Committee, our
15 State cousins I guess you would say.

16
17 And the State folks really appreciated
18 us taking a position on the problems with lodges and
19 outfitters using subsistence caught crab and using
20 subsistence caught fish to feed and entertain their
21 clients. And that was something that was one of Alex's
22 Panamaroff's concerns there in Larsen Bay was increased
23 competition for limited subsistence resource and
24 commercializing it. And I did send a copy of our
25 agenda and the website to the Fish and Game Advisory
26 folks on what was coming up on this issue.

27 And then I did get some feedback that
28 I'll relate a little later on the handicrafts and some
29 other items.

30
31 I did participate this year at -- again
32 at the Native Village of Afognak and help work with the
33 young kids up there on kind of relating science and
34 biology to subsistence values and had a great time, it
35 really satisfied my grandfather urges to be able to
36 work with those kids from, you know, six to 14 and that
37 was probably the highlight of my entire summer
38 participating in that and talking about subsistence
39 values and what you can eat and just really
40 heartwarming thing.

41
42 And I'll be working with Native Village
43 of Afognak further this fall and winter helping them
44 with their after school program.

45
46 I'd like to give the Council an update
47 on the Kodiak Runway EIS. The consultants have been
48 funded and they're continuing to work on the EIS which
49 they said they would have back to us in July, I
50 believe, Rick?

1 MR. ROWLAND: It was August.

2

3 MR. HOLMES: August. And that thing is
4 just limping along. The Federal funds have been cut
5 from all of the runway extension projects. And for
6 those members that weren't -- didn't participate in my
7 previous briefings, there's for Kodiak the Buskin is
8 our primary source of subsistence sockeye and their
9 proposals were to extend runway safety zones that would
10 probably impact our fishing and the health of the
11 stock. So it doesn't sound at this time that those
12 extensions will be funded. And I know Rick will keep
13 tracking the interaction with the EIS and let me know
14 when there needs to be -- needs a little help on a
15 biology argument. And I know same type of
16 communication with a lot of the -- his Board.

17

18 So basically that's my report for this
19 time. Thank you, Mr. Chair.

20

21 CHAIRMAN SIMEONOFF: Thank you, Pat.
22 Della, do you have a report?

23

24 MS. TRUMBLE: Thank you, Mr. Chair.
25 Not for the -- I feel overall, I think, everything went
26 well through the summer out here.

27

28 The one thing that I have been involved
29 in and it is on the agenda and that's the government to
30 government consultation. There's five staff members
31 from various agencies that are on here with the Park
32 Service, Agriculture, Fish and Wildlife and Crystal
33 Leonetti is the Chair on behalf of the staff and we
34 have the five regions that we have representatives
35 from, from Bristol Bay, Southcentral, Southeast, Yukon-
36 Kuskokwim and myself and I'm the Co-Chair on behalf of
37 the tribes. But we've been working through the
38 government to government consultation process and the
39 government to ANCSA Corporation's process. So it is on
40 the agenda and we'll probably address that later.

41

42 But other than that everything's just
43 been really busy.

44

45 CHAIRMAN SIMEONOFF: Okay. Thank you,
46 Della.

47

48 My report, I had a little discussion
49 last night with a couple of Board members and that --
50 something that come up in my villages a lot is the

1 subsistence halibut fishing availability in Alitak Bay.
2 It's a growing concern because there's fishermen from
3 all -- Homer, Kodiak, they all go down to 3B and they
4 fish out of the Alitak Bay. And that subsistence
5 halibut is getting less there. The halibut are getting
6 smaller and they're going further and further away to
7 get them. So that discussion I had last night was
8 maybe we can submit a proposal for Alitak Bay and close
9 that to commercial harvest. That's something probably
10 my tribe can work with somebody from the agencies to
11 draft a proposal that would close commercial harvesting
12 in area -- I'm trying to say 3B, but maybe I should say
13 Alitak Bay because I think we can probably make a
14 closure from point A to point B and part of 3B would
15 still be open to commercial harvest. Probably get some
16 assistance from maybe Cole or somebody in the staff to
17 draft a proposal.

18
19 And other subsistence issues. There
20 was a concern about crab. People that come down from
21 different locations in the State and they subsist on
22 crab all summer long and the people in the village are
23 say -- you know, they corner me sometimes and say how
24 come we have to be out there and get our three crab for
25 the year and there's people set netting out there have
26 crab pots out there all summer long. That's still a
27 problem and I've mentioned that before. And there was
28 some action taken, I notice the troopers -- after I
29 mentioned that once the troopers went down there and
30 started pulling pots, trying to identify who they
31 belong to. But a lot of the crab pots they -- the
32 numbers of crab pots went down, but there are still
33 some that fish all summer long for crab. And it's king
34 crab specifically.

35
36 And other than that that's all I have
37 from Akhiok. And I -- if there are no questions for
38 anyone.....

39
40 Pat.

41
42 MR. HOLMES: Mr. Chairman, I forgot
43 that I had gotten input on that competition for king
44 crab down on the south end and I know Alex has some
45 problems with that over in Larsen Bay itself because
46 there aren't very many crab left there. I was thinking
47 maybe we might want to -- and I know I should have
48 thought of this earlier on our agenda, but maybe we'd
49 want to write a letter to the -- both the Federal and
50 the State protection agencies just to give them --

1 because whenever you remind them then they'll do a
2 little more work on that, because when I was at the --
3 I was asked to sit in for Herman Squartsoff again at
4 the Fish and Game Advisory Committee meeting on the
5 subsistence seat and we had some comments of people
6 looking -- Googling up lodges and places in Alitak and
7 it showed pictures of them harvesting large amounts of
8 king crab for the lodge right there on TV. So, you
9 know, I would -- or whatever you call it, I'm not very
10 tech savvy, but it would seem to me that Public Safety
11 ought to look online and find that lodge and bust them
12 because they've already admitted right there to the
13 whole world that they're taking lots of king crab. And
14 anyway I would like, I think, maybe when we get to the
15 point where we're adding correspondence to people that
16 we could -- should write a letter to Department of
17 Public Safety and then also to the -- well, they aren't
18 -- they aren't Federal waters down in the Alitak, are
19 they, so it would be just Public Safety. But I know
20 that's a concern.

21

22 And we also got comments about a lot of
23 nonresidents pulling pots and the tenders going through
24 the bay up towards Alpine Cove and, you know, the
25 tenders are usually crab boats so they've got a string
26 of pots in there that are quote, subsistence, but yet
27 two-thirds of the crew are nonresidents. And so again
28 it's a place where -- this last place on the island
29 where there's any crab at all where it's being abused.

30

31 Thank you, Mr. Chair.

32

33 CHAIRMAN SIMEONOFF: Thank you, Pat.

34 No other questions or comments for Board members'
35 reports?

36

37 (No comments)

38

39 CHAIRMAN SIMEONOFF: And the Chair's
40 report. What I have for the Chair's report is a
41 response to our 2010 annual report to the Federal
42 Subsistence Board. I don't know if the rest of the
43 Board members got a copy of that. Pat's got one.
44 That's response to the issues we brought forth last --
45 at our last meeting. Tim Towarak made a response to
46 all our issues that.....

47

48 How'd you get a copy, Pat, and the rest
49 of the Board members didn't?

50

1 MR. HOLMES: I asked for it.
2
3 CHAIRMAN SIMEONOFF: You asked for it.
4 Oh.
5
6 MR. HOLMES: I got it last week. I
7 don't know if Jennings sent it out or what, but I think
8 I got it in the mail.
9
10 CHAIRMAN SIMEONOFF: Okay. We'll get a
11 copy for you guys.
12
13 MR. HOLMES: Well, Mr. Chair, once
14 members get a copy, maybe this afternoon we could come
15 back to it because I've got a few comments on that.
16
17 CHAIRMAN SIMEONOFF: Okay. And we have
18 -- we're going to have a discussion for our next annual
19 report topic, what we want to include in our annual
20 report to the Federal Subsistence Board.
21
22 If you want to think about this for a
23 while we can come back to it later.
24
25 MR. HOLMES: Yes, Mr. Chairman, I'd
26 like to bring it up later.
27
28 CHAIRMAN SIMEONOFF: Okay. We'll just
29 come back to this topic later then.
30
31 The item number 8, Tribal Consultation
32 Teleconference on September 13th. Who does the report
33 on that, there's no name on there?
34
35 MS. BROWN: Yes, Mr. Chair. Jerry Berg
36 is going to be giving the report on that.
37
38 Jerry, are you still there?
39
40 MR. BERG: Mr. Chair, members of the
41 Council. This is Jerry Berg, I work for Fish and
42 Wildlife Service, sit on the InterAgency Staff
43 Committee for our Board member, Geoff Haskett. And I
44 did participate in the Tribal Consultation
45 Teleconference for the Kodiak/Aleutians area as well as
46 the ANCSA corporation teleconferences.
47
48 And so this past May the Federal
49 Subsistence Board met and decided to establish a work
50 group that Della kind of already mentioned in her

1 comments. And this work group was set up to develop a
2 tribal consultation protocol for the Federal
3 subsistence process. So this will be a new process
4 that's kind of folded into the Federal Subsistence
5 Program. So this work group is made up of equal
6 numbers of Tribal and Federal government
7 representatives and this effort is basically in
8 recognition of the Federal government's unique and
9 legal -- legal and political relationship with the
10 Indian Tribal government and in recognition of that
11 special relationship the Federal Board is also
12 responding to direction given by the Secretaries of
13 Interior and Agriculture to implement a more formal
14 tribal consultation process. As you know tribes have
15 always been very welcome and encouraged to participate
16 in our process, but this is a new, more formal way to
17 try to engage tribes and fold them into the process.

18
19 So the work group met and they drafted
20 an interim protocol and the Federal Board approved it
21 and that's the protocol that we're using for this year.
22 So basically a letter and the entire proposal book on
23 all the wildlife proposals was sent out to every tribe
24 and every corporation in Alaska in July and basically
25 letting them know there were going to be 12 different
26 opportunities for them to consult with the Board on the
27 Federal wildlife proposals. And we set up
28 teleconferences, there's 12 different teleconferences
29 to do this. So we've had four teleconferences so far
30 and two of those have been with the ANCSA Corporations
31 and two have been with the Tribal Consultation
32 Teleconferences, one of those being for the
33 Kodiak/Aleutians area. So during that teleconference,
34 that was on September 13th, just a week ago and we
35 basically tried to set up these teleconferences one
36 week in advance of each Regional Council meeting and
37 during that -- the Kodiak/Aleutians teleconference I
38 agreed to be the Federal representative that would
39 report out to you on what we heard. And then Rick
40 Rowland volunteered, he participated as a tribal
41 representative and he agreed to help me report out,
42 make sure we get an accurate representation of the
43 comments we heard back to you.

44
45 So at this point, Mr. Chair and Council
46 members, I think there's a couple of different ways we
47 could go through this report. We heard a number of
48 comments on specific wildlife proposals that you guys
49 are going to be taking up and we also heard a few
50 comments that are unrelated to the proposals

1 themselves. So we could go through the report, it's
2 not that long, but we could go through the whole thing
3 and tell you what people -- the input we received on
4 each individual proposal and the information that
5 didn't involve wildlife proposals or I think the other
6 alternative would be to give you the input we received
7 on each individual proposal as those proposals come up
8 and then maybe just kind of go over some of the other
9 information we received from the tribes now. I'm not
10 sure how you -- what would work best for the Council.
11 I'd like to hear back from you on how you think that
12 would work best for you, to go through each one
13 individually as they come up or do you want to just
14 hear all the comments now?

15

16 MS. TRUMBLE: Mr. Chair, this is Della.

17

18 CHAIRMAN SIMEONOFF: Go ahead, Della.

19

20 MS. TRUMBLE: Steve, in regard to your
21 question what I would recommend if everyone agrees is
22 when we go through each of the proposals to add the
23 tribal comments to that. I think that is eventually
24 what our goal will be so those comments will fit into
25 that process.

26

27 CHAIRMAN SIMEONOFF: Thank you, Della.
28 That's exactly what I was going to suggest. You --
29 we'd have the different agency comments and we'll just
30 have the tribal consultation comments added on to that.

31

32 Is that okay with you, Jerry?

33

34 MR. ROWLAND: Mr. Chair.

35

36 MR. BERG: Well, yeah, that sounds
37 great and I see that even on your -- under number 10
38 when you go through all the different steps on each
39 proposal there is already a step in there for tribal
40 comments. So -- and like Della said, that is the
41 intent of the way that this will work in the future. I
42 just wanted to make sure you guys were comfortable with
43 that this first time through. So maybe I'll just go
44 through some of the general comments we received, there
45 weren't very many, and let you know who the
46 participants were.

47

48 So we had Tana Lewis from the Native
49 Village of Belkoski on the line, we also had Melissa
50 Borton from the Native Village of Afognak participated

1 and then -- and Rickart Rowland from the Sun'ag Tribe
2 of Kodiak participated and then Rick agreed to help me
3 report out to you guys. And so those were the only
4 tribal representatives we had on the teleconference.
5 And then we had Federal Subsistence Board members or
6 their representatives that were involved with that
7 teleconference were Mitch Ellis is our Refuge Chief,
8 Fish and Wildlife Service, he represented Geoff Haskett
9 for Fish and Wildlife Service, Kristin Kate represented
10 Bureau of Indian Affairs, Jean Gumoss represented the
11 National Park Service and Wayne Owen represented the
12 Forest Service. And then there were a number of
13 Federal staff on that teleconference.

14

15 So what we heard from other than, you
16 know, comments on individual proposals, I'll just
17 generally summarize what I captured from Rick's input
18 and, Rick, you can certainly jump in and correct me on
19 any of this, but we heard from Rick that it might be
20 helpful for future consultations to possibly try to
21 consult with tribes when they're all gathered in one
22 place such as at the AFN Convention or at the ivory
23 auction each year. Rick also suggested that there's a
24 need for better communication between the tribes and
25 the various agencies, more individual efforts would be
26 helpful such as Refuge information technicians reaching
27 out to help communicate with tribes. And then the
28 final point that Rick made was that there is a trend
29 that there be one point of contact for tribes, but the
30 Federal Subsistence Board needs to understand that one
31 person in the tribe does not necessarily represent the
32 views of that tribe unless the tribe has met
33 collectively beforehand and provided direction to that
34 person. And then we received a couple of comments from
35 Melissa Borton.....

36

37 Well, maybe I should just stop there
38 and let Rick add anything that he feels should be added
39 for his report and his consultation with the Board.

40

41 CHAIRMAN SIMEONOFF: Okay. Thank you,
42 Jerry. Go ahead, Rick.

43

44 MR. ROWLAND: Thank you, Jerry. A
45 couple of things. One is I'd like to commend the
46 Federal Subsistence Board and the Fish and Wildlife
47 Service for reaching out to the tribal communities and
48 holding the teleconferences and generating potential
49 meetings for tribal consultation.

50

1 One event that occurred in Kodiak was,
2 I believe, Douglas Burn and Crystal Leonetti were able
3 to come down and we hosted them at Sun'aq Tribe of
4 Kodiak regarding sea otters in our area. And clearly
5 discussed that there is different upper level Federal
6 management between the sea otters and the sea lions and
7 -- as well as other different sea mammals. But it's a
8 education process that should occur with the tribal
9 members and again I'd like to commend the Fish and
10 Wildlife Service for reaching out to tribal members to
11 communicate in that regard.

12
13 Also what you mentioned, Jerry, was
14 pretty close to being right on. Again a couple other
15 things that we'll talk about later in the meeting are
16 related to some of the proposals and we'll get to those
17 when we go down on the agenda, but you -- sounds like
18 you're pretty close to everything, that was right on.

19
20 Thank you.

21
22 CHAIRMAN SIMEONOFF: All right. Thank
23 you, Rick. With that information then we'll just
24 continue moving on down our agenda.

25
26 Pat, do you have a question.

27
28 MR. BERG: Mr. Chair.

29
30 CHAIRMAN SIMEONOFF: Yes, Jerry.

31
32 MR. BERG: Yeah, I'm sorry. I wasn't
33 quite finished. I have just a couple of more things.

34
35 I wanted to also let the Council know
36 that we did also hear from Melissa Borton of the Native
37 Village of Afognak and she wants -- she gave us some
38 input that tribes do get numerous requests for
39 consultation on various issues daily and it's difficult
40 to track all those issues. She felt that a simple
41 letter two months in advance of the teleconference was
42 not adequate to get tribes involved and there needs to
43 be better -- a better method of notifying tribes about
44 consultation opportunities. And she also said that the
45 Kodiak Refuge information technician, Tonya Lee, does a
46 great job of communicating with tribes and has a great
47 reputation on Kodiak Island and move positions like
48 hers might be helpful to try to improve this
49 communication with -- between the tribes and the
50 Federal programs.

1 And so that's -- and then for the final
2 person, Tana Lewis, Native Village of Belkoski, she did
3 not consult with the Board on any of the proposals or
4 any other issues.

5
6 So that's a summary of what I have for
7 the tribal consultation report, Mr. Chair. I will
8 provide you the input on individual proposals as you
9 work through your agenda.

10
11 Thank you, Mr. Chair.

12
13 CHAIRMAN SIMEONOFF: Okay. Thank you,
14 Jerry. Pat, did you have comment?

15
16 MR. HOLMES: I was just going to remind
17 you to go back to Jerry and before I left I had tried
18 to connect with Cathy Draybeck who was the last
19 executive officer for the Woody Island Tribal. And
20 they are basically phasing out and shifting over to a
21 lot of their connections to KANA. So, Jerry, you might
22 want to try and call up the Kodiak area natives because
23 it sounds like they're going to be handling some of the
24 programs for Woody Island.

25
26 And I'd like to reenforce -- Melissa
27 gave me a call and we had a long chat about this
28 meeting and about the customary and traditional
29 proposal and I'll get into that later, but she did ask
30 me to specifically reenforce that point that Tonya Lee
31 being a Kodiak native gal and working for the Service
32 that she was the best connection because she has a very
33 personal way of connecting with the tribal folks and
34 letting them know when something comes up because
35 Melissa said that she's literally buried and spends
36 half her time responding on government to government
37 communications and sometimes things get lost. And she
38 really appreciates Tonya's help and input on that. So
39 she asked me to advise our Council that Tonya was doing
40 a really specially good job for the Service and in
41 helping that. So I just wanted to kind of update our
42 Council on reenforcing that point.

43
44 Thank you.

45
46 MR. CRATTY: Mr. Chair. I have a
47 comment.

48
49 CHAIRMAN SIMEONOFF: Yes, Al.
50

1 MR. CRATTY: I think it's great what
2 Melissa's doing and Rick. I think the outlying tribes
3 need to be more educated on this and I believe there's
4 a way of doing it and the time -- time matters need to
5 be put together because we all work. So I think there
6 could be more input from the outlying tribes if they
7 were to be educated. Tonya was just down at our last
8 tribal meeting, she had addressed us on this.

9

10 That's all I have to say.

11

12 CHAIRMAN SIMEONOFF: Yeah. Thank you,
13 Al. Yeah, I agree because at my tribal council we have
14 -- like Melissa says, we had daily notices of tribal
15 consultation of many topics and it's almost impossible
16 to keep track of them all and participate even. I
17 guess that Tonya's doing a good job at Kodiak, the
18 communications with the tribes. We'd like to commend
19 her and see if we can enhance that communication.

20

21 Is there anything else?

22

23 MS. TRUMBLE: Mr. Chair.

24

25 CHAIRMAN SIMEONOFF: Yes. Is that
26 Della?

27

28 MS. TRUMBLE: Yes, it's -- this is --
29 you have this issue on the second page, there's a
30 briefing on tribal consultation and I guess I'm not
31 sure -- what's more appropriate is to continue this
32 discussion because in hearing some of the comments from
33 Steve's report, I wasn't able to attend that day and
34 I'm thinking that there needs to be a little more
35 effort and this helps because maybe a contact at the
36 nonprofits that can contact the individual tribes to be
37 able to participate as a reminder.

38

39 And I think in regards to Al's comment
40 and another comment on the short notice, this was set
41 up for a 60 day notice because that is what was
42 required. And it's also set up to try to work this
43 into this round of Council -- Regional Council meetings
44 because to be able to pass this protocol in the January
45 Federal Board meeting. There's also going to be
46 meetings at -- for tribes to consult and corporations
47 at AFN on October 25th and at the BIA meeting in end of
48 November, first of December and both Crystal and I are
49 on the agenda. So I'm -- like I say I'm not even sure
50 where this should.....

1 So that's just in some -- reference to
2 some of your comments and I'm not sure if I just need
3 to finish discussing this on the -- where -- when he --
4 Steve talks about on the agency reports.

5
6 CHAIRMAN SIMEONOFF: Go ahead, Rick.

7
8 MR. ROWLAND: Thanks, Mitch. This is
9 making me recall one of the things that I said in that
10 teleconference was that we started talking about the
11 need for more communication and I had experience where
12 I went to a Federal Subsistence Board meeting up in
13 Anchorage, a tribal administrator and myself flew up
14 for that and at the meeting out in the hallway there
15 was a staff member that was handing out notices and
16 meeting material and I had to have a discussion with
17 him about how to find all this information and where to
18 find it and why wasn't it sent to the tribe to notify
19 us about all of this information. And it was being
20 published and posted, but there was an error in the way
21 that the tribes or I myself was able to find that
22 information. If there was a clearer way to explain how
23 we could find the information then it would make it a
24 lot simpler. So that was one of the thoughts I had
25 related to how this communication related to
26 consultation connected.

27
28 Thanks.

29
30 CHAIRMAN SIMEONOFF: Anything else?

31
32 MR. HOLMES: Mr. Chair.

33
34 CHAIRMAN SIMEONOFF: Pat.

35
36 MR. HOLMES: Hey, Rick, were you in
37 terms of their -- critical of their methods, is it --
38 how were they saying it was adequate because sometimes
39 when I've chatted with some different agencies they
40 feel that folks get adequate notice if it's on the
41 Federal OSM webpage. But I know lots of people like
42 myself just finding the webpage is not the easiest
43 thing when your brain is not keyed in to high tech and
44 I know lots of folks in the villages don't even access
45 a computer unless they find some 12 year old kid to do
46 it for them. And I think that -- if that's what's
47 considered adequate notice then that kind of spins back
48 to the old fashioned way of what was reenforced later
49 of having someone in a close proximity, either
50 associated with a refuge or whatever, doing things like

1 Tonya does where she calls up and says hey, Rick, have
2 you forgotten about this. And, you know, that kind of
3 personal contact or personal way of knowing gee, this
4 is important to look at something, then you can get
5 some assistance in finding it because the whole,
6 straight high tech approach on things doesn't meet all
7 users.

8

9 MR. ROWLAND: As a response to that,
10 thanks, Pat. Those thoughts and questions and
11 suggestions came up and my response was is that I don't
12 think that one method of catchall will clear everything
13 up and I don't think it'll be cleared up overnight, but
14 if we keep working towards getting it set in a way to
15 where everybody that is -- has a need in a specific way
16 are being met and they're communicated about it, then
17 we'll find a way to where we're all knowing about these
18 meetings. I do have to say that part of the
19 teleconference was on the effort of Fish and Wildlife,
20 Tonya, giving us the call and saying hey, there's a
21 teleconference and we rushed over to it. And that
22 allowed Melissa and I to sit in on the teleconference.
23 And that was how one of the conversations came up about
24 teleconferences. But there is a definite need for
25 finding a way to have more people know that there's a
26 meeting that they could cal in to. And if we keep
27 progressing down a positive suggestion then hopefully
28 one will hit and it'll work, but I returned back the
29 response to them saying that I can't come up with a way
30 how you should do your communication to us. I know
31 that if I know that there's a meeting that I need to
32 call in to or go to, I go to that, but any way that
33 they could find to let us know that they want our input
34 then that -- all of them would be helpful.

35

36 Does that make sense?

37

38 CHAIRMAN SIMEONOFF: Were there.....

39

40 MS. TRUMBLE: Mr. Chair.

41

42 CHAIRMAN SIMEONOFF: Yes, Della. Go
43 ahead.

44

45 MS. TRUMBLE: I appreciate all the
46 discussion and I think that this has been a big
47 discussion on and it also actually has -- comes to the
48 issue of concern on the amount of time this may have in
49 regard to staff, but that on discussion on the emails,
50 the letters being sent out, the notices being sent out

1 and there was discussion that was brought up in regard
2 to Tonya's calling and I think that contributed to more
3 of representation from Kodiak itself because we only
4 had one tribe -- one participating from the Aleutians.
5 And the -- so that's that little hole there that we're
6 trying to figure out how best to address so tribes do
7 have the -- well, they have the opportunity in more
8 than one way to consult, but to be able to get that
9 information out in a manner that they're able to do so
10 and be able to access the information, it has been an
11 issue of discussion.

12

13 CHAIRMAN SIMEONOFF: Thank you, Della.
14 I think it's going to continue to be an issue until
15 tribes take that -- you know, find the capability to
16 get on the internet. I'm also positive we get mailings
17 because I -- in my office we get a lot of mailings
18 about tribal consultations. And, you know, can't pick
19 and choose which one you're going to attend, which one
20 you're going to call in. And sometimes they're -- they
21 come at a time that conferences are at a time when the
22 -- there's -- you know, there's no one in the office.
23 And internet service out in the village is so slow, you
24 know, you're not going to get on there unless you're
25 sitting there for two hours to get on and then take you
26 15 minutes to do your stuff, you know, it's frustrating
27 at best. You know, I would have liked to participate
28 in those teleconferences, but I never got the call,
29 never got the letter, never got notice. It makes me
30 wonder if they were sent out to specific organizations
31 with location specific concerns, but if they were
32 looking for tribal consultation, you know, it's -- I
33 feel that if all tribes need to be involved, you know,
34 a better effort needs to be made to inform them about
35 what tribal consultation is taking place. So
36 communication is an issue and I think it will continue
37 to be an issue until we figure out a way to make a
38 better line of communication with each tribe that wants
39 to be involved.

40

41 Anything else?

42

43 MS. TRUMBLE: Mr. Chair.

44

45 CHAIRMAN SIMEONOFF: Yes, Della.

46

47 MS. TRUMBLE: I'm going to be honest
48 with you, I'm a part of this Committee and this process
49 and I have the schedule for these meetings on my
50 computer somewhere, but I've been extremely busy

1 working on audits for both the tribe and the
2 corporation. But when I looked at the letter for the
3 tribe, for King Cove Tribe or (indiscernible) Tribe, it
4 looked like the letter that has been sent out giving
5 the notice that, you know, we're going to this process.
6 And I seen the letter, but what I didn't realize until
7 yesterday on the very back of this letter is a schedule
8 for each of the regions and the dates. So I think if
9 people had in front of this letter instead of behind
10 it, because you're going to pick it up -- most people
11 will pick it up and think okay, there's another
12 government to government consultation letter and they
13 put it aside. I think the most important piece on that
14 was the schedule and it was on the back of the letter.
15 That's something that I'll bring up to our group when
16 we meet next.

17
18 CHAIRMAN SIMEONOFF: Fine. Thank you,
19 Della.

20
21 MR. CRATTY: Mr. Chair. Al, here.

22
23 CHAIRMAN SIMEONOFF: Al.

24
25 MR. CRATTY: I'd just like to back you
26 on your comments there, I have really deep feelings
27 that the tribes out -- the outlying tribes because they
28 depend on subsistence more on so because they don't
29 have stores like they do in Kodiak or whatnot.

30 I just wanted to place that as a
31 comment.

32
33 CHAIRMAN SIMEONOFF: Rick.

34
35 MR. ROWLAND: Rick Rowland. I
36 appreciate what Al has said about reaching out to the
37 tribes and it also brings up the point about what Pat
38 said a while ago about the dissolution, transfer of
39 management of the Woody Island Tribe over to Kodiak
40 Area Native Association and how there's a possibility
41 you might not have received your tribal notice from the
42 Fish and Wildlife because KANA does some of the
43 Akhiok's management of the tribe. So I want to point
44 out is that the -- something that I recalled when I did
45 a consultation with Dana Atkins who's Alaska General up
46 in Anchorage, was that we had the -- Jerome Monegue
47 there and he said we're here consulting with tribes and
48 we're making sure that it's just the tribes we're
49 consulting with. And so you know the tribe is not a
50 nonprofit, it's not an agency, it's a tribe that is in

1 outlying area and it's not -- for example, in our area,
2 Kodiak Area Native Association is an association of
3 medical service, social services to the tribe. And so
4 the hope is that Fish and Wildlife and the Subsistence
5 Board will realize that the tribes need to know that
6 they are being consulted with.

7

8 CHAIRMAN SIMEONOFF: That's true. With
9 the -- KANA taking over some tribes it's -- they're not
10 taking over the tribe, they're taking over tribal
11 operations, each community still have their tribal
12 council and they do receive -- they have an office in
13 the village and I'm assuming that Woody Island has a
14 tribal office in Kodiak. So any tribal council
15 communication would go directly to the tribe instead of
16 KANA.

17

18 Anything else on tribal consultation?

19

20 MR. HOLMES: Mr. Chair. Question.

21

22 CHAIRMAN SIMEONOFF: Pat.

23

24 MR. HOLMES: I'm wondering -- I know
25 folks in the villages, you know, want to have their
26 personal interaction and then in the past there's been
27 some different politics with KANA just being an outside
28 observer, but maybe it would be good for them to be in
29 the know, not necessarily be the communicators, but,
30 you know, I know Iver when he was younger sometimes
31 when I'd want to try to find out things for our Council
32 I'd give Iver a call and then he'd -- was at KANA and
33 he'd call different folks in different villages on the
34 issue and then be able to give some feedback. And so
35 maybe they should be in the loop, but maybe not
36 necessarily the communicators just so that you have
37 another potential venue. I don't know, it's just
38 outside observer and not trying to get involved, just
39 trying to figure things.

40

41 MS. TRUMBLE: Mr. Chair.

42

43 CHAIRMAN SIMEONOFF: Yes, Della.

44

45 MS. TRUMBLE: The idea of behind the
46 nonprofits being notified is for them to be able to
47 notify the tribes that they work with, not for them to
48 participate, but another venue to notify them. And
49 we've also talked about the Refuge managers calling the
50 tribes. But the nonprofit piece is to make sure those

1 tribes are aware that this is coming up, if they want
2 to participate and get the information to them.

3

4 CHAIRMAN SIMEONOFF: I don't have a
5 comment for that.

6

7 Anything else from the other Board
8 members?

9

10 (No comments)

11

12 CHAIRMAN SIMEONOFF: Jerry, Della, you
13 guys have more on tribal consultation?

14

15 MR. BERG: No, Mr. Chairman. This is
16 Jerry Berg with Fish and Wildlife Service. No, that's
17 all I had, that's a good discussion. We're all trying
18 to figure out how better to communicate with tribes and
19 it's always good to hear the discussion. We are using
20 kind of a similar technique that Tonya used for Kodiak
21 and we're asking other Refuges to make similar contacts
22 in other regions as we move forward for this year. So
23 anyway just trying to improve as we go forward on it.

24

25 Thank you.

26

27 CHAIRMAN SIMEONOFF: Thank you, Jerry.
28 Rick Rowland.

29

30 MR. ROWLAND: Yeah, Rick Rowland. I'd
31 just like to point out that a tribe is a tribe and then
32 it has that special opportunity to consult government
33 to government with the Federal government and just to
34 point out that Alaska Native Corporation, there are
35 some situations are considered tribal, mainly under AD
36 government service contracting. And Kodiak Area Native
37 Association is an association and not a tribe. So I'd
38 just like to say that a tribe is a Federally recognized
39 tribe, documented by the Federal government.

40

41 MS. TRUMBLE: Mr. Chair.

42

43 CHAIRMAN SIMEONOFF: Yes, Della.

44

45 MS. TRUMBLE: I think we probably
46 should have combined these two items. In regard to
47 that comment, and that's a good point, and there's two
48 protocols that are going to be out there. One is the
49 government to government thing with tribes and one is
50 -- two would be government to ANCSA corporations. But

1 all this information is being distributed to the tribes
2 and to corporations. And there are meet -- there will
3 be a meeting, I think, on October 20th. It will be at
4 the Egan Center not at the Dena'ina Center during AFN
5 because there wasn't a room open for tribes and ANCSA
6 corporations to come in. And then also there's a -- I
7 had a date here, let me look, in December at the --
8 December 1st at the Dena'ina Convention Center and
9 that's during the BIA Tribal Service Providers
10 Conference. So there are a couple more opportunities
11 during some statewide meetings for participation before
12 the final protocol goes to the Federal Board in
13 January.

14

15 CHAIRMAN SIMEONOFF: Yeah. Thank you
16 for that, Della. That October 20 is at the Egan
17 Center, corporations and tribes.

18

19 MS. TRUMBLE: From 1:00 to 5:00.

20

21 CHAIRMAN SIMEONOFF: 1:00 to 5:00. Any
22 other Board members have any comments, questions?

23

24 (No comments)

25

26 CHAIRMAN SIMEONOFF: If there are none,
27 thank you for your report, Jerry.

28

29 We'll move on with our agenda. Item
30 number 9, Steve Fried, Monitoring Program.

31

32 MR. FRIED: Okay. Good morning. My
33 name is Steve Fried with the Office of Subsistence
34 Management. And Pippa Kenner and I are going to
35 present the 2010 Draft Fisheries Resources Monitoring
36 Plan to the Council. And I'll just provide a brief
37 background and then Pippa will talk about the actual
38 projects that are being proposed. And just wanted to
39 remind the Council that this is an action item, we're
40 actually seeking your recommendation on the projects
41 and whether or not you think they're worthy of funding
42 or not. And your recommendation will go in front of
43 the Federal Subsistence Board and they'll take that in
44 consideration when they adopt a Draft Monitoring Plan
45 for 2012.

46

47 The Monitoring Program has been in
48 place since about 2000. Basically it was developed to
49 increase the -- both the quantity and quality of
50 information available for subsistence fisheries

1 management. And it's a collaborative interagency,
2 interdisciplinary effort to try to collect the
3 information needed and to also not only collect it, but
4 to effectively communicate the information needed to
5 the agencies and also rural Federal subsistence users.
6 In 2012 as in past years we developed a request for
7 proposals and it was focused on priority information
8 needs and these needs were developed either by formal
9 strategic planning efforts or by consulting with the
10 managers and the Councils and other agencies as to what
11 they thought any types of information were needed for
12 each of the regions.

13

14 Also in the last few years we've been
15 reminding people that climate change was important and
16 that we'd like them to either consider including
17 collecting information in relation to climate change
18 within their project proposals or actually submitting a
19 proposal that was actually focused on affects of
20 climate change.

21

22 As far the process goes we put a call
23 for proposals, the proposals come in, they're reviewed
24 by a Technical Review Committee and the Technical
25 Review Committee is comprised of eight members. Five
26 members are from Federal agencies that are involved
27 with subsistence management, the other three members
28 come from the Alaska Department of Fish and Game and
29 the meeting is chaired by the Chief of the Fisheries
30 Division from OSM. And basically what they do with the
31 proposals, they go through the proposals and make a
32 recommendation as to whether or not to advance them for
33 further consideration or basically to reject them. And
34 these proposals are pretty short, they're two pages.
35 And usually what they're looking for is whether -- it's
36 really concepts and whether or not the concept appears
37 to be worthy of further consideration, whether it's on
38 the mark, whether it's really applicable to the Federal
39 Subsistence Program. So what they try to do is be more
40 inclusive than exclusive at this point and basically
41 they make their recommendation, letters go out to the
42 investigators to whether or not they want an
43 investigation plan which is a more detailed proposal
44 or just thanking them and telling them it's -- you
45 know, it's either not suitable for this program or
46 maybe making some other recommendations and saying they
47 want -- may want to submit it, you know, in the future.

48

49 But when the investigation plans come
50 in again this Technical Review Committee reviews them,

1 this time they make a recommendation on whether or not
2 to fund the project, not to fund it, or possibly to
3 fund it with some specific recommendations for
4 modification. After they make these recommendations
5 then this goes in front of the Council for their
6 recommendation. There's an Interagency Staff Committee
7 that looks at it and they make a recommendation and
8 then the Federal Board takes it up at their meeting
9 usually in December of January and they kind of look at
10 all the recommendations from the Council, the TRC, the
11 Interagency Committee and essentially what they -- what
12 they're really looking at is whether or not there's
13 agreement on whether or not they should be funded or no
14 agreement. And usually there's a lot of discussion by
15 the Board on the ones in which there isn't agreement to
16 try to figure out why there are these differences. And
17 the Board can also take ones -- take up proposals for
18 which there was agreement if they have some questions
19 about them and discuss them some more. And at the end
20 of all these discussions the Board will adopt a Draft
21 Management Plan which includes all the ones that the
22 Board all the ones that the Board found worthy of
23 funding.

24
25 And essentially after this it goes to
26 OSM and basically the Assistant Regional Director in
27 charge of Federal Subsistence Management then approves
28 -- you know, makes sure the funding's available and
29 will approve the funding. We get out the funding
30 instruments and then projects will commence usually
31 coming spring/summer.

32
33 So that's sort of in a nutshell what
34 the process is. And so right now we're in the process
35 of taking these investigation plans in front of the
36 Councils and asking for their recommendations.

37
38 On Page 5 there's -- it goes through
39 the evaluation process. It kind of shows you what
40 factors are used by the Technical Review Committee to
41 make their recommendation, essentially it's strategic
42 priority, whether or not it does relate to Federal
43 Subsistence Management, you know, whether it's in the
44 jurisdiction, whether or not there's a conservation
45 problem, there's an allocation problem, local concerns,
46 things -- you know, how important is it. And as I
47 mentioned a lot -- in all the calls we do have
48 strategic priority information needs that we ask for
49 for each region, but we do look at any proposal that
50 comes in even if it doesn't address that need because

1 there might be something we missed. So any -- all the
2 proposals get thorough review by the TRC and hopefully
3 by the Councils and the Interagency Staff Committee.

4

5 We also -- they also -- TRC also looks
6 at the technical scientific merit, you know, whether or
7 not it seems to be scientifically sound, whether it
8 looks like it's going to be -- you know, that the
9 methods and everything else available is suitable to
10 get the information that the investigators are saying
11 they're going to collect. Look at the investigator
12 ability and resources, do they have a past record with
13 the program, how they performed, do they have any kind
14 of lab facilities, field facilities, available to them
15 that, you know, will allow them to do that. They also
16 look at the partnership capacity building part of the
17 proposal because that's also an important thing in the
18 Monitoring Program and we like to see partnerships
19 between agencies and, you know, rural organizations,
20 Alaska Native organizations, to get the information
21 involved in the subsistence management.

22

23 I'd also like to remind you that the
24 Board has several policies of what they will fund, what
25 they -- and what they won't fund. And basically on
26 Page 6 there's four bullets in the middle of the page.
27 Essentially we've gone from a call every year to
28 calling for proposals every other year. And since it's
29 every other year now we're accepting proposals that
30 might be up to four years duration. The studies have
31 to be non-duplicative, in other words they can't -- it
32 can't be a study that's being done by another agency or
33 another organization, it should be something that's new
34 and it's filling an information gap. There's some
35 activities that the Board said aren't eligible for
36 funding and this is habitat protection, restoration and
37 enhancement, hatchery propagation, restoration,
38 enhancement and supplementation, contaminant
39 assessment, evaluation and monitoring and projects
40 where the primary objective is capacity building. So
41 if the project is just for a science camp or just for
42 training technicians or intern programs, there's other
43 avenues to get funding for just these activities. So
44 those projects that just do that aren't now considered
45 for funding with the Monitoring Program.

46

47 And also when there's basically a long
48 term project that's being run either by the State or
49 the Federal government and due to financial problems it
50 might not -- they might not be able to conduct those

1 anymore, the Monitoring Program will consider funding
2 those up to 50 percent of the project cost. So for
3 these longstanding projects that all of a sudden, you
4 know, an agency can't fund, the Monitoring Program will
5 fund up to 50 percent and they're asking the agency to
6 find the other 50 percent of the funding. So if
7 somebody's running a salmon weir and has run it for 30
8 years and then all of a sudden they turn to the
9 Monitoring Program and they say well, we can't do this
10 anymore, then the Monitoring Program will say we'll
11 take a look at this and say well, we'll agree to take a
12 look at this for funding up to 50 percent, but you need
13 to find the other 50 percent. And this is kind of just
14 a check to make sure that other agencies aren't just
15 basically trying to off load these programs to the
16 Monitoring Program so they can use that money to do,
17 you know, something else that they want to do.

18
19 Let's see, what else can I tell you
20 about it. There's basically two general categories we
21 look at for projects, one is stock status and trend
22 studies and these are sort of the biological studies
23 for addressing abundance of a resource, age
24 composition, the timing of runs, you know, the status
25 of the populations. The other one is harvest
26 monitoring and traditional ecological knowledge. And
27 this might include, you know, quantifying the harvest
28 and the effort, describing assessing fishing and use
29 patterns and those are basically the two things and
30 they have a model where they try to at least allocate
31 some of the funds to both these types of projects as
32 well as among the different regions.

33
34 For 2012 we have a total of 32
35 investigation plans statewide that are being
36 considered. You can see those on Table 1 and that's on
37 -- let's see, well, basically Table 1 is on Page 7, it
38 doesn't show the exact projects, but just gives them
39 numbers by the region by the -- on the two types. Of
40 the 32, 22 are stock status and trend studies, 10 are
41 harvest monitoring TEK projects and when the Technical
42 Review Committee looked at these they recommended
43 funding 29 of the 32. That's their recommendation.

44
45 Total funding available for new
46 projects in 2012 is about \$2.7 million. If we funded
47 all 32 projects it would cost 2.74 million so it's
48 pretty close to what we have available. The 29
49 projects recommended for funding by the Technical
50 Review Committee have a total cost of 2.18 million.

1 And any unallocated funds that are left over for new
2 projects are usually used for what they call forward
3 funding, we were able to fund the project not only for
4 2012, we can provide -- we can set aside the funding
5 for 2012, 2013, even 2014 depending on how much money
6 -- how much of that surplus is available for new ones.
7 Some of the funding we get every year is also to fund
8 just projects that have been funded in the past and are
9 still ongoing. And the Technical Committee
10 recommendation would provide about 28 percent of the
11 funding to Alaska Native organizations, 47 percent
12 would go to State agencies, 14 percent to Federal
13 agencies and then the other 11 percent to
14 nongovernmental organizations like universities,
15 consulting firms.

16
17 So that sort of in a nutshell is what
18 the Monitoring Program in and where we are and I'll --
19 if no one has any questions I'll turn you over to Pippa
20 otherwise I'll take questions.

21
22 CHAIRMAN SIMEONOFF: I got one question
23 just in -- back here it says the activities not
24 eligible for funding.....

25
26 MR. FRIED: Uh-huh.

27
28 CHAIRMAN SIMEONOFF:that habitat
29 protection, restoration and enhancement that I know it
30 best could be addressed by the land management
31 agencies. That doesn't -- why can't we enhance the
32 habitat of our subsistence foods like -- take for
33 instance Olga Lake area, if the salmon are -- numbers
34 of salmon returning are decreasing and why can't we
35 enhance food supply in the lakes, maybe they're dying
36 off because there's no more food up there for them.
37 Why can't you guys enhance habitat for the lakes? And
38 I understand that it could be handled by land
39 management agencies, but, you know, it kind of defers
40 -- defeats our subsistence purposes if we can't fund a
41 program that enhances it.

42
43 MR. FRIED: The only answer I can give
44 you is that's actually a policy that was developed by
45 the Federal Subsistence Board, it's not a regulation or
46 anything, it's just a policy. And they went through
47 and decided that there were some activities that they
48 didn't think should be funded by the Monitoring
49 Program. I think part of the consideration if I
50 remember was just concern about the amount of funding

1 that might occur to do something of these things. And
2 the other thing they considered was that they thought
3 there were avenues for funding and that we should
4 concentrate more -- you know, what funding we did have
5 on things that were more directly applicable to Federal
6 fisheries management. But it is policy and I suppose
7 somebody could come in front of the Board and ask that
8 they reconsider some of the policies and see if the
9 Board would, you know, change the policy, but.....

10

CHAIRMAN SIMEONOFF: Uh-huh.

11

12
13 MR. FRIED:you know, that's about
14 all I can say about that.

15

16 CHAIRMAN SIMEONOFF: Okay. So then the
17 land manager would be the Refuge or ownership of the
18 land, people that own the land?

19

20 MR. FRIED: Yeah, there's other funding
21 and there's things like the Alaska Sustainable Salmon
22 Fund is money from NOAA, National Oceanic and
23 Atmospheric Administration that goes to Fish and Game
24 and there's -- they fund projects throughout the State.
25 Just off the top of my head that's one. But, you're
26 right, the Refuge is, the Parks, any other land
27 management agencies might.....

28

CHAIRMAN SIMEONOFF: Uh-huh.

29

30
31 MR. FRIED:consider doing that.
32 It doesn't mean we can't do studies in relation to
33 that, that we couldn't do a study and we do do studies,
34 you know, looking at juvenile salmon in lakes and maybe
35 the result of that study they might recommend
36 fertilization or recommend something else, but then
37 because of the policy we wouldn't take that next step
38 and actually fund, you know, the fertilization.

39

CHAIRMAN SIMEONOFF: Uh-huh.

40

41
42 MR. FRIED: So, I mean, there's
43 something -- you know, we can do studies that look
44 about -- look at effective habitat on fishery
45 production, but they won't fund say putting large woody
46 debris in a stream to enhance, you know, the habitat or
47 things like that or stabilizing stream banks or.....

48

49 CHAIRMAN SIMEONOFF: So if we wanted to
50 enhance the habitat of salmon you'd have to first study

1 and find out if they're dying off, I mean, there's no
2 salmon returning, but you got to study it to find out
3 why they're not returning before we apply for funding
4 from that different agency to enhance that system?

5
6 MR. FRIED: Well, unless the -- unless
7 the information's available or it's pretty obvious that
8 there's, you know, blockage of a stream or something,
9 but usually an agency before they're going to fertilize
10 a lake, for example, would like to know, you know, why
11 you came to that conclusion and also maybe what's
12 lacking in the lake, you know, so that they can figure
13 out what the mixture is, the different nutrients, you
14 know, what they need to do and what application they
15 need to make or, you know, instead of just going well,
16 we think, you know, the run is being -- really doing
17 really poorly and let's try to throw fertilizer in the
18 lake and figure out what's going to happen. You know,
19 it's good to do some before studies just to know
20 whether or not that might even be a successful avenue
21 to follow.

22
23 CHAIRMAN SIMEONOFF: Thank you. Pat.

24
25 MR. HOLMES: Mr. Chairman. I think to
26 add to Steve's presentation and then ask a couple
27 questions, if I may. One of the other groups for the
28 Kodiak area would be let's say after, you know, look at
29 Olga and say okay, well, the fish are coming back small
30 or there's not very many of them, you know, we might
31 ask the funding sources for a study just to look at the
32 growth patterns on returning adult scales, you know,
33 and you could see gee, they're really tiny when they're
34 smolt or you could look at the smolt themselves and see
35 that there's a problem of nutrients in the lake or
36 limnology in the lake because those are some of the
37 things that we've asked for funding before on the
38 Buskin and on Litnik. And so -- but one of the other
39 funding agencies and one that we'll be talking about a
40 little later is the Kodiak Regional Aquaculture
41 Association which is the commercial fishermen and they
42 assess themselves 2 percent of the catch to provide for
43 programs such as that for enhancement of runs. And so
44 that would be, you know, a group that our Council could
45 also solicit to ask to look at things in Olga Lake or
46 Upper Station.

47
48 I had a couple of questions for you,
49 Steve, on the -- I got it here somewhere, on the older
50 study, the Strategic Plan, Kodiak Area, 2006, was part

1 of the Kodiak area planning work group and we had Mitch
2 and I forget who else on our Council participated in
3 that. In this last review you emphasized it was all
4 the Technical Review Committee. So do you have input
5 at this point on these projects that were reviewed for
6 financing or.....

7

8 MR. FRIED: Oh, for 2012?

9

10 MR. HOLMES:because I thought
11 there used to be like a work group of RAC members and
12 tech people that looked at proposals a few years back.
13 Was that the case, I don't know?

14

15 MR. FRIED: For Monitoring
16 projects.....

17

18 CHAIRMAN SIMEONOFF: Yeah.

19

20 MR. FRIED:for this year or last
21 year's? I don't think the process has changed any. I
22 think, you know, the Technical Review Committee which
23 is just all agency members basically, have always, you
24 know, reviewed proposals and make -- decide whether to
25 advance or not. And then for investigation plans they
26 review the investigation plans and the Council and
27 public can comment too, you know, Council comes up with
28 a recommendation and then the Interagency Staff
29 Committee takes one look and that goes before the --
30 right before the Board meeting and comes up with a
31 recommendation.

32

33 MR. HOLMES: Uh-huh.

34

35 MR. FRIED: So I don't believe the
36 Council's ever sat down with -- one second here, with
37 the Technical Review Committee to review projects.

38

39 And I think Pippa has something too.

40

41 MS. KENNER: Yes, this is Pippa Kenner
42 with the Office of Subsistence Management. About a
43 year ago when we came we did have some draft priority
44 information needs and I think that the process that
45 you're remembering may be the development of what we
46 call the priority information needs. And we came to
47 the Council and we had looked at the strategic plan
48 that had been put together with members of the Council
49 and we also looked at -- I also looked at the
50 transcripts of past meetings, particularly the ones I

1 hadn't been at and we put together a list. And then we
2 presented them to the Council about a year ago just
3 seeking their input to see if -- what comments people
4 had and we incorporated those comments into the
5 priority information needs. And then for the Southwest
6 Region of which are included, that's what went out when
7 we asked people to send us their proposals for
8 research.

9

10 I think that might be answering your
11 question.

12

13 MR. HOLMES: Thank you for that
14 clarification. And let's see, I guess at a previous
15 one we'd asked if you couldn't breakout our Southwest
16 Region because it includes Bristol Bay in there, if you
17 couldn't breakout your table or your report that would
18 have like the Kodiak areas for Aleutians East, but
19 there's so few this time you can just flip over to Page
20 9 and see Aleutian Island salmon subsistence study, the
21 whitefish and then the Kodiak salmon fishery changing
22 patterns. So, you know, there's only three to worry
23 about, but if there's a broader scope it would make it
24 easier when you're initially looking at this, you know,
25 because I think Southwest Alaska, and I'm not thinking
26 government process, I'm thinking of Bristol Bay and
27 Kuskokwim, that's Southwest Alaska to me, we're in the
28 Gulf of Alaska and Aleutians and Southwest is a whole
29 different place, but it's easily solved by going
30 further into the table. But just the thought as things
31 get more complicated and we got lots more money and
32 more projects just if you're having -- if a person only
33 had this one summary table you could get worried if
34 you're in our area because gee, there's nothing. And
35 it's a matter of nomenclature and a little footnote
36 could say Southwest Alaska includes Kodiak Aleutians or
37 see page blah for breakout. Anyway, just a thought.

38

39 And thank you very much.

40

41 CHAIRMAN SIMEONOFF: Thank you, Pat.
42 Rick Rowland.

43

44 MR. ROWLAND: Hi, Rick Rowland.
45 Thanks, Steve. I've got a couple things. One I think
46 first is over here where it says on the second page,
47 Alaska Native organizations. Of the individual groups
48 that are -- what do they call it, partnership for
49 capacity building, the program, the collaborative
50 approach. And over it here it says Alaska Native

1 organizations. I -- under my thoughts, being a tribal
2 Natural Resource Director, I'd like to see that
3 organizations turned into tribes to where the tribes
4 can participate with the Fish and Wildlife and the
5 Forest Service. So that you go over here and look at
6 Page 11 and you look at the Table 1, you take look over
7 there of who the investigators are and from what I can
8 remember is BBNA is an association, right, and KANA,
9 Kodiak Area Native Association, is an association. I
10 mean, there's a possibility that there might be someone
11 that's not native working at those associations. So
12 you might be calling traditional ecological knowledge
13 from an association as native knowledge. So I think
14 it's important that Alaska Native tribes are part of
15 that group that connect with this.

16
17 And also in this information that you
18 have prepared for us about what the Monitoring Program
19 is and when it was started and how it was formed, it
20 jumps around quite a bit about turning from a program
21 to a project. And down here on Page 7 it talks about
22 if there's any unallocated -- well, it starts talking
23 about projects, total funding available for new
24 projects on the -- almost the last paragraph and then
25 it jumps around to where any unallocated Monitoring
26 Program funds. So it switches from projects to
27 programs and then it says it just will rollover. So I
28 think there should be a clearer explanation about where
29 those fundings are going. So if there's project
30 funding left over it needs to go to project funding.

31
32 And if it's clearly defined up here to
33 where organizations is changed to tribes hopefully it
34 will be tribes then the interaction will occur to where
35 more tribes will be able to participate in the
36 monitoring of the resource.

37
38 And here's where I'd like to finish is
39 that I'm appreciative of everything that you put
40 together in this, but I want to give you a little
41 traditional ecological knowledge there on that second
42 paragraph where it says although all proposals
43 addressing subsistence fisheries on Federal lands. I
44 grew up fishing in the water so I think right there in
45 your subsistence fisheries on Federal lands, I think
46 you better change that to waters.

47
48 MR. HOLMES: What page was that?
49

50 MR. ROWLAND: Right there on the first.

1 MR. HOLMES: Page 4?
2
3 MR. ROWLAND: Page 4 on the second
4 paragraph. Does that make sense, I mean.....
5
6 MR. FRIED: Yeah, and.....
7
8 MR. ROWLAND:I don't fish on the
9 land.
10
11 MR. FRIED:tribes are certainly
12 -- you know, have never been excluded from the program.
13 We do have some projects that are done by tribes, but I
14 think maybe it would be clearer if we said associations
15 and tribes or had some way to make sure everybody
16 understood that.
17
18 MR. ROWLAND: Right.
19
20 MR. FRIED: Yeah.
21
22 MR. ROWLAND: The thought that came to
23 my mind about that, Steve, is that when I looked at the
24 other information that related to conservation
25 mandates.....
26
27 MR. FRIED: Uh-huh.
28
29 MR. ROWLAND:when I start
30 thinking about conservation mandates I start thinking
31 about district conservation committees for regional
32 conservation areas and I -- my hope is that there isn't
33 a competition set up to where the tribes could start
34 applying for Monitoring Programs to be in the tribe
35 instead of competing for projects that are related to
36 monitoring. So I don't want to have to end up with the
37 tribe having to compete with a conservation district
38 organization to monitor Federal or fisheries
39 subsistence.
40
41 MR. FRIED: So in other words a tribe
42 within an association would be competing with that
43 association for funds, is that what you're concerned
44 about?
45
46 MR. ROWLAND: Quite possibly.
47
48 MR. FRIED: Uh-huh.
49
50 MR. ROWLAND: I mean, if it's a project

1 because projects are generally competitive in today's
2 day and age. And if it -- there's a potential for
3 program monitoring within a tribe to apply for a long
4 term study in that region then it could create a
5 consistency of data that would be held in the tribe
6 which will relate to the traditional ecological
7 knowledge to where we as a tribe do not have to compete
8 with a non-tribal agency regarding the Federal
9 subsistence fisheries. So I'm trying to reduce the
10 potential of long term competition so the tribe
11 connects to the Monitoring Program and not connect to
12 the competition. And it would be simply Alaska Native
13 organizations changed to Alaska Native tribes.

14

15 Thank you.

16

17 CHAIRMAN SIMEONOFF: Thank you, Rick.

18 Pat.

19

20 MR. HOLMES: Mr. Chairman. I can
21 appreciate Mr. Rowland's passion and that is his job to
22 represent tribes, but as the token white dude on our
23 Committee the -- ANILCA provides for rural residents
24 and it's tribes and other folks regardless of their
25 ethnic background or their tribal background. And
26 there are folks of multiple generations, I think of
27 Paris Lundstrom at False Pass that passed away a couple
28 years ago that was a Swede that jumped off a boat back
29 in 1915 or something. And there are lots of other
30 folks and they do have outlines here that have gone
31 through the Board on who receives funds and it's not
32 exclusive for tribes because tribes do also have a much
33 broader pool for getting grants and programs. And so,
34 you know, it is -- we're all in the same badarka (ph)
35 here and, you know, there's more than one component.

36

37 Thank you.

38

39 CHAIRMAN SIMEONOFF: Thank you, Pat.

40 Rick.

41

42 MR. ROWLAND: Thanks, Pat. And then
43 following -- just a follow-up for that is that under
44 Alaska Native organizations, how it reads here, right
45 after that it says and other organizations. I just
46 wanted a clarification to where yes, there are other
47 organizations and then if we're going to call it Alaska
48 Native let's call it Alaska tribe.

49

50 MR. HOLMES: So then you want to

1 exclude the regional corporations that are doing that
2 sort of work and the regional nonprofits that aren't
3 tribes?

4

5 MR. CRATTY: Mr. Chair.

6

7 MR. ROWLAND: Pat, I didn't say that.
8 I said let's clarify it here. And there -- it says
9 right here, and other organizations.

10

11 CHAIRMAN SIMEONOFF: Questions,
12 comments for Steve.....

13

14 MR. CRATTY: Mr. Chair.

15

16 CHAIRMAN SIMEONOFF:and Pippa?

17 Al.

18

19 MR. CRATTY: Yeah, I'd just like to
20 state how well I think the Afognak Lake sockeye salmon
21 smolt and all that assessment has worked and the Buskin
22 River sockeye salmon, an old assessment. The Afognak
23 Lake has really come back and I think this is -- this
24 plan has worked really well and the Buskin River is one
25 of the mainstays of subsistence in Kodiak and that's
26 worked really well. I'd just like to give you guys a
27 good hand for supporting them.

28

29 In the future I'd like to see the
30 Karluk and the Upper Station part where Mitch is
31 talking about to be looked at real good, you know, as a
32 future funding.

33

34 And also there's this one issue I had
35 on this -- on this new monitoring -- harvest and
36 traditional ecological knowledge on Page 21 or Page 22.
37 You have the Sun'aq Tribe of Kodiak has been consulted
38 and will participate through the hiring of local
39 researchers. Local researchers will be trained to
40 conduct interviews and surveys. Letters or resolution
41 of support from Larsen Bay and Old Harbor. I'd just
42 like to state it's fine if Sun'aq does it, but I'd like
43 to see the people of the tribes do the research because
44 your own people do the best research.

45

46 I just wanted to put that in as a
47 comment. Your own people are more apt to talk to your
48 own people, let's put it that way.

49

50 That's all I have.

1 CHAIRMAN SIMEONOFF: Thank you, Al.
2 Any other questions or comments?

3
4 (No comments)

5
6 CHAIRMAN SIMEONOFF: Della, you have
7 questions or comments for Steve and Pippa?

8
9 MS. TRUMBLE: Not necessarily. I think
10 I just wanted to make a comment on the Alaska Native
11 like who (indiscernible - distortion) can understand
12 that Alaska Native include either a tribe or a
13 nonprofit or another nonprofit that represents on
14 behalf of tribes because we do get resolutions in
15 specific areas to nonprofits. So I just have -- when I
16 look at the word Alaska Native I feel that it takes
17 into consideration nonprofits and associations because
18 we're all Alaska Natives, in fact, that are represented
19 under those umbrellas.

20
21 CHAIRMAN SIMEONOFF: Thank you, Della.
22 Anyone else, questions, comment?

23
24 (No comment)

25
26 CHAIRMAN SIMEONOFF: There are none.

27
28 MR. FRIED: We really appreciate the
29 comments, I think that was a very good discussion and
30 the Alaska Native organization was supposed to be kind
31 of a very inclusive category, it wasn't supposed to
32 exclude tribes and we probably should take a look at
33 the wording and maybe extend the list or something to
34 make sure it's clear to everybody.

35
36 And right now I'll turn the floor over
37 to Pippa and she can actually get into the actual
38 projects that are being proposed for the Southwest
39 Region.

40
41 MS. KENNER: Hello, again. This is
42 Pippa Kenner with the Office of Subsistence Management.
43 And the -- on Page 9 there is an overview of the two
44 investigation plans, the two proposals for studies that
45 we got for the Kodiak/Aleutians area. One includes the
46 communities of Unalaska, Nikolski, Atka and Adak
47 looking at subsistence fisheries. And the other is on
48 Kodiak Island and it was -- the researchers are
49 proposing working primarily in Larsen Bay and Old
50 Harbor and again looking at subsistence fisheries.

1 And I think I'll stop there and just
2 remind you that we are seeking your support for the
3 plan and a recommendation to the Federal Subsistence
4 Board to adopt this draft plan. And thank you again
5 for your comments.

6
7 MR. KOSO: Mr. Chair.

8
9 MR. FRIED: And if you have any
10 questions about, you know, any of the proposals then
11 I'm sure, you know, Pippa and I can.....

12
13 MR. KOSO: Well, I have -- I got just a
14 question, I guess, on trying to get a subsistence
15 permit. I know Adak it's really a problem. I've
16 called Cold Bay numerous times and they may have been
17 out or whatever, but I wasn't able to get ahold of them
18 to get a permit issued. And I know there was other
19 people that had the same problem. So I don't know if
20 you guys deal directly with that or what, but I know
21 communication between Adak and Cold Bay sometimes,
22 especially during the commercial season, it's hard to
23 get ahold of somebody in the office to -- in Cold Bay
24 here to issue us a permit. I was just wondering if
25 there was any other way we could go through it, like
26 maybe out of Anchorage department or some other
27 department to where we can get a subsistence permit.

28
29 MS. KENNER: Thank you. Mr. Koso
30 through the Chair. As a matter of fact this priority
31 information need to look at these subsistence fisheries
32 is in direct response to some of the permit problems
33 we've heard about. Being the Federal program and being
34 the Office of Subsistence Management we don't run that
35 permit system, the State does, but oftentimes we work
36 really closely with the State. And recently, like in
37 the past decade on Kodiak a similar project was
38 recognized and there were requirements on the permit
39 that limited the number of fish that people could get
40 on a permit before they needed to get another permit.
41 And work was done there and before the study was even
42 published both Boards had changed the regulation
43 effectively remedying the issue. And we are hoping
44 that that will happen in the Aleutian area too because
45 of this study.

46
47 MR. KOSO: Thank you.

48
49 CHAIRMAN SIMEONOFF: Thank you. Pat
50 and then Rick.

1 MR. HOLMES: Mr. Chair. Rick, that's
2 something that I was arguing and working on before I
3 retired like 12 years ago or 13 years ago. And Arnie
4 used to have a pretty benign way of handling Adak. I
5 would suggest that -- personally that you call Rick
6 Donald, he's the Regional Supervisor for Fish and Game
7 for there, but we could also as a group we could write
8 a letter to Fish and Game and to the Board of Fish when
9 fishery proposals come up and suggest to them because
10 of the small population at Adak that they handle Adak
11 permits similar to what they do for rural Kodiak. And
12 basically, you know, they would -- you just would have
13 a report at the end of the season and not necessarily
14 have specific limits on them, but I think our Council
15 could ask the Board of Fish and Fish and Game to look
16 at Adak a little more liberally like they do Atka where
17 -- or even -- not even have a permit because at Atka
18 they don't ask for a permit, same for Nikolski, but ask
19 them to look into it in more detail because it's rather
20 absurd for you to have to make multiple calls to get
21 something. They could have a vendor in your community
22 even hand them out or the -- you know, the corporation
23 or whoever's there. So I would suggest that we, if
24 you'd like for us to maybe write a letter to them and
25 see if we could stimulate something better for folks at
26 Adak.

27

28 MR. KOSO: Yeah. Mr. Chair. Yeah,
29 that sounds like a real good plan. I know I brought
30 this up before about a year and a half ago because we
31 were only allowed 25 salmon in Adak in the subsistence
32 which is kind of ridiculous when you have to run two,
33 three hours to get your subsistence fish. So anyway I
34 put that in a couple -- year and a half ago that we
35 jump it up to 250 fish like everywhere else or at Cold
36 Bay at least, I don't know, but I know they get a lot
37 more. So if we can get a letter from the Board to the
38 department then, you know, where we could submit our
39 subsistence report at the end of the year rather than
40 call them getting a permit prior to doing that because
41 I know I called two or three different times and was
42 unable to get ahold of them. So it's definitely a
43 problem and if we could get a letter from the Board
44 maybe that'll -- at least maybe that'll get them to go
45 on to do something different.

46

47 CHAIRMAN SIMEONOFF: Is that your
48 motion?

49

50 MR. KOSO: Yes.

1 CHAIRMAN SIMEONOFF: Do I hear a
2 second?
3
4 MR. HOLMES: Second.
5
6 CHAIRMAN SIMEONOFF: Moved and
7 seconded. Discussion.
8
9 MR. ROWLAND: What is the motion?
10
11 CHAIRMAN SIMEONOFF: The motion is to
12 provide a letter from Kodiak/Aleutians RAC concerning
13 the subsistence harvest in Adak or subsistence harvest
14 permits. He calls here to try to get permits, but he
15 -- many times they can't make contact. So he wants us
16 to write a letter saying that they should just not get
17 a permit, but report at the end of the season of their
18 subsistence harvest.
19
20 MR. KOSO: That's correct.
21
22 CHAIRMAN SIMEONOFF: Any other
23 discussion.
24
25 MR. HOLMES: Mr. Chair. If you'd like
26 maybe Rick and I could work on a draft during lunch or
27 something and because I almost think that it might be
28 possible for the department to do that internally, you
29 know, between the regional office and the Cold Bay
30 manager, but we could write a letter to them and then
31 if it turns out that they can't or it needs to go to
32 the Board session then we just ask them to forward that
33 to the Board in our letter, something like that.
34
35 CHAIRMAN SIMEONOFF: Got to CC to it,
36 to anyone. Yeah, you draft that up and I guess Cole
37 will get it typed up and take care of that.
38
39 Okay. Anything else? Rick Rowland.
40
41 MR. ROWLAND: Yes. Thanks, Rick, for
42 mentioning that. And it's hopeful that steps in this
43 fashion will allow for no creation of limitations or
44 burdens upon the subsistence user and enhance the
45 subsistence use lifestyle.
46
47 One question I have is that on that
48 technical scientific merit on Page 5, at the last
49 sentence of that paragraph it says projects must not
50 duplicate work already being done. Can you give a

1 clarification on that sentence?

2

3 MR. FRIED: Well, essentially if
4 somebody is just -- may not be aware of another -- some
5 work done by another agency or an organization or
6 something and they put in a proposal to the Monitoring
7 Program to do that same thing then, you know, we
8 wouldn't want to fund that same work since somebody
9 else is already doing it. If it's kind of an add on to
10 work that's being done that's something different, but,
11 I mean, just in -- even a strange example, I mean, if
12 somebody's running a weir on a river already and
13 somebody puts a proposal in to run another weir, you
14 know, just downriver of it or upriver of it, then we
15 probably wouldn't fund that unless they have some
16 pretty good reason as to why they needed to do the same
17 thing on that system. But we're just trying not to
18 duplicate efforts, duplicate something that's already
19 being funded. We like to make sure that the money we
20 have available to us is going to provide, you know, new
21 information that's needed and not just information that
22 somebody's already collecting.

23

24 MR. ROWLAND: Okay. Thank you, Steve.
25 When I read that I hoped that it didn't mean, for
26 example, if one individual's doing a weir on a river
27 then in that region someone else can't do a weir on
28 another river or does it mean that if there's a weir
29 system set in place on one river someone else can't go
30 and do a weir system on their river in their area. So
31 my question is that -- if I have all these questions
32 about this sentence right here and I need all that
33 explanation, I think it might need a clearer
34 explanation.....

35

36 MR. FRIED: Yeah.

37

38 MR. ROWLAND:about what is
39 defined as duplicating and already being done in that
40 regard.

41

42 MR. FRIED: Yeah, weirs on different
43 tributaries or, you know, maybe, you know, like a large
44 river like the Yukon or the Kuskokwim we fund actually
45 several weirs on, you know, several different
46 tributaries that flow into it. So it's -- no, it's
47 mostly just for the same -- would be for the same work.
48 So, you know, if we're going to fund a smolt project on
49 the Buskin River we want to make sure that Fish and
50 Game isn't already doing that, you know, or somebody

1 else isn't already doing that so it's not -- it would
2 just be for the same -- sort of the same exact work,
3 not for -- if you need -- if it's a large system and
4 you need three or four weirs then that's really not
5 looking at it being duplicative, it's -- that's sort of
6 building on the information and it's new information,
7 if that helps.

8

9 MS. KENNER: Mr. Rowland, through the
10 Chair. This is Pippa Kenner with the Office of
11 Subsistence Management again. I have a good example.
12 One of the purposes of that statement there is to alert
13 researchers who are going to propose work to us that
14 they need to look around and see what else is happening
15 in the area. If they send us a proposal it might be a
16 brilliant proposal, but if it's something that they
17 didn't know was already going on we can't fund it.
18 Oftentimes what we'll do though is suggest that they
19 work with the researchers who are already there and
20 propose to us something that adds to that research.
21 Right now we have Dr. Reedy-Maschner in her proposal to
22 do work in the Aleutians which is described in detail
23 on Page 14, one of the things she says is that she
24 would like to be doing this work in Adak, Atka,
25 Nikolski and Unalaska and she'd also like to pair that
26 work with work she's already -- she already has funding
27 for in Akutan, False Pass, Nelson Lagoon and Port
28 Heiden. So she's already got funding for part of it so
29 she's not going to ask for it, but she wants to study
30 those and she wants those communities to be part of
31 this study. But she -- it's already being done, she
32 includes it here and says this is supposed to add to
33 that information she's already collecting. And so I
34 think this is a great proposal because of that.

35

36 MR. ROWLAND: Mr. Chair.

37

38 CHAIRMAN SIMEONOFF: Rick.

39

40 MR. ROWLAND: So to -- just to finish
41 up here, is that there seems to me too much
42 explanation, I got too many questions about that
43 because I know that there are hopefully people out on
44 the Chain that would want to do some sort of
45 enhancement eventually and if somebody comes in from
46 the outside and starts doing those enhancements or
47 monitorings then because the individuals out on the
48 Chain say hey, we want to do that and then they --
49 somebody from the outside is doing it then Fish and
50 Wildlife could say hey, somebody's already doing it,

1 you can't do it. So this sentence right here with the
2 duplication is taking an opportunity away from a rural
3 community which will be an economic development for
4 that community just because of outside duplication.

5
6 MS. KENNER: Mr. Rowland, through the
7 Chair. I think your point is well taken and we at the
8 Monitoring Program who have been working on it --
9 actually I've only been here for a little while, there
10 are some people like Steve who have been there for a
11 lot of years and they've seen everything. We do try to
12 stop this kind of competition that you're talking about
13 and one way of doing that is that we do ask -- we do
14 tell all researchers to work with the nearby
15 communities and at least inform them of the research
16 that they're doing. And we rate proposals that have
17 active collaboration with local communities higher than
18 other proposals for research. And the research that
19 gets the highest marks in one of these -- in that
20 category are tribal groups who actually are in charge
21 of the research and the funding goes directly to them.
22 So we do try to prevent those kind of things from
23 happening and we are sensitive to it. It is an ongoing
24 problem with research all over Alaska that tribal
25 groups aren't always informed and we require our
26 research to be -- that the communities nearby and the
27 regional organizations be informed of the research and
28 input asked from them.

29
30 MR. FRIED: Yeah, in fact if you look
31 at Page 6, you know, four, partnership/capacity
32 building, that's pretty important for this program. At
33 a minimum if there's a -- as Pippa mentioned, if
34 there's a project within that area we're looking for a
35 letter of support so it's not like all of sudden some
36 investigator from an agency or university or consulting
37 firm comes in and decides to something and then all the
38 people in the community go what are you doing or we
39 don't want -- we've actually canceled projects in the
40 past because we didn't have buy-in from the community
41 and they were upset about the project. I think there
42 were some weir projects on some system that were
43 canceled until, you know, the person that wanted -- the
44 investigator who was doing it would actually sit down
45 with the community and they decide whether or not, you
46 know, there was a good -- this was a good idea to do,
47 you know. So that's certainly important and by -- also
48 by, you know, making sure that the investigators have
49 that conversation then that is an opportunity for the
50 community or tribe or another organization to say hey,

1 I'd like to help and how can we help, you know, can we
2 do this, do that.

3
4 And there are some projects that are,
5 you know, initially started by an agency with some --
6 you know, maybe the community or the organization just
7 provides some of the seasonal help and maybe over the
8 years the agency actually can turn that project over to
9 the -- to that community or organization, you know, if,
10 in fact, it's a long term project and people want --
11 the rural people want to do that. There's some places
12 where the organization or tribe wants the information,
13 but they really don't have the capacity to do the work
14 so sometimes, you know, you need to build that up.

15
16 But hopefully we won't get into a
17 situation like you mentioned where somebody comes in
18 and, you know, the local residents aren't even aware of
19 it or hadn't been consulted or spoken to.

20
21 CHAIRMAN SIMEONOFF: Pat.

22
23 MR. HOLMES: I think you're also
24 looking for some positive comments on this, whether we
25 think these projects have merit. And I think the
26 Aleutians study, I was wondering where Akutan was, but
27 then Pippa's reference back here that there was some
28 recent work there by the same project proposer and I
29 think that that's most commendable. I remember helping
30 Lisa Skarborough probably, I don't know, 15, 20 years
31 ago, with contacts and that's been the last thing
32 that's been done out west. And, you know, that's just
33 really important information. And the same with Kodiak
34 changing fishing patterns with particular emphasis on
35 Larsen Bay and Old Harbor, that hasn't been done for
36 years and years and years. And not back since Jim Fall
37 actually had a budget funded under the Division of
38 Subsistence. And I think he finally just retired
39 because he didn't have anything but grants to depend on
40 for funding. And so that's very important.

41
42 I was wondering, you know, with the
43 focus on Larsen Bay and Old Harbor, but are they going
44 to do anything at Karluk or some of the areas like the
45 Russian Village up on Afognak or some of the areas
46 where there aren't any defined government structures,
47 but, you know, there's like Village Islands, there's,
48 you know, eight or 10 people there and folks around
49 (indiscernible) that live there all year round, that's
50 kind of a -- dawn doesn't really fit in there. And I'm

1 thinking that in the future if you have a chance I
2 don't think Kodiak, the town of Kodiak has had one for
3 a long, long time either, if you get some future
4 proposals and that might be something really good for
5 Sun'aq and the other tribes as well as the community as
6 a whole because the data from that golly, must be 20
7 years old now since the last Kodiak big subsistence
8 survey was done. I think the thing that came out in
9 there that was very helpful for our community and our
10 discussion is whether we're rural or not was the fact
11 that 95 percent of the people in the road system shared
12 and exchanged natural resources, they shared
13 subsistence foods, even including the Coast Guard base
14 which most folks in town don't figure they should be
15 and really under Federal law if you live on a Federal
16 base you can't participate in Federal subsistence, they
17 could participate on the State side. But even those
18 folks were sharing those resources. And the other
19 point that came out in the studies was that folks in
20 Kodiak area and Kodiak Island had a larger diversity of
21 species, they had the largest number of species
22 harvested for subsistence. They didn't necessarily
23 have the poundage because how do you compare our town
24 with a place that takes a whale for poundage, but, you
25 know, our diversity is salmon, deer, intertidal
26 critters is -- was very broad and we really need to be
27 taking a look at that and not be arguing when the di-
28 centennial review comes up with 20 or 25 year old data.
29 And so if you do see a proposal coming like up on that
30 or want to encourage a researcher to take a look at
31 Kodiak community, that would be a good idea.

32
33 I might be off on my years when the
34 study was done, Pippa, you're looking anxious because I
35 could have missed something too, but.....

36
37 MR. CRATTY: You did.

38
39 MS. KENNER: I'm trying to remember all
40 your questions, Mr. Chair. Mr. Chair, first of all I'm
41 not quite sure why this study emphasizes Larsen Bay and
42 Old Harbor. This is Pippa Kenner with the Office of
43 Subsistence Management. I believe doing all the --
44 doing harvest surveys and other types of research in
45 all the off road communities on Kodiak Island is a
46 rather large endeavor. So I think the main reason why
47 they picked a subset is that they wanted to look at a
48 project that was doable with the amount of personnel
49 they had and the talent that they have. But also they
50 are including the Kodiak road system area in the study

1 which is a lot of people.

2

3 MR. HOLMES: Uh-huh.

4

5 MS. KENNER: I think that's probably
6 the main reasons. From -- I'm not the person who is
7 extremely familiar with this study, but I have read
8 through it. I think that -- I'm trying to remember
9 what your other question was, I just had an answer to
10 it. Oh, it appears that they are planning to go to
11 those other communities and talk to people, but not
12 necessarily to do the detailed house by house harvest
13 survey that they plan on doing in Larsen Bay and in Old
14 Harbor.

15

16 Also you might remember that in the
17 2004/2005 research that Liz Williams conducted --
18 Karluk opted not to participate and Akhiok opted not to
19 participate one year. I'm sure they'll be approached,
20 but it's -- you know, it's up to the communities
21 whether they would like to participate.

22

23 MR. CRATTY: Mr. Chair. I just.....

24

25 CHAIRMAN SIMEONOFF: Yes, Al.

26

27 MR. CRATTY:like to state too how
28 well I think these harvest monitoring, traditional
29 ecological knowledge reports are very great for
30 communities because there's something to happen in the
31 future you will have this knowledge to support the
32 communities.

33

34 And also to Pat's deal, he's just got
35 to look under objectives and methods. They do state
36 Kodiak City, Kodiak Station, Womens Bay and other
37 villages in that study on Page 21.

38

39 MR. HOLMES: Oh, missed it.

40

41 MR. CRATTY: Thank you.

42

43 CHAIRMAN SIMEONOFF: Rick.

44

45 MR. ROWLAND: Thank you, Mr. Chair.
46 This spurs a memory I have about a initial letter we
47 got from Fish and Game regarding this monitoring
48 program, survey program. And after reserving and
49 receiving initial contact we asked about what the
50 program was and it wasn't until just recently that we

1 received an overview of what the program was. And so I
2 guess they had a staff change and it may have caused
3 something to be interpreted as consultation where it
4 was actually just a contact and information
5 distribution. So the -- I remember this one
6 specifically that they called us up and asked if we
7 wanted to consult and then we said yeah, we'd like to
8 consult, but then it may have had a staff change. And
9 then we just got information recently that said this is
10 what it is. And we never really had a consultation.

11
12 MS. KENNER: Yes, Mr. Chair. I think
13 what Mr. Rowland's referring to is a process where when
14 they were -- when this organization was putting in its
15 original proposal and developing its investigation
16 plan, before it put time and effort into it and
17 ethically I think it was appropriate for them to call
18 around to the tribes to see if there was interest in
19 the study. Well, after they submitted the proposal and
20 the investigation plan through those two stages the
21 Technical Review Committee that Steve has described so
22 well gave comments back and suggested modifications to
23 what they had proposed in order to make the study
24 better. And the letters talking to the researchers
25 about that only went out a couple months ago. So they
26 probably didn't know exactly what their project was
27 going to be until they received those letters from the
28 Technical Review Committee saying we would like to fund
29 your project if you make these modifications. So
30 that's probably responsible for the lag time. There
31 might have been nine months between those two processes
32 occurring.

33
34 MR. ROWLAND: So I appreciate the
35 explanation. And I want to make sure that we
36 understand that I don't have a problem with doing the
37 surveys or anything like that or doing the monitoring
38 or anything like that, I'm -- it's hopeful that the
39 consultation will actually kick in at one point to
40 where it's not just being something that's -- somebody
41 sends a letter and then hopefully that we'll be
42 listened to and then we'll have to have our real issues
43 and concerns met in regard to something like this
44 because it's important, that's the food. And this
45 being said that we were consulted and getting two
46 emails and a phone call about what the plan is, doesn't
47 really get the consultation, it's a contact and
48 information distribution.

49
50 MS. KENNER: Noted.

1 CHAIRMAN SIMEONOFF: Other questions,
2 comments?
3
4 (No comments)
5
6 CHAIRMAN SIMEONOFF: There are no
7 further comments or questions from -- thank you, Steve
8 and Pippa.
9
10 MR. FRIED: Well, actually we'd kind of
11 appreciate it if maybe the Council would make a
12 recommendation on at least the project -- the two
13 projects in your areas to whether or not you support
14 them or.....
15
16 MS. KENNER: Through a motion.
17
18 MR. FRIED:you know, through a
19 motion, yeah.
20
21 MR. HOLMES: Mr. Chair.
22
23 CHAIRMAN SIMEONOFF: Pat.
24
25 MR. HOLMES: I'd like to move that we
26 support the -- get the right numbers here, the two
27 projects for Kodiak, 14-450 and -- or 12 -- 12-450 and
28 12-453.
29
30 MR. CRATTY: Second.
31
32 CHAIRMAN SIMEONOFF: Moved and
33 seconded. Any discussion. Rick.
34
35 MR. ROWLAND: Related to the motion of
36 approving the proposal that's before us, I'd like to
37 note that there is error in the consultation that is
38 being stated that Sun'aq Tribe of Kodiak was consulted
39 and.....
40
41 CHAIRMAN SIMEONOFF: They're listed.
42
43 MR. ROWLAND:it's -- I know, but
44 it's saying that -- it says after consultation with
45 staff and then it says and the Sun'aq Tribe of Kodiak.
46 We were contacted, but not consulted. Does that make
47 sense?
48
49 (No comments)
50

1 MR. ROWLAND: Yeah, that's my comment.
2
3 CHAIRMAN SIMEONOFF: Okay. Any further
4 discussion.
5
6 (No comments)
7
8 CHAIRMAN SIMEONOFF: Hearing no further
9 discussion is there any objection to the motion?
10
11 (No comments)
12
13 CHAIRMAN SIMEONOFF: Hearing none, then
14 the motion passed.
15
16 With that we'll take a 10 minute break.
17
18 (Off record)
19
20 (On record)
21
22 CHAIRMAN SIMEONOFF: Lunch will be
23 right at noon so if we're going to either walk over or
24 start shuttling people over we need to break by at
25 least 10 to.
26
27 And I see we have someone new in the
28 group. We have someone new back here at.....
29
30 MS. PETERSON: Chris Peterson, Wildlife
31 Biologist for Izembek National Wildlife Refuge.
32
33 CHAIRMAN SIMEONOFF: Welcome. And --
34 okay. Next item on our agenda is review and
35 recommendation for wildlife proposals. And the
36 proposals -- where do they start.
37
38 MR. HOLMES: Page 26.
39
40 CHAIRMAN SIMEONOFF: Page 26. The
41 first one would be WP12-01. You going through the
42 proposal, Pippa?
43
44 MS. KENNER: Yes, this is Pippa Kenner.
45 Mr. Chair. I'm going to be presenting the analysis for
46 Proposal 12-01 which is the first, I think.
47
48 CHAIRMAN SIMEONOFF: Okay. Be advised
49 we're going to stop everything about 10 to so that we
50 -- people that are going to walk over to the lodge or

1 get a ride. So.....

2

3 MS. KENNER: Thank you.

4

5 CHAIRMAN SIMEONOFF:you can go

6 ahead with WP-01.

7

8 MS. KENNER: Good morning, members of

9 the Council. My name is Pippa Kenner, I'm with the

10 Office of Subsistence Management.

11

12 And Proposal WP12-01 submitted by the
13 Brown Bear Claw Handicraft Working Group requests that
14 prior to selling the handicraft incorporating a bear
15 claw, a brown bear claw, the hide or a claw not
16 attached to a hide must be sealed by an authorized
17 Alaska Department of Fish and Game representative and
18 that a copy of the Fish and Game sealing certification
19 accompany the handicraft when sold. So not only would
20 the brown bear fur be sealed, but a claw -- but the --
21 that sealing certificate would follow the claws if they
22 were removed from the hide.

23

24 The working group's proposal, WP12-01
25 which is -- begins on Page 28 of your Council books, is
26 a response to Proposal WP-08-05 which is -- begins on
27 Page 44 of your Council book and it was submitted by
28 the Alaska Department of Fish and Game to the Federal
29 Subsistence Board in 2008. And I'll explain what that
30 proposal was a little bit more.

31

32 But first a little background.
33 Generally the State does not allow the sale of any part
34 of a bear except the fur. In contrast, the Federal
35 Wildlife regulations have allowed the sale of
36 handicrafts made from brown bear claws since 2004 in
37 some wildlife management units in the Eastern Interior,
38 Bristol Bay and Southeast regions of the State. In
39 response to this in 2008 the State requested through
40 this proposal, WP-08-05 in 2008 that the sale of brown
41 bear handicrafts made of claws, bones, teeth, sinew or
42 skulls should occur only between Federally-qualified
43 subsistence users. The Federal Subsistence Board
44 deferred this proposal, the State's proposal twice,
45 once in 2008 and again in 2010 and a working groups was
46 formed. The Federal Subsistence Board tasked the group
47 to develop and recommend to the Board a method of
48 tracking brown bear claws made into handicrafts for
49 sale. And I think your representative on the working
50 group was Sam -- was a member who unfortunately isn't

1 here today, it was Sam Rohrer. The purpose of tracking
2 brown bear claw handicrafts was to identify to law
3 enforcement the claws from brown bear harvested under
4 Federal wildlife regulations. Only claws taken from
5 brown bears harvested under Federal regulations, season
6 and harvest limits can legally be sold according to the
7 State. The working group was made up of
8 representatives from all interested subsistence
9 Regional Advisory Councils and State and Federal staff.
10 The working group is recommending that the Board oppose
11 the State's original proposal, WP-08-05 which it's
12 deferred twice and adopt this proposal instead. And
13 again this proposal says prior to selling a handicraft
14 incorporating a brown bear claw, the hide or claw not
15 attached to a hide, must be sealed by an authorized
16 Alaska Department of Fish and Game representative and
17 that a copy of the sealing certificate accompany the
18 handicraft when sold.

19
20 The proposal fixes two problems that
21 the working group identified. First in some management
22 units in the State of Alaska, brown bear harvested for
23 subsistence do not need to be sealed. There is no
24 documentation then that the brown bear was harvested
25 legally under Federal subsistence regulations. And
26 there's no documentation that it is legal for a person
27 to sell that handicraft made from the claws. These
28 units where sealing or different provisions for sealing
29 exist are on Page 29 of your Council book under the
30 heading extent of Federal public lands, they are in
31 Units 1 through 5, 9A through C, Unit 12, 17, 20, 23,
32 parts of 24B, 25 and 26. In all other units in the
33 State you need to get your -- a brown bear that you've
34 harvested sealed. So this regulation specifically is
35 going to address the harvesting of brown bear in these
36 units where sealing is not required. The proposal
37 requires that a brown bear harvested anywhere be
38 sealed, even in the units excluded from sealing
39 requirements if the claws are going to be made into
40 handicrafts. So if you're in one of these units where
41 you don't have to get a subsistence harvested brown
42 bear sealed, if you want to use those claws in a
43 handicraft you need to get it sealed and that sealing
44 certificate, a copy of it, needs to follow that
45 handicraft to show that it's a legal harvested bear
46 under Federal subsistence regulations. And that will
47 be documented in that sealing record.

48
49 The second problem that the working
50 group recognized was that the claws of a sealed brown

1 bear harvested under Federal subsistence regulations
2 needed to be identified and therefore a copy of the
3 sealing paperwork must stay with the claws.

4
5 In summary the intent of the proposal
6 is to protect subsistence users who incorporate brown
7 bear claws into handicrafts for sale by providing proof
8 that the claws are from brown bears that are harvested
9 by Federally-qualified subsistence users using Federal
10 regulations. Having proof that the claws are from
11 subsistence harvested brown bears would clearly
12 identify that the claws are from a legally harvested
13 brown bear and requiring that a copy of the sealing
14 certificate accompany the handicraft would provide a
15 method of tracking legally harvested brown bear claws.
16 The Board has consistently rejected, that's the Federal
17 Subsistence Board has consistently rejected attempts to
18 remove brown bear claws as a legal item with which
19 Federally-qualified users can make handicrafts for
20 sale. Retaining use of claws in handicrafts for sales
21 is consistent with previous Board action and is not
22 expected to significantly increase harvest as described
23 in some of these previous analyses describing this
24 proposed regulation change.

25
26 So the OSM preliminary conclusion is to
27 support the working group's proposal, WP12-01.

28
29 Mr. Chair. That's the end of my
30 presentation. Thank you very much.

31
32 CHAIRMAN SIMEONOFF: Thank you, Pippa.
33 I have one question. This bear sealing, if we're going
34 to use that bear claws, that piece of paper has to
35 follow each individual bear claw?

36
37 MS. KENNER: Correct.

38
39 CHAIRMAN SIMEONOFF: So you -- does --
40 isn't there a number of something that you can put on
41 there besides the piece of paper that has to follow
42 that bear claw wherever it goes.

43
44 MS. KENNER: Yeah, I understand what
45 you're saying. Mr. Chair. I wasn't present at all of
46 these working group meetings, but I was present in one
47 and I have tried to keep up with what's going on. And
48 I think this point was discussed quite a bit by the
49 members of the working group and it was decided that in
50 the regulation itself these suggestion of how to track

1 the claw wouldn't be in there, that the regulation
2 would say that the sealing record would accompany the
3 handicraft that incorporates the claws. However it was
4 recognized that in the future and particularly because
5 of technology, other and more efficient method may be
6 developed for tracking this handicraft. It could be as
7 simple as putting a sticker on the handicraft or there
8 are other magnetic tatoos that can be put into it. And
9 because a really good method didn't come up during
10 these discussions that everybody agreed with, the
11 default was that at a minimum that certificate should
12 travel with the handicraft.

13

14 CHAIRMAN SIMEONOFF: Questions?

15

16 (No comments)

17

18 CHAIRMAN SIMEONOFF: Now this -- is
19 this proposal for -- is it area specific or is it
20 statewide?

21

22 MS. KENNER: It's statewide, but it
23 will only affect -- Mr. Chair. This is Pippa Kenner
24 again. It's statewide, but it will only affect people
25 who -- bears that are harvested in areas where sealing
26 isn't already required. There are quite a few
27 regulations, unit specific regulations, regarding what
28 can and cannot be sold from a Federally -- from a brown
29 bear harvested under Federal regulations. And I
30 believe they are in an appendix, for instance, in Table
31 1. So there will be units where this regulation may
32 not apply because in that unit the Council has decided
33 they don't want selling bear claws to be legal, brown
34 bear claws to be legal.

35

36 MR. CRATTY: Mr. Chair.

37

38 CHAIRMAN SIMEONOFF: Al.

39

40 MR. CRATTY: Yeah, Al here. I have a
41 statement to that. I think -- you know, we're -- I
42 know that the Council here, the Kodiak/Aleutians, was
43 against this the whole time, but you're going to open
44 this door for other people to do it. It makes me think
45 that we should have the opportunity also. If there's
46 going to be sealing involved and stuff as a way to
47 protect, you don't have you -- guys taking illegal
48 bears. I'm still kind of against this, but I see
49 you're going to do it, I mean, what's good for one
50 person -- another native is good for another native.

1 That's the way I'm looking at it here. But I just
2 wanted to state my comment.

3

4 Thank you.

5

6 CHAIRMAN SIMEONOFF: Thank you, Al.
7 Rowland.

8

9 MR. ROWLAND: Thank you. Mr. Chair.
10 Rick Rowland. Along the lines of what Al's saying is
11 that I can't eat the claws, but I know that there are
12 individuals that utilize this for economic purposes, to
13 buy bullets. But like I mentioned at the
14 teleconference there should be consistency in whether a
15 claw statewide could be used not just specific region.
16 That creates chaos. So I can't support this.

17

18 CHAIRMAN SIMEONOFF: Pat.

19

20 MR. HOLMES: Mr. Chair. As a -- I
21 guess a matter of history, you and I and Al have been
22 on here since this whole topic came up and Rick as
23 well. And in our region, you know, talking to the
24 oldtimers and I think particularly a fellow that would
25 come in and mentor me, Larry MacFay and oh, heck,
26 there's a whole bunch of folks that have died, we opted
27 as a Council previously when this came up not to
28 support the sale of handicrafts made from the skin,
29 hide, pelt, fur, claws of brown bears because it showed
30 a lack of respect for the bears. And that in a
31 traditional way other than using something for
32 yourself, those things weren't sold, they weren't
33 exchanged for ammunition and -- or anything like that.
34 And so we decided well, if another area in the State
35 had done that like the Gwich'in or the Denai (ph)
36 people, fine, let them do it, but that there needed to
37 be some strong ways of regulating it to make sure it
38 wasn't abused. Because the problem with using these
39 parts is there are some parts of the State where these
40 animals have been killed and that there's tons of cases
41 where people have been busted for it, whites as well as
42 -- because it isn't just a tribal thing, for killing
43 bears just for their parts or their gallbladders. And
44 I recall a case not too many years ago on Montague
45 Island where some Koreans that weren't even State
46 residents or Alaska residents blew away a whole bunch
47 of black bears for claws and teeth and gallbladders and
48 penises and scrotums.

49

50 And, you know, it just opens up a big

1 can of worms. I don't have a problem with people that
2 have a customary and traditional use for this, but I
3 think that if anything this proposal is too weak. And
4 as Pippa mentioned there are other ways of tagging and
5 marking them, I think this is an initial place and a
6 good place to start. There are things like microwear
7 tags that have been used for tagging fish for what,
8 Steve, 15, 20 years. And all you got to do is go
9 (indiscernible - stapling noise) and there's a little
10 thing in there and you wave a wand over it, okay, this
11 is okay. I see this of having a copy of the
12 certificate in my mind as all you need is a xerox
13 machine and you can go out and shoot as many bears as
14 you want, you know. You get one tagged and boy you got
15 that thing and you just make sure that you don't sell a
16 necklace at the same store, you know, you do one here,
17 you do one there, you go down to Juneau, move a few,
18 you go to Princess Tours and that would just put you up
19 for life for whacking bears.

20

21 And, you know, in our communities in
22 Kodiak and the Aleutians or particularly the peninsula,
23 not the Aleutians because there's no bears, you know,
24 when a bear is taken it's either defending yourself,
25 shooting them in the fall for fat or starvation food or
26 for some really special things. And I can recall down
27 at Old Harbor some young buck when they had the State
28 subsistence bear thing, somebody went out and shot a
29 great big, old, ugly bear and it seemed to me, Larry
30 told me about it, that that person got quite a bit of
31 gas because it was not one worthy of eating. And it
32 was just a young man going out and making his stones
33 killing a bear.

34

35 And so I just don't think in our region
36 that that's a traditional use and I will -- I'll
37 support this motion because -- as the first place to
38 start, but I feel it's totally inadequate.

39

40 Thank you, Mr. Chair.

41

42 CHAIRMAN SIMEONOFF: Thank you, Pat.

43

44 MR. KOSO: Mr. Chair.

45

46 CHAIRMAN SIMEONOFF: Rick.

47

48 MR. KOSO: Yeah, I don't know if I
49 could support this motion right now. I mean, we don't
50 have in our region on the peninsula that I know of any

1 customary killings of bears just for chow, especially
2 the brown bear. So I don't know if I could support it.
3 I see what you're trying to do right now because the
4 people that go out and get the permits to hunt bear
5 already got the permits and stuff to do it and they're
6 already registered and signed off. But as a
7 subsistence user I don't know of anybody at least in
8 this region that hunts bear for subsistence use. So I
9 don't know if you're just keying onto subsistence users
10 and if it become a profitable business then you're
11 going to get people in this region that's going to go
12 out and shoot them for profit. And to monitor, I just
13 don't see how you're going to do that. So I would have
14 to be against this proposal.

15

16 Thank you.

17

18 CHAIRMAN SIMEONOFF: Yeah. That -- you
19 know, I -- it's very difficult for me to be unbiased
20 about a proposal like this because, you know, there's
21 -- in my village there's such a tremendous amount of
22 respect for the animals, you know, our history, our
23 legends, our myths, you know, they -- the bear hunter
24 and the whale hunters were people who were very highly
25 respected and sometimes even feared. You know, hunting
26 of bear and hunting of whale is no easy task for one
27 person to do out of one paddle kayak. And going out
28 there with a bow and arrow to kill a 10 foot brown bear
29 and then turn around and take his parts and use them
30 for a handcraft or sell them to another person is total
31 disrespect. You know, other regions might not see it
32 that way, but in my village, you know, those people
33 that hunted those animals they -- when they got a bear
34 they let people know that -- the heads of households
35 know, but it was almost like a secretive event. I
36 remember when I was a kid I was allowed to go see a
37 bear that was harvested by a bear hunter and my mom
38 said, you know, be quiet, be gentle, you know. And
39 that -- I was wondering about that because here I am
40 standing in front of a dead animal that when I first
41 saw it I thought whoa, they killed somebody, we're
42 going to eat it. You know, that frightened me. But
43 this is -- this is bear meat, this is our food. And it
44 slowly sunk into my mind that wow, these bear hunters
45 are people that should be respected and if they tell
46 you something by god you listen.

47

48 And I cannot support this proposal.

49

50 CHAIRMAN SIMEONOFF: Mr. Chair.

1 CHAIRMAN SIMEONOFF: Pat.
2
3 MR. HOLMES: Mitch, is that because you
4 don't think it's a strong enough proposal or just
5 because it doesn't relate to our area?
6
7 CHAIRMAN SIMEONOFF: Well, it -- it's
8 because it's using a bear for arts and crafts is not
9 part of my tradition, it's not part of the way I was
10 brought up, it's not part of the way I was taught that
11 use -- any amount of disrespect for the animal, you
12 know, should not be supported.
13
14 MR. HOLMES: Mr. Chair. Thanks a lot.
15 I appreciate your passionate discussion on that. It
16 changes the way I look at it. Instead of looking at it
17 as a biologist and a way to control things in other
18 areas, I think I'll have to go along with you and Rick
19 just reject the whole concept.
20
21 Thank you.
22
23 CHAIRMAN SIMEONOFF: Any other
24 questions, comments?
25
26 (No comments)
27
28 CHAIRMAN SIMEONOFF: There are none.
29 Pippa.
30
31 MS. KENNER: Thank you, Mr. Chair.
32
33 CHAIRMAN SIMEONOFF: Thank you. It's
34 about time for our journey over to the lunchroom. So
35 we'll recess until 1:00 o'clock. Be here promptly at
36 1:00. I think we have someone from the school coming
37 down from Kodiak.
38
39 MS. TRUMBLE: Mr. Chair.
40
41 CHAIRMAN SIMEONOFF: Yes, Della.
42
43 MS. TRUMBLE: If I can get ahold --
44 I've had a couple people call me that the email I sent
45 with the -- to access the information in regards to the
46 caribou and wolf on the proposals are not able to
47 access that. Can -- is it -- send me another email
48 possibly that I can get that information so I can shoot
49 it back off to people?
50

1 CHAIRMAN SIMEONOFF: Okay. I'll have
2 Cole send you another email on that.
3
4 MS. TRUMBLE: Okay. Thanks.
5
6 MS. BROWN: Mr. Chair.
7
8 CHAIRMAN SIMEONOFF: Yes.
9
10 MS. BROWN: I just want to make sure
11 that the Council knows that we need to take action on
12 that WP12-01.
13
14 CHAIRMAN SIMEONOFF: Okay. We can do
15 it right now.
16
17 MS. BROWN: Yeah, so if we want to do
18 that now.
19
20 CHAIRMAN SIMEONOFF: So a motion would
21 be in order.
22
23 MS. KENNER: Testimony from others.
24
25 MS. BROWN: Yeah, so we need to go
26 through the process if we want to wrap that up or we
27 can do that immediately upon our return from lunch,
28 whichever you.....
29
30 CHAIRMAN SIMEONOFF: I'm sorry, I can't
31 hear.
32
33 MS. BROWN: We can either go through
34 the process of hearing from other -- you know, where
35 your card says the other individuals and then take a
36 vote or we can come and do that immediately upon our
37 return from lunch. I just want to make sure, it's an
38 action item.
39
40 CHAIRMAN SIMEONOFF: Okay. We'll do it
41 right on our return because.....
42
43 MS. BROWN: Okay.
44
45 CHAIRMAN SIMEONOFF:there's a
46 list of people we need to hear from.
47
48 MS. KENNER: Around your 1:00 o'clock
49 time certain presentation.
50

1 CHAIRMAN SIMEONOFF: Yeah.
2
3 MS. BROWN: Okay. Thank you.
4
5 CHAIRMAN SIMEONOFF: Sorry about that.
6 So we'll just pick up where we left off right after
7 lunch.
8
9 (Off record)
10
11 (On record)
12
13 CHAIRMAN SIMEONOFF: Okay. It seems we
14 have a quorum now so we can call the meeting back to
15 order and we'll go ahead and pick up where we left off
16 at WP12-01. We did the introduction of the proposal.
17
18 Recommendations and comments from
19 Department of Fish and Game?
20
21 MS. YUHAS: Thank you. Mr. Chairman
22 and members of the Council. For the record my name is
23 Jennifer Yuhas and I'm with the Alaska Department of
24 Fish and Game.
25
26 The department supports Proposal 12-01
27 in lieu of our original Proposal 10-01 which the
28 comments are listed as 10-02 is the way they're printed
29 which is a mistake in the packet here. But we
30 originally proposed a similar proposal in '08, after
31 participation with the Bear Handicrafts Working Group
32 and consensus building in which you always lose
33 something when you do consensus building, but we're
34 prepared to support the working group proposal which is
35 the 12-01.
36
37 We're intending ask the Federal
38 Subsistence Board for permission to withdraw our
39 original proposal so that they won't have to discuss it
40 at the January meeting. So we're supporting this in
41 lieu of our original proposal.
42
43 *****
44 STATE OFFICIAL WRITTEN COMMENTS
45 *****
46
47 Alaska Department of Fish and Game
48 Comments to the Regional Advisory Council
49
50 Wildlife Proposal WP12-01: Develop a

1 tracking program for federal subsistence harvested bear
2 claws that are made into in to handicrafts for sale by
3 federally qualified users.

4

5 Introduction:

6

7 This proposal was a consensus outcome
8 of the Brown Bear claw handicraft working group. The
9 proposal requests all federal subsistence harvested
10 brown bear claws, which are incorporated into
11 handicrafts for sale, be tracked through use of the
12 current department brown bear sealing program. If
13 adopted, federal subsistence users who intend on
14 selling brown bear claws incorporated into handicrafts
15 will be required to have the bear hide sealed by the
16 department. If adopted, a copy of the bear sealing
17 document will be required to accompany the bear claw
18 handicrafts when sold.

19

20 Sales of handicrafts made from brown
21 bear claws, teeth, skulls, and bones present a
22 particular problem, because these are potentially high
23 value items, and allowing sales creates market
24 incentives for illegal harvest in Alaska and other
25 states. Adoption of this proposal will protect federal
26 subsistence craftsmen and their clients by providing
27 proof and a means of documenting their handicrafts were
28 legally taken, legal to sale by federally qualified
29 users only, and are legal to own by any customer.
30 Additionally, if this proposal is adopted, the
31 customers who purchase brown bear claw handicrafts from
32 federally qualified users will have the security of
33 written proof certifying the handicraft came from a
34 legally harvested Alaskan brown bear, legally
35 authorized harvester, and legally authorized artisan.

36

37 Changing federal regulation to provide
38 documents which support the legal sales of federal
39 subsistence harvested brown bear claw handicrafts
40 should help eliminate illegal commercial markets and
41 the masking of illegal sales in Alaska and elsewhere.

42

43 Impact on Subsistence Users:

44

45 The Federal Subsistence Board's current
46 allowance of brown bear handicraft sales was not based
47 upon a determination that such sales are customary and
48 traditional but instead upon the Board's unsupported
49 argument that the Board can authorize any use if the
50 take is customary and traditional (see e.g., January 2,

1 2006, letter from Chairman Demientieff to Commissioner
2 Campbell). Therefore, adoption of this proposal will
3 not impact customary and traditional subsistence
4 activities.

5
6 Adoption of this proposal will not
7 interfere with continuing to allow federally qualified
8 subsistence users to obtain such handicrafts for
9 ceremonial, religious, and cultural purposes.

10
11 If adopted, federally qualified
12 subsistence users who plan on selling handicrafts made
13 from legally harvested brown bear claws will be
14 required to have the hide sealed by the department,
15 retain copies of the sealing certificate, and provide
16 copies of the certificate to customers.

17
18 Opportunity Provided by State:

19
20 Under 5 AAC 92.200, handicrafts made
21 with bear fur may be sold to anyone, but sales of
22 handicrafts made with claws, skulls, teeth, and bones
23 are prohibited. Whole bear skins, with claws attached,
24 taken in certain predator control areas may be sold
25 under 5 AAC 92.031, but only after sealing and under
26 terms of a permit issued for that bear skin.

27
28 Conservation Issues:

29
30 The Federal Subsistence Board created a
31 new market for bear claws and other high value bear
32 parts which could readily mask illegal sales, thereby
33 compounding problems with the international trade of
34 Endangered Species and contributing to the illegal
35 harvest, overharvest, and waste of bears in other
36 states and countries, as well as Alaska. Markets for
37 high value bear handicrafts create a conservation
38 concern because brown bears are protected under the
39 Endangered Species Act in other states and Mexico, and
40 the origin of brown bear products cannot be determined
41 by visual inspection. Brown bears are also listed on
42 Appendix II of the Convention International Trade of
43 Endangered Species (CITES).

44
45 In Alaska, economic incentives
46 associated with harvesting brown bears to make
47 handicrafts create conservation concerns because brown
48 bears develop slowly and have a low reproductive rate,
49 making small populations extremely susceptible to
50 overharvest. Allowing widespread sale of high value

1 bear parts without any kind of tracking mechanism is an
2 invitation to illegal harvests. Further, the existing
3 regulations are unenforceable and inconsistent with
4 sound wildlife management principles.

5

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Enforcement Issues:

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Jurisdiction Issues:

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Other Comments:

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1 Recommendation: Support.

2

3 CHAIRMAN SIMEONOFF: Say that again,
4 please, just a little louder.

5

6 MS. YUHAS: The department is
7 supporting 12-01 in lieu of our original proposal after
8 participation in the Bear Handicrafts Working Group.
9 So you have 12-01 before you as a product of the
10 Handicrafts Working Group. Because we originally
11 brought the first proposal in '08, we're hoping to ask
12 the Federal Subsistence Board for permission to
13 withdraw our original proposal.

14

15 MR. HOLMES: Mr. Chair.

16

17 CHAIRMAN SIMEONOFF: Pat.

18

19 MR. HOLMES: Jennifer, I think -- at
20 least the feeling I have is that, you know, our Council
21 is pretty much conceptually against the whole concept
22 of handicrafts. And I don't know -- I'm torn on one
23 side as a biologist to say that, you know, any step
24 forward on controls will help the bears and that it
25 would, you know, hopefully try to prevent some of the
26 abuse. And on the other hand my emotional side is 100
27 percent along with Mitch in that, you know, I feel like
28 we almost shouldn't have to talk about it because it's
29 such a stupid thing. And so I just don't know which
30 way to go on a vote because, you know, our area's
31 exempt from this because we opted out beforehand. But
32 what would give the agencies the best support in trying
33 to address the potential problems of abuse?

34

35 MS. YUHAS: Thank you. Pat, through
36 the Chair. A lot of discussion went into this at the
37 Handicrafts Working Group. And so reading the
38 transcripts from that might provide a better insight
39 for you, but they discussed pretty thoroughly the
40 abuses versus the need for opportunity and how to place
41 controls on that. As I said the department lost
42 something in our original proposal as far as controls,
43 we had more set in the original proposal, but we're
44 willing to support the Bear Handicrafts Working Group
45 solutions because we heard so much testimony for need
46 for opportunity.

47

48 And some of the specifics are not
49 addressed. The Chair brought up and I think you
50 brought up as well, the certificate needing to travel

1 with the product. It may not necessarily be a piece of
2 paper by the time they're done developing the
3 specifics. So some things are not 100 percent clear as
4 far as the how they will address things, they're not
5 sure. There was testimony at the working group whether
6 it would be a sticker or a magnetic something or other,
7 but in some of these remote areas they don't have
8 access to things that might be more convenient and less
9 intrusive and there was testimony from some of the
10 artists that inscribing a number would not be
11 respectful to their craft. And so there was a lot of
12 different methods for how to mark this. If there's any
13 international travel of the handicraft, that was
14 brought up and that needs a special number as well.
15 And so there were a lot of specifics as far as how to
16 address the controls in the working group.

17
18 I think the proposal before you sets
19 out a plan for addressing them more specifically and
20 that's what's asking to be approved.

21
22 MR. HOLMES: So it's kind of a --
23 excuse me, Mr. Chair, a start of a conceptual process
24 to try to provide for control s and prevention of abuse
25 and then to allow folks in parts of the State where
26 they do traditionally had done that stuff before all of
27 our regulations came about, to give them some potential
28 way of doing it. Is that, I guess, where we're at?

29
30 MS. YUHAS: Through the Chair. Yes.
31 And the specifics were variable across the State, the
32 uses are variable and just like the specifics we
33 discussed here there may be an elder in a village who
34 wants to make a handicraft that doesn't have access --
35 they don't do the volume, they aren't making a whole
36 lot of money, they just want to make one handicraft and
37 they don't have access to some of the more modern
38 technology and we can't expect to force that on them in
39 some of these areas. So then there was the testimony
40 versus the certificate versus copies of the certificate
41 versus tear off sheets. This is really asking to
42 address the process and then the specifics would be
43 addressed later when they've written them up.....

44
45 CHAIRMAN SIMEONOFF: Thank you.

46
47 MS. YUHAS:as far as the how. We
48 would like to comment from the department that we
49 thought this was a very positive collaborative process.
50 We admit we lost something from our original proposal,

1 but we are happy to support this proposal after the
2 positive working relationships with the working group,
3 meeting several times. Larry VanDaele was one of the
4 co-chairs of this and the interagency coordination as
5 well as the user coordination was very positive with
6 this effort.

7

8

CHAIRMAN SIMEONOFF: Okay. Rick.

9

10 MR. KOSO: Yeah. Mr. Chairman. You
11 know, my question I guess is this working group that
12 you guys are working with, I'm not familiar with them
13 and I know in our region and the peninsula I don't know
14 of anybody that goes out and kills bear for subsistence
15 food use. And they have to do that if it's subsistence
16 and there's nobody here in my region that I personally
17 know of that do that and I've been here for 50, 60
18 years. So I may be, you know, stepping out of line by
19 voting against this proposal because in my region I
20 don't see it happening and I don't want to see it
21 happen in this region because of the fact we don't do
22 it and it's -- in my mind it's not traditional in our
23 area. Now maybe -- you know, it's something I don't
24 know if it is happening, but in other regions it may be
25 a different story. I mean, maybe up north or other
26 coastal villages it might be a historical thing where
27 they do eat the bear meat and they do do the crafts on
28 the -- on whatever. So maybe it needs to go into more
29 specifics of regions, areas, and persons. I don't
30 think it should be part of an area that had never done
31 it and doesn't have a history of it. I think that
32 should be omitted. But if there's history then I'm
33 certainly for it if that's what they were doing in the
34 past and it's something that could be recorded as part
35 of their history and their subsistence lifestyle.

36

37 So that would be my take on it. If it
38 was to get down to that I'd certainly be for it. I
39 just don't want to start another thing up in the
40 peninsula that's never happened before. So that would
41 be my concern.

42

43

Thank you.

44

45 MS. YUHAS: And through the Chairman.
46 This area would be exempt looking at the proposal and
47 the department's not advocating for those things that
48 you mentioned, we're just letting you know what our
49 position is after participating in the working group
50 and think that those are valid things to bring before

1 the Federal Subsistence Board for them to discuss
2 possible modifications at the January meeting.

3
4 CHAIRMAN SIMEONOFF: Any other Board
5 comments?

6
7 MR. HOLMES: Well, I'm.....

8
9 CHAIRMAN SIMEONOFF: Pat.

10
11 MR. HOLMES:like I said I'm
12 trying to think out loud and, of course, not tell a big
13 story. But I'm wondering if we -- maybe we might want
14 to address this like we have in the past with a strong
15 statement against the concept of handicraft from bear
16 parts, but perhaps with a blessing for the process in
17 other areas with a concern that they find ways to maybe
18 even tighten it up further. And then we're not
19 scuttling folks in, you know, other places that have
20 done this in the historical times.

21
22 MS. TRUMBLE: Mr. Chair.

23
24 CHAIRMAN SIMEONOFF: Yes. Is that
25 Della?

26
27 MS. TRUMBLE: Yeah, this is Della. I'm
28 having a hard time hearing the lady as she was
29 speaking. Does the State have any sort of -- something
30 in place in regard to this?

31
32 CHAIRMAN SIMEONOFF: Would you like her
33 to restate the.....

34
35 MS. YUHAS: Yes, please.

36
37 CHAIRMAN SIMEONOFF: Repeat your
38 question please, Della.

39
40 MS. TRUMBLE: My question was is does
41 the State have something in place in regard to this.

42
43 CHAIRMAN SIMEONOFF: Does the State
44 already have something in place?

45
46 MS. YUHAS: Not yet. That was why we
47 participated in the working group.

48
49 CHAIRMAN SIMEONOFF: Okay. Did you
50 hear that, Della?

1 MS. TRUMBLE: The reason I bring this
2 up -- yes, I did hear that. The reason I bring this up
3 is because the State did increase the ability to take
4 bear by permit because of the problems that we're
5 having in a lot of the communities with the amount of
6 the bears that are around. I don't know how many of
7 you have seen it, but it is in place at this time and
8 that's one of the reasons why I asked that question.

9
10 MS. YUHAS: When there's an
11 abundance.....

12
13 CHAIRMAN SIMEONOFF: Okay. Yeah.

14
15 MS. YUHAS:there'll be more
16 permits, Mr. Chairman, and when there's not an
17 abundance there'll be fewer permits.

18
19 CHAIRMAN SIMEONOFF: Rowland.

20
21 MR. ROWLAND: Thank you. Mr. Chair.
22 Rick Rowland. My question is there are polar bear
23 claws that are used for art work and they're sold and
24 they're similar -- polar bear claws that are similar to
25 the brown bear claws. Now how do the polar bear claws
26 get to be sold and the brown bear claws don't get to be
27 sold, why is that?

28
29 MS. YUHAS: Through the Chair. Mr.
30 Rowland. I can't speak to the polar bear issue,
31 they're a marine mammal.....

32
33 MS. TRUMBLE: Marine mammal.

34
35 MS. YUHAS:and I did not
36 participate in the very beginnings of the working
37 group. This group was only formed to address brown
38 bear handicrafts.

39
40 MR. ROWLAND: Yeah, I understand that.
41 And thanks for the clarification. And I still don't
42 support this.

43
44 CHAIRMAN SIMEONOFF: Okay. Any other
45 questions, comments?

46
47 (No comments)

48
49 CHAIRMAN SIMEONOFF: None. Thank you.

50

1 MS. YUHAS: Thank you, Mr. Chairman.
2
3 CHAIRMAN SIMEONOFF: Federal agencies.
4
5 (No comments)
6
7 CHAIRMAN SIMEONOFF: None. Native
8 tribal, village.
9
10 MR. BERG: Mr. Chair. This is Jerry
11 Berg.
12
13 CHAIRMAN SIMEONOFF: Yes, Jerry, go
14 ahead.
15
16 MR. BERG: Yeah, thank you. Mr. Chair.
17 I just wanted to bring to the Council's attention the
18 input that we did receive during the tribal
19 consultation process. We only received one comment
20 regarding this proposal and that was from Rick as part
21 of his representation for the Sun'aq Tribe of Kodiak.
22 And, you know, go ahead and correct me if you want to
23 clarify, Rick, but what we recorded during that
24 teleconference was that he would like to see more
25 consistency between the different programs on how items
26 are used for handicrafts made from the various animals.
27 And then if a regulation is put into place it needs to
28 be easily understood by the users so that they know
29 what is legal for them to do.
30
31 Well, that was the input we got and
32 that's the only input that we got on this proposal
33 through the tribal consultation and the two ANCSA
34 corporation consultation teleconferences we held.
35
36 Thank you, Mr. Chair.
37
38 CHAIRMAN SIMEONOFF: Thank you, Jerry.
39 InterAgency Staff Committee comments.
40
41 (No comments)
42
43 CHAIRMAN SIMEONOFF: None. Advisory
44 group comments.
45
46 (No comments)
47
48 CHAIRMAN SIMEONOFF: I think we pretty
49 much made our comments, didn't we.
50

1 MR. KOSO: Mr. Chair. Do we need to
2 vote on that?
3
4 CHAIRMAN SIMEONOFF: Pretty soon.
5
6 MR. KOSO: Okay. National Park
7 Service.
8
9 (No comments)
10
11 CHAIRMAN SIMEONOFF: None. Written
12 comments.
13
14 MS. BROWN: There are none.
15
16 CHAIRMAN SIMEONOFF: No public
17 testimony.
18
19 (No comments)
20
21 CHAIRMAN SIMEONOFF: Okay.
22 Recommendations from the Regional Council. This is
23 where you make your motion.
24
25 MR. HOLMES: I'll give it a shot.
26
27 CHAIRMAN SIMEONOFF: Pat.
28
29 MR. HOLMES: I'll give it a shot,
30 Mitch. And then if the majority isn't in agreement
31 then they can amend or take part of this out. So I
32 guess the first point would be is in terms of the
33 concept of the utilization of brown bear parts for
34 handicraft that the Kodiak/Aleutians RAC is strongly
35 against that entire concept. And then here comes part
36 B. We, at least I, recognize that there needs to be
37 some -- because of this there needs to be controls on
38 how to regulate and -- in a reasonable way how to
39 regulate and make sure there's no abuse. And then part
40 C would be in our region -- I don't know, that we would
41 basically abstain and then you folks can do what you
42 want, abstain for commenting in other regions as to the
43 merit of this proposal. And then if somebody feels
44 strong that it should be -- no, take out that last C.
45 I -- I'll just make it and then you can make it go
46 away.
47
48 I'd to move that the -- that we endorse
49 this concept because it's a first step forward for
50 controlling of over exploitation of bears. And then

1 you can tear it apart.
2
3 So that would be my motion, Mr. Chair.
4
5 CHAIRMAN SIMEONOFF: Okay. Do I hear a
6 second?
7
8 MR. CRATTY: Second.
9
10 CHAIRMAN SIMEONOFF: Moved and
11 seconded. Discussion.
12
13 MR. ROWLAND: Mr. Chair.
14
15 CHAIRMAN SIMEONOFF: Mr. Rowland.
16
17 MR. ROWLAND: That was a lot of motion.
18
19 CHAIRMAN SIMEONOFF: Well, he's
20 shortened it.
21
22 MR. HOLMES: Well, you can vote the
23 whole thing down and put up your own, you know.
24
25 CHAIRMAN SIMEONOFF: Yeah. If you'd
26 like I'll have him restate it. Restate that motion,
27 please.
28
29 MR. HOLMES: Okay. Basically the KRAC
30 -- should have written it down, the KRAC is against the
31 concept of use of bear parts for handicrafts. And we
32 recognize the utilization of these for handicrafts in
33 other areas, I'm sorry I'm not getting it back, but
34 that's drifts here, and that we -- but we do
35 endorse the concept of this proposal as a first step to
36 regulate the use of these products and prevent over
37 exploitation of bears.
38
39 CHAIRMAN SIMEONOFF: Make sense?
40
41 MR. ROWLAND: I understand the motion.
42
43 CHAIRMAN SIMEONOFF: Okay. Any further
44 discussion. Mr. Rowland.
45
46 MR. ROWLAND: Yeah. I'd like to point
47 out that this is -- yes, Rick Rowland. I'd like to
48 point out that this is not about bear parts as
49 handicraft, it's about -- regarding the sale of
50 handicrafts made from bear parts. And so there's --

1 that's not even in the motion and it should be in the
2 motion because that's what this is all representative
3 of is that the sale of handicrafts made from bear
4 parts.

5
6 MR. KOSO: Brown bear parts.

7
8 MR. ROWLAND: Brown bear parts.

9
10 CHAIRMAN SIMEONOFF: Yeah. I guess
11 through.....

12
13 MR. HOLMES: Yeah, I'll accept that as
14 a friendly amendment to insert.....

15
16 CHAIRMAN SIMEONOFF:I guess
17 this.....

18
19 MR. HOLMES:for the sale. Is
20 that okay?

21
22 CHAIRMAN SIMEONOFF: I think to really
23 simplify it you could just move to support or what do
24 you call it.....

25
26 MS. BROWN: Oppose.

27
28 CHAIRMAN SIMEONOFF: Get.....

29
30 MR. HOLMES: Okay.

31
32 CHAIRMAN SIMEONOFF:get the
33 proposal in a motion. Whether we support or not
34 support is irrelevant at this point, but when we get
35 into discussing the final part of the motion you can
36 vote it up or down.

37
38 MR. HOLMES: Okay. I guess to get it
39 on the table, I move that we support the proposal WP12-
40 01.

41
42 CHAIRMAN SIMEONOFF: There you go.

43
44 MR. HOLMES: A lot better.

45
46 CHAIRMAN SIMEONOFF: Do I hear a
47 second.

48
49 MR. KOSO: Mr. Chair. I'm a little
50 confused here. I heard all of us vote against that

1 proposal a little while ago.....
2
3 CHAIRMAN SIMEONOFF: Yeah.
4
5 MR. KOSO:and now I'm hearing him
6 put it on the thing to vote on for it.
7
8 CHAIRMAN SIMEONOFF: No.
9
10 MR. KOSO: I'm a little confused as
11 to.....
12
13 CHAIRMAN SIMEONOFF: The motion is to
14 get it on the table and have our discussion and at the
15 end of that we can vote it up or down.
16
17 MR. KOSO: Understood.
18
19 MR. HOLMES: And then if you vote it
20 down we're just done with it.
21
22 CHAIRMAN SIMEONOFF: Yeah. We're back.
23
24 MR. KOSO: Second the motion.
25
26 CHAIRMAN SIMEONOFF: Okay. Moved and
27 seconded. Discussion.
28
29 (No comments)
30
31 CHAIRMAN SIMEONOFF: Hearing no
32 discussion, is there any objection to the motion? I
33 think I would -- instead of going for objection I'll
34 ask for a roll call vote. May I have a roll call vote,
35 Pat, or we can have our coordinator do that.
36
37 MS. BROWN: Okay. For the roll call
38 vote in support of WP12-01. Member Cratty.
39
40 MR. CRATTY: No, I don't support.
41
42 MS. BROWN: Member Koso.
43
44 MR. KOSO: No.
45
46 MS. BROWN: Member Rowland.
47
48 MR. ROWLAND: No.
49
50 MS. BROWN: Chair Simeonoff.

1 CHAIRMAN SIMEONOFF: No.
2
3 MS. BROWN: Member Holmes.
4
5 MR. HOLMES: Yes. But not that I'm
6 (indiscernible - away from microphone) the Council at
7 all.
8
9 MS. BROWN: Member Shelikoff.
10
11 MR. SHELIKOFF: For now I say no.
12
13 MS. BROWN: And, Della. Member
14 Trumble.
15
16 MS. TRUMBLE: No.
17
18 CHAIRMAN SIMEONOFF: Can you state your
19 vote again please, Della, I didn't have the mic next to
20 the speaker there.
21
22 MS. TRUMBLE: No.
23
24 CHAIRMAN SIMEONOFF: Thank you.
25
26 MS. BROWN: So WP12-01 fails, six
27 opposed and one support.
28
29 CHAIRMAN SIMEONOFF: Thank you, Cole.
30 Okay. That takes care of WP12-01.
31
32 Can we get into the next one, 12-02.
33
34 MS. KENNER: Thank you. Mr. Chair.
35 This is Pippa Kenner again from the Office of
36 Subsistence Management. The next proposal to consider
37 in your proposal book is WP10-02.
38
39 WP10-02 was deferred in 2010 by the
40 Federal Subsistence Board and it's the exact same
41 proposal as WP08-05. This also -- which was also
42 deferred by the Federal Subsistence Board in 2008.
43 This is a proposal that the State submitted to the
44 Federal Subsistence Board to allow the trade -- the
45 selling of brown bear claws and other pieces of brown
46 bear only in handicrafts and only between Federally-
47 qualified users.
48
49 I'll give you the analysis from the
50 Federal staff, from OSM and our recommended -- our

1 recommendation on this and then the State can speak to
2 its own proposal.

3

4 Okay. Proposal WP10-02 which is
5 renamed from WP08-05, was submitted by the Alaska
6 Department of Fish and Game and requested clarification
7 of the existing Federal regulation governing the use of
8 brown bear claws in handicrafts for sale. The proposal
9 asked for the removal of all unit specific regulations
10 related to the statewide sale of brown bear handicrafts
11 made of skin, hide, pelt or fur and that sales of brown
12 bear handicrafts made of claws, bones, teeth, sinew or
13 skulls should only occur between Federally-qualified
14 subsistence users.

15

16 Since this proposal was submitted to
17 the Federal Subsistence Board the working group which
18 we just discussed has done its job and come back with a
19 proposal that the Council just decided not to support.
20 However based on OSM's preliminary conclusion that the
21 Council and the Board support WP12-01, that's the
22 proposal that we just discussed, OSM preliminary
23 conclusion for this proposal is to take no action. So
24 support the working group proposal and take no action
25 on this one.

26

27 That's the end of my presentation.
28 Thank you.

29

30 MR. KOSO: Mr. Chair.

31

32 CHAIRMAN SIMEONOFF: Rick.

33

34 MR. KOSO: Yeah. I've got -- you know,
35 again I'm a little bit confused here. You know, you
36 got if you are a Federally-qualified subsistence
37 user.....

38

39 MS. KENNER: Could you tell me what
40 page?

41

42 MR. KOSO: Oh, Page 40. Yeah. I get --
43 where I get a little confused is that you got if you a
44 qualified Federal subsistence user, I guess the
45 qualifications is -- it got me a little puzzled because
46 we are subsistence users in this area and we -- do we
47 qualify then for -- because we're natives to go out and
48 subsistence hunt bear by the way this is set up.....

49

50 MS. KENNER: All rural.....

1 MR. KOSO:because in --
2 historically we never done it that I know of. I may be
3 wrong on that, but that I know of we never done it.

4
5 MS. KENNER: This is.....

6
7 MR. KOSO: So by this does that qualify
8 us then to become one?

9
10 MS. KENNER: This is Pippa Kenner again
11 of OSM. All rural residents of the State are
12 Federally-qualified users for different resources, for
13 a whole group of resources. Right now we happen to be
14 talking about brown bear. Whenever we -- whenever a
15 proposal is submitted for statewide application,
16 whenever a proposal will apply statewide we run into
17 this issue and that's why we come to the Councils.

18
19 MR. KOSO: Okay. Thank you. I
20 understand that, but it's -- to me it's a little
21 puzzling to see how this is written rather than do a
22 historical thing on people that actually do it. I'm
23 certainly not against that for people that historically
24 do this stuff. We're not historically involved in that
25 so the way this is written I'd certainly have to vote
26 against it.

27
28 Thank you.

29
30 MR. CRATTY: Mr. Chair.

31
32 CHAIRMAN SIMEONOFF: Al.

33
34 MR. CRATTY: Al here. I'm against this
35 also. I feel it would just open a door for problems.

36
37 I just wanted to voice my position.

38
39 CHAIRMAN SIMEONOFF: Okay. Well, we
40 heard a couple of Board members' comments, we'd like to
41 get with the procedures on the proposals and I'd like
42 to hear from the Department of Fish and Game.

43
44 MS. YUHAS: Thank you. Mr. Chairman.
45 Jennifer Yuhas at the Alaska Department of Fish and
46 Game. And for once I think I can make one quick and
47 easy for you.

48
49 Although we originally brought this
50 proposal we're asking you to take no action and let it

1 fail. We're supporting the 12-01 instead of this one
2 that we brought in '010.

3
4
5
6
7

STATE OFFICIAL WRITTEN COMMENTS

Alaska Department of Fish and Game
Comments to the Regional Advisory Council

8
9
10
11

Wildlife Proposal WP10-02 (Deferred

12 WP08-05):
13

14 Change the regulations regarding sale
15 of brown bear handicrafts to allow sales of handicrafts
16 made from brown bear fur in all units and to restrict
17 sales of handicrafts made from claws, bones, teeth, or
18 skulls to transactions between federally-qualified
19 subsistence users.

20
21

Introduction:

22
23

Existing federal regulations allow
24 essentially unconstrained commercial sale of
25 handicrafts made from bear parts taken in some units as
26 a customary and traditional activity, despite a lack of
27 substantial evidence demonstrating that such sales are
28 a customary and traditional practice. The sale of such
29 handicrafts is limited only by virtually unenforceable
30 provision that prohibits sales constituting a
31 significant commercial enterprise. These regulations
32 also allow the purchase of brown bear handicrafts by
33 persons who are not federally-qualified subsistence
34 users, despite such purchases being prohibited under
35 state law and, as was pointed out at the Spring 2006
36 Federal Subsistence Board meeting, that sales can even
37 occur over the Internet.

38
39

Sales of handicrafts made from brown
40 bear claws, teeth, skulls, and bones present a
41 particular problem, because these are potentially high
42 value items, and allowing sales creates market
43 incentives for illegal harvest in Alaska and other
44 states.

45
46

Black bear handicraft sales, although
47 not customary and traditional, do not create the high
48 level of conservation concern raised by sales of brown
49 bear handicrafts. Similarly, sales of brown bear
50 handicrafts do not raise the same level of concern if

1 limited to the skin or fur as defined in state
2 regulations; and even sales of handicrafts made with
3 claws and teeth do not currently raise extremely high
4 levels of concern if limited to sales among
5 federally-qualified users.

6
7 Changing the regulation to continue
8 allowing the sale of brown bear fur products to anyone
9 (state regulations allow sale of untanned brown bear
10 hides), while limiting sales of handicrafts made with
11 brown bear claws, teeth, bones, and skulls to sales to
12 other federally-qualified subsistence users, should
13 help eliminate commercial markets and the masking of
14 illegal sales in Alaska and elsewhere.
15 Unit specific restrictions on sales are almost
16 impossible to enforce without tracking and
17 documentation requirements and are not needed for lower
18 value fur handicrafts. This proposal will eliminate
19 the unit-specific sale allowances and render the
20 regulations more user-friendly and more enforceable.

21
22 Impact on Subsistence Users:

23
24 The Federal Subsistence Board's current
25 allowance of brown bear handicraft sales was not based
26 upon a determination that such sales are customary and
27 traditional but instead upon the Board's unsupported
28 argument that the Board can authorize any use if the
29 take is customary and traditional (see e.g., January 2,
30 2006, letter from Chairman Demientieff to Commissioner
31 Campbell). Therefore, adoption of this proposal will
32 not impact customary and traditional subsistence
33 activities.

34
35 This proposal will continue to allow
36 rural residents to: sell brown bear fur handicrafts to
37 anyone (as allowed under State law); barter brown bear
38 handicrafts with anyone under federal regulations; and
39 sell brown bear handicrafts to other rural residents
40 under federal regulations. Therefore, this proposed
41 regulation change will not impair the ability of rural
42 residents or urban Alaska Natives to obtain such
43 handicrafts for ceremonial, religious, and cultural
44 purposes.

45
46 Further, adoption of this proposal will
47 significantly reduce the likelihood that
48 federally-qualified subsistence users will face state
49 prosecution for engaging in sales that are prohibited
50 under state law when they occur on state or private

1 lands.

2

3

Opportunity Provided by State:

4

5

Under 5 AAC 92.200, handicrafts made with bear fur may be sold to anyone, but sales of handicrafts made with claws, skulls, teeth, and bones are prohibited. Whole bear skins, with claws attached, taken in certain predator control areas may be sold under 5 AAC 92.031, but only after sealing and under terms of a permit issued for that bear skin.

12

13

Conservation Issues:

14

15

The Federal Subsistence Board created a new market for bear claws and other high value bear parts which could readily mask illegal sales, thereby compounding problems with the international trade of Endangered Species and contributing to the illegal harvest, overharvest, and waste of bears in other states and countries, as well as Alaska. Markets for high value bear handicrafts create a conservation concern because brown bears are protected under the Endangered Species Act in other states and Mexico, and the origin of brown bear products cannot be determined by visual inspection. Brown bears are also listed on Appendix II of the Convention International Trade of Endangered Species (CITES).

29

30

In Alaska, economic incentives associated with harvesting brown bears to make handicrafts create conservation concerns because brown bears develop slowly and have a low reproductive rate, making small populations extremely susceptible to overharvest. Allowing widespread sale of high value bear parts without any kind of tracking mechanism is an invitation to illegal harvests. Further, the existing regulations are unenforceable and inconsistent with sound wildlife management principles.

40

41

Enforcement Issues:

42

43

This proposal will reduce enforcement issues created by the existing federal regulation in several ways: (1) by limiting the pool of eligible purchasers for high value bear parts, it will significantly reduce economic incentives for poaching in other states and countries as well as in Alaska; (2) by allowing the sales of brown bear fur handicrafts from any Game Management Unit, as presently allowed

1 under state law, this proposal will eliminate
2 unenforceable Unit-specific sales authorizations in
3 existing regulation; and (3) the proposed regulation
4 will reduce the likelihood that federally-qualified
5 subsistence users will face prosecution for attempting
6 to engage in sales on state or private lands that are
7 prohibited under state law.

8

9 Jurisdiction Issues:

10

11 The Federal Subsistence Board lacks
12 jurisdiction to allow sales of any wildlife handicrafts
13 when and where such sales are not customary and
14 traditional. In the past, the Federal Board has
15 rejected this argument, asserting that if any use is
16 customary and traditional then the Board can authorize
17 any other use. The Board's argument is inconsistent
18 with its litigation stance in the Chistochina Unit 12
19 moose case where it argued that customary and
20 traditional use is related to how resources are used
21 after they are taken, and not to or a prerequisite
22 condition for the taking itself. State v. Fleagle,
23 (Case 3:06-cv-00107-HRH) Doc. 32 at 22.

24

25 Recommendation: TAKE NO ACTION / GRANT
26 PERMISSION TO WITHDRAW / DEFER TO PROPOSAL 12-01 AS
27 RECOMMENDED BY WORKING GROUP

28

29 CHAIRMAN SIMEONOFF: Okay. Okay.

30

31 MS. YUHAS: Thank you.

32

33 CHAIRMAN SIMEONOFF: Federal agencies.

34

35 (No comments)

36

37 CHAIRMAN SIMEONOFF: Native tribes,
38 village. Jerry.

39

40 MR. BERG: Yeah. Mr. Chair. This is
41 Jerry Berg. We didn't have any comments addressing
42 this proposal.

43

44 Thank you.

45

46 CHAIRMAN SIMEONOFF: Okay. Thank you.
47 Interagency Staff Committee.

48

49 (No comments)

50

1 CHAIRMAN SIMEONOFF: None. Advisory
2 group comments. We've heard from Rick Koso and Al.
3 Any other Board comments on this proposal?
4
5 (No comments)
6
7 CHAIRMAN SIMEONOFF: Local Fish and
8 Game Advisory Committee.
9
10 (No comments)
11
12 CHAIRMAN SIMEONOFF: I think we already
13 heard that. National Park Service.
14
15 (No comments)
16
17 CHAIRMAN SIMEONOFF: Written comments,
18 public comment?
19
20 (No comments)
21
22 CHAIRMAN SIMEONOFF: Okay. A motion
23 would be in order to support this resolution or this
24 proposal.
25
26 MR. HOLMES: If you want.....
27
28 CHAIRMAN SIMEONOFF: Pat.
29
30 MR. HOLMES: Mr. Chairman. I move that
31 we adopt WP10-02.
32
33 CHAIRMAN SIMEONOFF: Do I hear a
34 second.
35
36 MR. KOSO: Second.
37
38 CHAIRMAN SIMEONOFF: Moved and
39 seconded. Discussion.
40
41 (No comments)
42
43 CHAIRMAN SIMEONOFF: No discussion.
44 Oh, Pat.
45
46 MR. HOLMES: Well, I guess the gist of
47 it is right in the middle of that paragraph on 43,
48 recommendation of the working group, both the State and
49 the Feds is to oppose proposal WP08-05 and WP10-02.
50 And for the Board to consider WP10-01. And so being as

1 we've voted down 01, myself I'll just vote against this
2 one because it's sort of null.

3

4 CHAIRMAN SIMEONOFF: You lost me there,
5 Pat, what did you just say?

6

7 MR. HOLMES: Oh, I just say I'm going
8 to vote against it because, you know, the working group
9 is opposed to it and that they support the one that
10 we've already defeated. And so I don't see any other
11 options other than to oppose it.

12

13 CHAIRMAN SIMEONOFF: Okay. Is there
14 any further discussion?

15

16 MR. ROWLAND: Mr. Chair.

17

18 CHAIRMAN SIMEONOFF: Mr. Rowland.

19

20 MR. ROWLAND: Yes, I'd like -- Rick
21 Rowland. I'd like to state that I appreciate the
22 opportunity to be able to vote on this again. Although
23 I will be opposing it hopefully it will lead us toward
24 consistent regulations related to the sale of articles,
25 all articles and items related to this handicraft.

26

27 So that was my comment.

28

29 CHAIRMAN SIMEONOFF: Any other
30 discussion.

31

32 (No comments)

33

34 CHAIRMAN SIMEONOFF: May we have
35 another roll call vote, please.

36

37 MS. BROWN: For WP10-02. Member
38 Cratty.

39

40 MR. CRATTY: I'm against.

41

42 MS. BROWN: Member Koso.

43

44 MR. KOSO: No.

45

46 MS. BROWN: Member Rowland.

47

48 MR. ROWLAND: No.

49

50 MS. BROWN: Chairman Simeonoff.

1 CHAIRMAN SIMEONOFF: No.
2
3 MS. BROWN: Member Holmes.
4
5 MR. HOLMES: No.
6
7 MS. BROWN: Member Shelikoff.
8
9 MR. SHELIKOFF: No.
10
11 MS. BROWN: Member Trumble.
12
13 MS. TRUMBLE: No.
14
15 MS. BROWN: WP10-02 unanimously fails.
16
17 CHAIRMAN SIMEONOFF: Okay. Thank you.
18 Next proposal.
19
20 MS. KENNER: Thank you. Mr. Chair.
21 This is Pippa Kenner with the Office of Subsistence
22 Management again. And this -- the analysis for this
23 proposal begins on Page 54 of your Council books.
24 That'll be WP12-02 on Page 54.
25
26 This proposal, WP12-02 was submitted by
27 Michael Cronk of Tok, Alaska. And it requests that
28 only people 60 years of age or older or disabled be
29 allowed to designate their harvest limit to another
30 person. This regulation change would apply to the
31 entire State.
32
33 The Federal Subsistence Board
34 established the statewide designated hunter system in
35 2003. The statewide designated hunter regulation
36 includes these points. The designated hunter must be a
37 Federally-qualified subsistence user, a rural resident
38 of the State, and also someone who is included in the
39 customary and traditional use determination for that
40 species in that unit. The designator may designate
41 another Federally-qualified subsistence user to take
42 deer, moose and caribou on his behalf or her behalf.
43 The designated hunter must obtain a designated hunter
44 permit and must return a completed harvest report. The
45 designated hunter may hunt for any number of
46 recipients, but may have no more than two harvest
47 limits in his or her possession at any one time. These
48 provisions apply unless modified or removed by unit
49 specific regulations. It's important to note that
50 several Regional Advisory Councils have supported and

1 the Board has adopted regulations modifying the
2 designated hunter system in specific management units
3 and they are listed in the appendix in your Council
4 books and that begins on Page 64. So there are
5 modifications to the statewide system for specific
6 units and those units are Unit 6, 9, 22 and 26.

7
8 The purpose of the designated hunter
9 rules is to recognize the customary and traditional
10 practices of sharing and distribution of harvest in
11 rural Alaska. For example, the designated hunter
12 system legalizes a traditional practice that is ongoing
13 in much of rural Alaska. Within individual harvest
14 limits some hunters cannot harvest enough meat to meet
15 the needs of their own household as well as the needs
16 of the people with whom they share. The designated
17 hunter system allows hunters to harvest moose, caribou
18 and deer expressly for sharing. Households may contain
19 members who are unable or do not choose to harvest for
20 themselves. All hunters do not possess equal skills,
21 abilities and aptitudes and each community has a
22 minority of good hunters, trappers, fishers.
23 Inequalities of individual and household productive
24 capacities are equalized via the process of
25 distribution, through sharing and feasting and exchange
26 through trade and barter.

27
28 So if this proposal were adopted the
29 extent of impacts on subsistence users cannot be
30 measured exactly because statistics were only partially
31 gathered to describe the age of those designating a
32 hunter and not whether the user was disabled. Based on
33 the partial information in Table 3, which includes some
34 designated hunt -- some people who designated hunters
35 for '09 and '10 only -- for 2009 and 2010 only, 77
36 percent of those users designating the hunter were
37 under 60 years old and would be prohibited from
38 designating a hunter if this proposal were adopted.

39
40 In conclusion the proponent raises
41 issues regarding the designated hunter system for the
42 entire State, but the harvest by designated hunters
43 generally has been a small portion, less than 2
44 percent, of the total harvest by all hunters including
45 Federally-qualified, non-Federally-qualified and
46 nonresidents of the State combined. Therefore a
47 statewide provision restricting the use of the
48 designated hunter system is not supported. In
49 circumstances where evidence is available to clearly
50 warrant, unit specific regulations could be proposed.

1 For instance, in Mr. Cronk's case if he wanted to limit
2 who could participate in the designated hunter system
3 in the unit where he hunts, he could propose that and
4 maybe there would be reason to adopt it in that unit.
5 But instead what he's done is made a statewide proposal
6 that will affect all areas of the State. And not all
7 areas of the State or Council perceive the problems
8 that he does.

9

10 Therefore the OSM preliminary
11 conclusion is to oppose Proposal WP12-02.

12

13 Thank you, Mr. Chair. And I'm done
14 with my presentation.

15

16 CHAIRMAN SIMEONOFF: I've got to ask
17 this. Is proxy hunting a problem in some units?

18

19 MS. KENNER: Mr. Chair. This is Pippa
20 Kenner again. Do you mean proxy hunting as through the
21 State proxy hunting or let me clarify my question to
22 you. In the Federal system this system of proxying
23 your harvest limit, we call it the designated hunter.
24 In the State system that activity is called proxy.

25

26 CHAIRMAN SIMEONOFF: Well, the
27 designated hunter then, is that a problem in some of
28 the units?

29

30 MS. KENNER: Well, in Unit 6 they do
31 put -- Unit 6, the Council, the Southcentral Council,
32 has restricted the person who can designate their
33 harvest limit to someone who is -- I want to be exact,
34 let me -- in Unit 6 the person who is designating their
35 harvest limit must be either blind, 65 years of age or
36 older, at least 70 percent disabled or temporarily
37 disabled. So they perceived a problem in Unit 6. But
38 in general no. Mr. Cronk feels that there was a
39 problem in his area because what he saw was more and
40 more people were getting those permits and therefore
41 people were being able to harvest above their
42 individual harvest limits.

43

44 CHAIRMAN SIMEONOFF: But it's not for
45 them. If they're designated hunters they've already
46 got their bag limit and now they're going designated
47 hunter hunting. That -- those animals are not his,
48 they're not -- they don't belong to the hunter, they
49 belong to the person they're hunting for.

50

1 MS. KENNER: That's correct. Also he
2 perceived that people were getting designated hunter
3 permits for their children, but not hunting with their
4 children.

5
6 CHAIRMAN SIMEONOFF: But a child is --
7 a child under 16 can go hunting, they don't need a
8 hunting license. I mean, they -- children should not
9 be named as someone who can designate a hunter.

10
11 MS. KENNER: Currently in the State --
12 in the -- excuse me. Currently in the State.....

13
14 CHAIRMAN SIMEONOFF: No, are you done
15 trying -- I'm talking about is there abuse, is there
16 potential for abuse or is it -- is abuse happening with
17 the designated hunter program?

18
19 MS. KENNER: It really depends on your
20 perspective. In general I can -- I can with a high --
21 in general I would say no, there is not abuse of the
22 designated hunter system. It has not been a concern to
23 Federal staff in our office. If you look at the table
24 on Page 60, what this table shows is what percentage of
25 a species, for instance, what percentage of caribou
26 that are harvested in a unit are taken by designated
27 hunters. So of all the caribou harvest in Unit 9 a
28 very small portion of that is taken by designated
29 hunters, less than 1 percent. However if you get to
30 Unit 12, which I believe is where Tok is, up to --
31 since the -- since 2003 when the designated hunter
32 system was established, 7 percent of the caribou taken
33 were taken by designated hunters. That's a little bit
34 higher than we usually see. But in general most of the
35 designated hunters are in Southeast Alaska and most of
36 them are taking deer. And in Southeast Alaska I do
37 believe there were proposals this year concerning
38 designated hunters, but I regret to say off the top of
39 my head I can't remember what they were. So there may
40 be adjustments going on.

41
42 CHAIRMAN SIMEONOFF: Yeah. We're --
43 the reason I'm asking, it -- I heard you say that there
44 was a perceived problem, we're asked to take action on
45 somebody's perception of I think this will happen. If
46 we -- I would like to take action on something that's
47 happening already and not something that somebody
48 thinks might happen.

49
50 MS. KENNER: In your area?

1 CHAIRMAN SIMEONOFF: My area or support
2 it in somebody else's area. I don't want to -- it
3 seems like we're making assumptions on what somebody
4 else perceives. You know, it's -- if it's not
5 happening and he says I think it might happen we
6 should, you know, take action against something that's
7 not happening, but might, you know, I have a problem
8 with that.

9

10 MS. TRUMBLE: Mr. Chair.

11

12 CHAIRMAN SIMEONOFF: Yes, Della.

13

14 MS. TRUMBLE: I don't support this as
15 it's written at all. I would be concerned not only --
16 I mean, I don't have the ability or a boat or ways to
17 get out to get a caribou and I know there are some, you
18 know, parents that are single parents that don't have
19 the ability. In those, you know, circumstances those
20 got it -- it's accessible. The one thing that I
21 thought though in reading this is if there needed to be
22 limitations wouldn't the limitation maybe be in place
23 as a designated hunter one per household or to limit
24 that if there was a need to regulate it.

25

26 MR. KOSO: Mr. Chair.

27

28 CHAIRMAN SIMEONOFF: Rick.

29

30 MR. KOSO: Yeah. Mr. Chair. Yeah, I
31 kind of follow your idea on this whole thing. I'm kind
32 of against that proposal. The fact is I think we need
33 to concentrate more on conservation and if there's a
34 conservation problem then I think we should probably
35 pursue different avenues then. But if there's not a --
36 if I don't see -- foresee a conservation problem in it
37 then I don't see where we should restrict or put more
38 regulation in place on -- like I say on an assumption.
39 So as far as this is written up I'll be against it too.

40

41 Thank you.

42

43 CHAIRMAN SIMEONOFF: Okay. We'll just
44 go on with the list. Who had -- Mr. Rowland.

45

46 MR. ROWLAND: Thank you. Mr. Chair. I
47 got a couple things to say. First I'd like to say that
48 I killed my first seal when I was nine and we ate it.
49 And from looking through this list here of information
50 it's -- in one point here it shows from designated to

1 licensed and on one side over here it says 60 years old
2 and on the other side over here it says 65 years of
3 age. And then at one point it says disabled and then
4 it says 70 percent disabled. So some of this stuff
5 that conflict is page -- in Appendix A, I don't know
6 how it connects with this, but it's -- all this
7 information somehow gets jumbled into it.

8

9 But I want to get back to -- I started
10 when I was nine and we ate that seal. Historically the
11 life expectancy of an elder in the village was between
12 37 and 42. There was no determination of age of a
13 youth hunter. By passing this there's a potential that
14 it could reduce or close an opportunity conflicting to
15 Title VIII of ANILCA by creating an age classification
16 of 60. And by designating an age it would not be
17 consistent with years ago when it was 37 and 42, people
18 didn't live that long. Also is there a potential -- I
19 have a question is that is there a potential for down
20 the road that setting a regulation like this in place
21 might reduce the opportunity for co-management
22 capabilities in the future which would in turn
23 potentially reduce designated hunters for funeral meals
24 and potlatch ceremonies and 40 day celebrations
25 honoring their relatives that had passed. And another
26 issue that was mentioned related to this limitation on
27 designated hunters is that there are mothers in the
28 village who are raising single families that do need
29 someone to hunt for them. And this potentially might
30 reduce the ability for someone to go hunting for them.

31

32 So I'm opposed to this.

33

34 CHAIRMAN SIMEONOFF: Agency comments.

35

36 MS. TRUMBLE: Mr. Chair.

37

38 CHAIRMAN SIMEONOFF: Yes, Della.

39

40 MS. TRUMBLE: I kind of -- sometimes
41 it's really hard when you're on teleconference to hear
42 what the reports said, but I think if you also look at
43 Page 64 there are unit specific regulations and I think
44 that in this particular case, maybe -- you know, I
45 oppose this, it sounds like the unit specific things
46 that maybe they need to go that route.

47

48 CHAIRMAN SIMEONOFF: Thank you, Della.
49 Agency comments. Fish and Game.

50

1 MS. YUHAS: Thank you. Mr. Chairman.
2 For the record my name is Jennifer Yuhas with the
3 Alaska Department of Fish and Game.

4
5 The State certainly recognizes the need
6 for designated hunters especially for elders. Whether
7 the problem in Tok is real or perceived we see an
8 opportunity to align regulations and reduce consistent
9 -- reduce inconsistencies. And so the State is
10 advocating to modify this proposal to match the State
11 regulations and the Federal regulations in Unit 6 which
12 stipulate that the designee must be blind, 65 years or
13 older and at least 70 percent or temporarily disabled
14 and that they should only have one bag limit at a time
15 in possession and that argument simply for consistency.

16
17 *****
18 STATE OFFICIAL WRITTEN COMMENTS
19 *****

20
21 Alaska Department of Fish and Game
22 Comments to the Regional Advisory Council

23
24 Wildlife Proposal WP12-02:

25
26 Change federal subsistence designated
27 hunter regulations.

28
29 Introduction:

30
31 This proposal seeks to change the
32 statewide federal subsistence designated hunter
33 regulation by specifying the qualifications for the
34 recipient of harvest. The proposal requests federal
35 regulations be changed to require that federal
36 subsistence designated hunters only harvest for
37 federally qualified recipients 60 years of age or older
38 or for a person who is disabled.

39
40 The proponent indicates the federal
41 subsistence designated hunter program has diverged from
42 the original intent of the Federal Subsistence Board by
43 allowing designated hunting to provide for elders and
44 others that were unable to hunt for themselves. The
45 proponent indicates the designated hunter program is
46 currently an uncontrolled system. The proponent
47 indicates some federal subsistence users are abusing
48 this regulation and are harvesting as many animals as
49 numbers of permits they can obtain which may lead to
50 detrimental impacts to game populations and subsistence

1 hunting in general.

2

3

Impact on Subsistence Users:

4

5

6 If adopted, federally qualified
7 subsistence designated hunters could harvest animal for
8 federally qualified users 60 years of age or older or
9 are disabled. If adopted, some federally qualified
10 subsistence super harvesters may expend additional time
11 locating and obtaining game tags from qualified
12 designated hunter beneficiaries. If adopted,
13 designated hunters who cannot locate federally
14 qualified users 60 or over or are disabled may harvest
15 fewer animals per year.

15

16

Opportunity Provided by State:

17

18

19 Proxy hunting for big game is
20 authorized in state hunting regulation. State proxy
21 hunting is allowed for moose, caribou, and deer. The
22 state proxy hunting beneficiary requirements include
23 being a resident of Alaska who is blind, 70% physically
24 disabled, or 65 years of age or older. Proxy hunters
25 may not proxy hunt for more than one beneficiary at a
26 time and may have only one Proxy Authorization with
27 them in the field at a time.

27

28

Conservation Issues:

29

30

31 Undetermined at this time. If this
32 proposal is adopted without modifications many more
33 animals may be harvested than anticipated.

33

34

Enforcement Issues:

35

36

37 If adopted, this proposal would bring
38 federal and state regulations closer to alignment.

38

39

Recommendation:

40

41

Support with modification.

42 Adopt the proposal with modification to establish
43 designated hunter beneficiary qualifications equal to
44 those approved by the Federal Subsistence Board for
45 Unit 6. The State recommends modifying this proposal
46 to require beneficiaries of the federal subsistence
47 designated hunters be blind, 65 years old or older, at
48 least 70% disabled, or temporarily disabled. The State
49 also recommends modifying this proposal to reflect the
50 Unit 6 designated hunter possession limit adopted by

1 the Federal Subsistence Board which to limits
2 designated hunters to possession of only one bag limit
3 at a time. Adoption of these recommended proposal
4 modification will bring regulatory consistency to Units
5 1 through 6 and make federal and state regulations more
6 parallel.

7
8 CHAIRMAN SIMEONOFF: I didn't hear
9 whether you support or not support this proposal.

10
11 MS. YUHAS: We support modifying.

12
13 CHAIRMAN SIMEONOFF: Modified. Okay.

14
15 MS. YUHAS: As it's written it still
16 doesn't match Unit 6 or the State regs. If it's
17 modified then we would support it because it would
18 promote consistency and less confusion, less people
19 getting citations.

20
21 CHAIRMAN SIMEONOFF: Okay. Thank you.

22
23 MR. KOSO: Mr. Chair.

24
25 CHAIRMAN SIMEONOFF: Rick.

26
27 MR. KOSO: A little confusing. Are you
28 putting an amendment to this proposal right now or are
29 we just listening to you give your opinion?

30
31 MS. YUHAS: Our recommendation.....

32
33 MR. KOSO: The State's opinion, yeah.

34
35 MS. YUHAS:the State is
36 recommending modifying to match Unit 6 in the State
37 regulations.

38
39 MR. KOSO: Yeah, I guess I'm getting
40 modified and amendment to this deal here. So, okay.

41
42 Thank you.

43
44 MS. YUHAS: I believe only -- through
45 the Chairman. I believe that only the RAC can offer
46 the amendment. So the State is making a
47 recommendation.

48
49 MR. CRATTY: Mr. Chair.

50

1 CHAIRMAN SIMEONOFF: Al.
2
3 MR. CRATTY: Al speaking here. Yeah, I
4 agree with her also. That's a big thing to deal with.
5 On Kodiak we have a lot of Federal land, a lot of State
6 land. It would be good if they were both modified to
7 fit both needs so we don't have a problem, you know
8 what I mean.
9
10 MR. HOLMES: Could you repeat the last
11 part, Al?
12
13 MR. CRATTY: No, I just agree with what
14 she has to say with the State, for the Feds and the
15 State to modify it so it's agreed on, they're both the
16 same terms. So because of the fact that Kodiak is half
17 Federal and half State and we do run into a problem if
18 there are two different languages, you know,
19 enforcement or whatever. It would be easier for us
20 hunters to not have to worry about it.
21
22 CHAIRMAN SIMEONOFF: Yeah. We have
23 that State designated hunter program at home and we
24 don't have a problem with it. I have a problem with
25 somebody saying there may be a perceived problem. I --
26 you know, I don't want to -- I just don't want to go
27 there. I don't want -- it's -- if it's a problem it's
28 got to be happening for me to vote up or down on it.
29
30 But take you comment, Pat, and then
31 we'll get back to the list here.
32
33 MR. HOLMES: You know, Mr. Chairman, I
34 think that I kind of missed it a while back too, but I
35 think what it is is the staff has commented that the
36 proposer has a perceived problem and basically they are
37 recommending to go back to a unit by unit base for the
38 designated hunter or proxy hunters. And then the
39 State's recommendation of modifying it to blind, 65 or
40 older, 70 and one limit in possession. Myself I'm
41 going to just oppose the proposal completely. And
42 because I just like to see -- because I think in Kodiak
43 the Federal and State proxy and designated align
44 anyway, don't they. So for us that's not a problem and
45 I think trying to do this statewide, while I appreciate
46 the modifications the State has suggested, I think that
47 probably different management units are going to have
48 different requirements. And so I on that basis will
49 vote against the proposal.
50

1 CHAIRMAN SIMEONOFF: Thank you, Pat.
2 Federal agencies.

3
4 (No comments)

5
6 CHAIRMAN SIMEONOFF: No Federal
7 agencies. Native tribes, village. Jerry.

8
9 MR. BERG: Yeah, thank you. Mr. Chair.
10 We had two comments through our consultation
11 teleconference. We had one person -- one of the ANCSA
12 corporation teleconference, Dolly Norton from the Cully
13 Corporation in Point Lay commented on this proposal.
14 She said that they were concerned about this proposal
15 and that hunters need to be able to utilize the
16 designated hunter provisions when needed to support
17 subsistence users -- subsistence of the resources
18 available. And the hunters need to be able to teach
19 other younger hunters where and how to hunt according
20 to the traditional and cultural values in their area.

21
22 And then the other commentor was Rick
23 Rowland on the Kodiak/Aleutians tribal consultation
24 teleconference. And again, Rick, if you need to
25 clarify or correct me on any of this, but this is what
26 I captured during that teleconference was that you
27 would like -- or -- sorry, that was for the first
28 proposal. So for proposal 12-02, that this proposal
29 does not make sense for many cultures around the State
30 and does not make sense for this area, the
31 Kodiak/Aleutians area. There is no reason to place
32 such restrictions on our elders or hunters who are
33 helping to hunt for an elder.

34
35 And that concludes the comments that I
36 have unless Rick has anything to add.

37
38 Thank you, Mr. Chair.

39
40 CHAIRMAN SIMEONOFF: Thank you, Jerry.
41 InterAgency Staff Committee.

42
43 (No comments)

44
45 CHAIRMAN SIMEONOFF: Okay. Advisory
46 Group comments. We've heard quite a bit. Yeah.

47
48 MS. BROWN: This is Cole Brown with
49 Office of Subsistence Management. There is one written
50 public comment by the Gates of the Arctic National Park

1 Subsistence Resource Commission. They would like to
2 support with modification to include windows. The
3 designated hunter option is important to traditional
4 subsistence practices and ensuring the animals are
5 harvested correctly, that they don't give any more
6 specifics on what windows they're talking about.
7 Presumably the number of -- how many they can hunt for
8 or the number of limits that they can keep.

9

10 CHAIRMAN SIMEONOFF: Okay. Public
11 testimony.

12

13 (No comments)

14

15 CHAIRMAN SIMEONOFF: None. Okay.
16 Council recommendation.

17

18 (No comments)

19

20 CHAIRMAN SIMEONOFF: I got one --
21 something that's just bugging me. How do the children
22 get into this, we're talking designated hunters for
23 elders that can't go out and hunt for themselves, how do
24 the children fit in there?

25

26 MS. KENNER: I don't have -- this is
27 Pippa Kenner. I don't have the regulation right in
28 front of me right now, maybe someone else can find it.
29 But the -- in Federal subsistence regulation a person
30 is considered a hunter if they are old enough to have
31 hunted or to be helped hunting.

32

33 Thank you. I was just reminded that a
34 better way to explain this would just be the regulation
35 doesn't provide us with a lot of details and it says
36 you just need to be a Federally-qualified subsistence
37 hunter meaning someone who's old enough to hunt -- to
38 have hunted. And an age is not specified.

39

40 CHAIRMAN SIMEONOFF: Okay. Council
41 recommendation?

42

43 (No comments)

44

45 CHAIRMAN SIMEONOFF: A motion is order.

46

47 MS. TRUMBLE: Mr. Chair.

48

49 CHAIRMAN SIMEONOFF: Yes, Della.

50

1 MS. TRUMBLE: I don't support this. I
2 agree with the way the policy is it at this -- the
3 protocol is at this time. And my reasoning also behind
4 it I believe is unit specific. And if you look at the
5 appendix, Unit 9D does have their definition of
6 Federally-qualified user.

7
8 CHAIRMAN SIMEONOFF: Okay. My
9 apologies. We just lost a quorum. Pat just up and
10 took off.

11
12 MS. BROWN: Well, Della's on, Della
13 counts as a quorum.

14
15 CHAIRMAN SIMEONOFF: Oh, Della's here.
16 My apologies again. Okay. Board recommendations.

17
18 (No comments)

19
20 CHAIRMAN SIMEONOFF: A motion is in
21 order. Our motion maker's coming back.

22
23 (Laughter)

24
25 MS. TRUMBLE: Mr. Chair. Do you need a
26 motion, I'll make a motion out of that.

27
28 CHAIRMAN SIMEONOFF: Okay. Do I hear a
29 second?

30
31 MR. CRATTY: Second.

32
33 CHAIRMAN SIMEONOFF: Moved and
34 seconded. Any discussion.

35
36 MR. HOLMES: Call for the question.

37
38 CHAIRMAN SIMEONOFF: The question is
39 called. May I have a roll call vote, please.

40
41 MS. BROWN: For WP12-02. Member
42 Cratty.

43
44 MR. CRATTY: I'm against.

45
46 MS. BROWN: Member Koso.

47
48 MR. KOSO: No.

49
50 MS. BROWN: Member Rowland.

1 MR. ROWLAND: No.
2
3 MS. BROWN: Chairman Simeonoff.
4
5 CHAIRMAN SIMEONOFF: No.
6
7 MS. BROWN: Member Holmes.
8
9 MR. HOLMES: No.
10
11 MS. BROWN: Member Shelikoff.
12
13 MR. SHELIKOFF: No.
14
15 MS. BROWN: Member Trumble.
16
17 MS. TRUMBLE: No.
18
19 MS. BROWN: WP12-02 fails unanimously.
20
21 CHAIRMAN SIMEONOFF: Okay. Thank you,
22 Cole.
23
24 MS. BROWN: Thank you.
25
26 CHAIRMAN SIMEONOFF: Proposal WP12-
27 03.....
28
29 MS. KENNER: Hello. Mr. Chair. It's
30 me again, Pippa Kenner.
31
32 CHAIRMAN SIMEONOFF:at Page 69.
33
34 MS. KENNER: Sorry. Pippa Kenner with
35 the Office of Subsistence Management and the analysis
36 for Proposal 12-03 begins on Page 69 of your Council
37 book.
38
39 CHAIRMAN SIMEONOFF: Okay.
40
41 MS. KENNER: Okay. Proposal WP12-03
42 was submitted by the Orutsararmiut Native Council and
43 it would require trappers to move a trap that
44 incidentally harvests a moose, caribou or deer at least
45 300 feet for the remainder of the regulatory year. So
46 that would be until June 30th. The proponent is the
47 IRA Council representing Bethel and the proposed
48 regulation would apply to the entire State.
49
50 To help us understand this proposal I

1 need to explain what the State of Alaska wildlife
2 regulations are. And they include these provisions. A
3 trapper is -- this is in State regulations. A trapper
4 is prohibited from placing a trap or snare within 300
5 feet of the site at which a moose, caribou or deer was
6 taken using a trap or snare. And this prohibition
7 applies for the duration of the regulatory year, until
8 June 30th, in which the moose, caribou or deer was
9 taken using the trap or snare.

10

11 Additionally in State regulations the
12 animal must be salvaged so if you harvest a moose,
13 caribou or deer incidental to furbearers, you still
14 must salvage the meet, but you cannot use it for bait.
15 And therefore moving the trap from the site of the
16 incidental harvest denies the trapper the benefit of
17 continuing to set a trap at a kill site which would
18 then attract furbearers.

19

20 The proponent wants a similar provision
21 in Federal wildlife regulations specifically to better
22 inform State and Federal enforcement officers that this
23 prohibition applies during the same regulatory year,
24 but not the same calendar year. So if you go back to
25 that place next fall you would be legal because the
26 regulatory year would have ended on June 30th. If we
27 were using a calendar year you would be illegal because
28 the regulatory -- because that calendar year would not
29 have ended until December 31st. And the proponent has
30 heard that a State enforcement officer got confused
31 about this. So the proponent just wants to somehow
32 clarify what the State regulation is by repeating it in
33 Federal regulations and that way it'll be in the book.
34 So it'll be in two books now instead of one book.

35

36 Currently Federal regulations, so the
37 Federal regulations require that wildlife caught
38 incidental to trapping furbearers be salvaged, but the
39 hide, skin, viscera, head or bones may be used for
40 bait.

41

42 So a little background to these
43 regulations. The use of traps to harvest caribou,
44 moose and deer is prohibited in State and wildlife
45 regulations primarily because traps and snares set for
46 moose, caribou and deer would not discriminate between
47 a cow, a bull, a fawn, you couldn't say you can only
48 harvest bulls with a certain antler restriction because
49 the trap or snare would harvest them indiscriminately.
50 And therefore it's illegal to use a trap or a snare to

1 take most ungulates. A good example of how often
2 moose, caribou and deer are caught in traps set for
3 furbearers statewide or by region is not known at this
4 time. State and Federal staff generally assume that
5 low levels of incidental harvest occur and are ongoing.
6 Snare hide above ground, trap location, bait type,
7 location of trail snares, et cetera, are effective
8 techniques to select for targeted furbearers and
9 against non-targeted animals. Occasionally non-
10 targeted animals are caught, but trappers use
11 techniques to avoid them and that is one reason there
12 are thought to be low levels of incidental harvest.

13

14 So if this proposal is adopted Federal
15 Subsistence users, rural people in Alaska would be
16 required to move a trap for the remainder of regulatory
17 year when it has taken a moose, caribou or deer
18 incidental to trapping furbearers. This would be
19 required if the incidental harvest occurred on Federal
20 public lands using Federal trapping regulations.

21

22 The clear intent of the proponent is to
23 import State wildlife regulations into Federal wildlife
24 regulations and to clarify their intent to law
25 enforcement officers so that other trappers who are
26 complying with State regulations are not cited.
27 However requiring a trapper to move a trap would be a
28 hardship that would not conserve caribou, moose or deer
29 and the State's concern is that ungulates are being
30 used as bait, but it's not in the interest of Federal
31 subsistence users to impose this regulation on them
32 because using the ungulate as bait in Federal
33 regulations is legal.

34

35 So OSM preliminary conclusion therefore
36 is to oppose the proposal WP12-03.

37

38 Thank you, Mr. Chair. That's the end
39 of my presentation.

40

41 CHAIRMAN SIMEONOFF: Agency comments,
42 Fish and Game.

43

44 MS. YUHAS: Thank you. Mr. Chairman.
45 For the record my name is Jennifer Yuhas with the
46 Alaska Department of Fish and Game.

47

48 And we can be quick on this one, maybe
49 not as quick as the other one, but the department also
50 opposes this, we see it as unnecessary. The solicitors

1 clarified that the State regulation would stand if you
2 don't adopt this and we think it fixes a perceived
3 problem. There was a conflict with a new enforcement
4 officer, but he's since been educated, he understands
5 the regulations. And we're opposed to this.

6
7
8
9
10

STATE OFFICIAL WRITTEN COMMENTS

11 Alaska Department of Fish and Game
12 Comments to the Regional Advisory Council

13
14

Wildlife Proposal WP12-03:

15
16

17 Incidental harvest requires moving
18 traps for regulatory year. This proposal was submitted
19 by the Orutsararmiut Native Council.

20
21

Introduction:

22
23

24 The proposer seeks to require trappers
25 to move a trap that incidentally harvests a moose,
26 caribou, or deer at least 300 feet for the remainder of
27 the regulatory year. Trappers would also be required to
28 salvage the edible meat and turn it over to the Federal
29 in-season wildlife manager.

30
31

32 Impact on Subsistence Users: Federal
33 subsistence users would be required to move a trap when
34 it has taken a moose, caribou, or deer incidental to
35 trapping furbearers for the remainder of the regulatory
36 year, and surrender their meat specifically to the
37 Federal inseason wildlife manager.

38
39

Opportunity Provided by State:

40
41

42 5 AAC 92.085. Unlawful methods of
43 taking big game; exceptions The following methods and
44 means of taking big game are prohibited in addition to
45 the prohibitions in 5 AAC 92.080: (6) with the use of a
46 trap or snare

47
48

49 5 AAC 92.095. Unlawful methods of taking furbearers;
50 exceptions

51
52

53 a) The following methods and means of taking
54 furbearers under a trapping license are prohibited, in
55 addition to the prohibitions in 5 AAC 92.080: (12) by
56 placing or leaving an active trap or snare set on land
57 that is within 300 feet of the site at which a moose,
58 caribou, or deer was taken using a trap or snare; this

1 prohibition applies for the duration of the regulatory
2 year in which the moose, caribou, or deer was taken
3 using the trap or snare.

4

5 Conservation Issues:

6

7 None identified nor solved by adoption
8 of this proposal.

9

10 Enforcement Issues:

11

12 This proposal is purported to have been
13 submitted in response to previous confusion by
14 enforcement personnel. The state understands local
15 enforcement personnel have received updated training as
16 a result of reported events surrounding this issue.
17 Failure to adopt this proposal is not expected to
18 contribute to continued enforcement issues.

19

20 Other Comments:

21

22 This proposal is likely unnecessary
23 given that if this proposal is not adopted, Federally
24 qualified subsistence users would continue to be
25 required to comply with the State regulations requiring
26 that when a caribou, moose, or deer are harvested
27 incidentally, the trap must be moved at least 300 feet
28 for the remainder of the regulatory year, or risk
29 receiving a State citation.

30

31 Recommendation: Oppose

32

33 CHAIRMAN SIMEONOFF: Thank you.

34 Federal tribes. Jerry.

35

36 MR. BERG: Thank you. Mr. Chair. We
37 do not have any comments on this proposal.

38

39 Thank you.

40

41 CHAIRMAN SIMEONOFF: Okay. Thank you.

42 InterAgency Staff?

43

44 (No comments)

45

46 CHAIRMAN SIMEONOFF: None. Advisory

47 Group comments. Mr. Rowland.

48

49 MR. ROWLAND: Rick Rowland. Where is

50 Orutsararmiut at?

1 CHAIRMAN SIMEONOFF: Pippa.
2
3 MS. KENNER: Mr. Chair. Yes, it's --
4 the offices are in Bethel and it represents the native
5 community in Bethel.
6
7 MR. ROWLAND: Okay. And then a couple
8 additional questions. Is.....
9
10 MS. KENNER: Sure.
11
12 MR. ROWLAND:in the -- your guys'
13 consultation with this tribe about this issue, what
14 were you discussions related to?
15
16 MS. KENNER: The Natural Resources
17 Director for Orutsararmiut Native Counsel is Greg
18 Roczicka and he's also on the Federal Council so he
19 understands how Federal and State regulations relate to
20 one another. And I mention in the analysis that this
21 was an issue that was brought before their Council and
22 their Council requested that he put a proposal in to
23 the Federal Subsistence Board to address what happened
24 to this trapper. And I did have an opportunity to talk
25 to him and to tell him the reasons why the OSM
26 preliminary conclusion was to oppose. And he
27 understood those, but he -- I think at that point we
28 still had the opportunity to actually withdraw the
29 proposal from the process and it would not have been
30 presented to you, but he wanted the proposal to move
31 forward in order to make Councils aware statewide that
32 this was an issue for them. But he understood why we
33 were opposing it and agreed.
34
35 MR. ROWLAND: And so did that whole
36 Council understand and want to withdraw the proposal
37 or.....
38
39 MS. KENNER: I only talked to Greg
40 Roczicka and it never went to -- as far as I know it
41 never formally went to the entire Council, he was
42 speaking on be -- as the proposer he was speaking on
43 behalf of the Council.
44
45 MR. ROWLAND: Okay. Thank you.
46
47 CHAIRMAN SIMEONOFF: Is there.....
48
49 MR. HOLMES: Pippa, I'm sorry my
50 brain's kind of going in and out with my blood sugar.

1 And, but is there a solution to their problem, I guess,
2 is a big question this might not be able to address it
3 the way OSM and the State feels that it could, but is
4 there a solution to their problem or could it be unit
5 specific because obviously they're concerned about that
6 and I know Greg and he's a really conscientious person,
7 very conscientious person. So they obviously feel it's
8 a problem. Is there some way that that could be
9 modified to achieve their goal or what do you think
10 will happen?

11
12 MS. KENNER: Mr. Chair. To answer Mr.
13 Holmes' question, I cannot see a way to do it and I
14 haven't been advised of a way during our review
15 process. The State is -- does have a representative in
16 several steps of our review process and from the
17 beginning the State has made the comment they are very
18 aware of the problem and have done -- they submit
19 they've done a better job educating law enforcement.
20 And I propose that that is probably the best remedy.

21
22 CHAIRMAN SIMEONOFF: Any other Board?

23
24 MR. KOSO: Yeah. Mr. Chair.

25
26 CHAIRMAN SIMEONOFF: Mr. Koso.

27
28 MR. KOSO: Yeah, I'm going to be
29 opposed to this too because it sounds like the State
30 and the person that was involved in this or the tribes
31 have come to some sort of a conclusion. So I'll be
32 opposing this too.

33
34 CHAIRMAN SIMEONOFF: A question, has
35 this proposal been brought to that unit, is that the
36 Kuskokwim Delta, has it been brought before Unit 18,
37 the RAC?

38
39 MS. KENNER: Yes. This is Pippa
40 Kenner. Mr. Chair. No, it has not, this is the first
41 Council meeting of the season and they will be meeting
42 late next week.

43
44 CHAIRMAN SIMEONOFF: Rick.

45
46 MR. ROWLAND: Hi. This is Rick
47 Rowland. This is -- this proposal is kind of confusing
48 to me because it appears as if someone is using the
49 proposal method for marketing issues in their area.
50 And it says that -- there's something about the meat

1 being transferred over to edible human consumption and
2 some trapper didn't have to pay a fine and it sounds
3 like they got an argument going on there. And it could
4 be possibly some trappers using snares to bait for
5 brown bear to come in. And so to generate this into a
6 statewide proposal is kind of defeating the purpose of
7 what the Advisory Council is supposed to be about, it's
8 supposed to be about advising related to subsistence
9 issues, not related to straightening somebody's
10 argument out. So I have to say that I can't support
11 this because it's not what I'm supposed to be doing.

12
13 CHAIRMAN SIMEONOFF: Yeah. Now is --
14 this proposal is for the Bethel area, it's a totally
15 different RAC. So it come to the Kodiak/Aleutians, I
16 would suggest that we just take no action because it --
17 it's.....

18
19 MR. HOLMES: Is it a statewide proposal
20 or just area specific?

21
22 CHAIRMAN SIMEONOFF: It's a statewide
23 proposal. Bethel is in Unit 18.

24
25 MR. HOLMES: Yeah.

26
27 CHAIRMAN SIMEONOFF: Unit 18, Yukon
28 Kuskokwim Delta Regional Council.

29
30 MR. HOLMES: Yeah.

31
32 CHAIRMAN SIMEONOFF: They haven't even
33 discussed this proposal yet. So I would suggest that
34 the Kodiak/Aleutians take no action.

35
36 MR. ROWLAND: Mr. Chair. I make a
37 motion to take no action on WP12-03.

38
39 MR. KOSO: Second.

40
41 CHAIRMAN SIMEONOFF: Moved and
42 seconded. Discussion.

43
44 I seen you run up to the chair, Pippa,
45 do you have a comment on our discussion?

46
47 MS. KENNER: No.

48
49 CHAIRMAN SIMEONOFF: Okay. If there's
50 no discussion on this motion, is there any objection?

1 (No comments)

2

3 CHAIRMAN SIMEONOFF: Hearing none, the
4 motion carries.

5

6 Next proposal, WP12-22A.

7

8 MS. KENNER: Mr. Chair. Members of the
9 Council. This is Pippa Kenner again with the Office of
10 Subsistence Management and the analysis for the next
11 proposal, 22A, begins on Page 76.

12

13 Okay. Proposal 12-22A was submitted by
14 the Ninilchik Traditional Council and it requests that
15 the Federal Subsistence Board recognize Ninilchik's
16 customary and traditional uses of brown bear in Units 8
17 and 15. You can see the location of Ninilchik on the
18 map on Page 25 of your Council book. Ninilchik is on
19 the Kenai Peninsula, on the highway south of Kasiloff.
20 This proposal is being presented to this Council
21 because Ninilchik is requesting recognition of their
22 customary and traditional uses in your region in Unit
23 8.

24

25 It should be noted that the Ninilchik
26 Traditional Council did not request an allocation of
27 Federal registration permits for Unit 8 as part of this
28 proposal. So they're requesting that their customary
29 and traditional uses be recognized by the Council and
30 the Board, but they haven't asked for an opportunity to
31 hunt, but they could ask for an allocation of those
32 Federal permits in the future.

33

34 There has been a Federal registration
35 permit hunt for the villages on Kodiak Island since
36 1997. And there has been a Federal registration permit
37 hunt in Unit 15C, the subunit in which Ninilchik is on
38 the Kenai Peninsula for Ninilchik since 2007 for -- so
39 for only four years.

40

41 In Unit 15 the Alaska Department of
42 Fish and Game has used -- and the Refuge have used a
43 quota system to aid in management of brown bear. For
44 example, for the 2010 regulatory year the take of brown
45 bear was not to exceed 10 reproductive age females in
46 the calendar year by all human causes. And hunting for
47 brown bear under State and Federal regulations was
48 allowed only if the number of non-hunting human caused
49 brown bear deaths was below this quota. In Unit 15 due
50 to high levels of non-hunting human caused mortality,

1 the all season was closed for the 1995, '96 and '97
2 regulatory years. The spring season was closed for the
3 1999, 2000 regulatory years and no permits were issued
4 for the 1998, 2001, '2, '3, '5 and 2006 regulatory
5 years which effectively closed the season.

6
7 The major causes of known non-hunting
8 brown bear deaths were from vehicle collisions, in
9 defense of life and property at residences and by
10 recreationalists and mistaken identity while hunting
11 other game.

12
13 So in 2007 the Federal Subsistence
14 Board adopted seasons and harvest limits only in Unit
15 15C for Ninilchik residents with a Federal registration
16 permit. But since the new Federal hunt in Unit 15C was
17 implemented in 2007 the Alaska Board of Game has
18 effectively removed Ninilchik's opportunity to hunt
19 brown bear in Units 15A and 15B by implementing the
20 State drawing permit hunt in all of Unit 15. These
21 hunts have an award rate of less than 2 percent and
22 over 1,000 people apply for drawing permits annually.
23 So it's difficult to get one.

24
25 The Federal hunt occurs -- can occur
26 only on the Federal public lands in Unit 15C and that's
27 an area that's about 29 -- about 30 percent of Unit
28 15C, whereas if the Board recognized Ninilchik's
29 customary and traditional bear uses in other units
30 Ninilchik could hunt brown bear more and, for example,
31 in 15A, 15A is almost 70 percent Federal public lands
32 and 15B is almost 90 percent Federal public lands, but
33 Ninilchik has put in a proposal to have its customary
34 and traditional uses in those subunits recognized in
35 order for it to pursue a season and harvest limit for
36 brown bear, but the Board has denied it. And now
37 they're requesting it again. And now in addition to
38 all of 15 they are also asking that their uses be
39 recognized in Unit 8.

40
41 Concerning the community, the Ninilchik
42 area had almost 600 residents in 2010 according to the
43 U.S. Census, so we're talking about 600 people, out of
44 that there's probably a couple -- two to 300 households
45 and there are some brown bear hunting specialists in
46 the community. Long term residents of Ninilchik trace
47 their origins to the decedents of Alaska Natives that
48 were predominantly Alutiiq from Kodiak Island who
49 married Russian American company employees and settled
50 on the Kenai Peninsula in the Ninilchik area in 1847.

1 So it was one of these retirement communities. The
2 original inhabitants of Ninilchik came to the Kenai
3 Peninsula and settled within the traditional territory
4 of two Alaska Native groups, Dena'ina Athabascan and
5 Alutiiq. The U.S. Census in 1880 enumerated the
6 population of Ninilchik as 53 Creoles, the name given
7 to people of mixed blood, Russian and native. The U.S.
8 Census in 1890 described the population of Ninilchik as
9 inhabited by 50 Russian Creoles and a small number of
10 natives of the Dena'ina tribe. And thereafter the
11 Ninilchik population increased naturally through
12 kinship relationships and intermarriage with Alutiiq
13 and Dena'ina and through the immigration of people from
14 outside, for instance, for mining and oil development.
15 And therefore the area of Ninilchik has become more
16 demographically diverse, different -- people from
17 different areas are living there now, but there still
18 is the core community of long term Ninilchik residents.
19

20 What we are looking at today is a
21 request for you as members of this Council and then the
22 Board to recognize Ninilchik's customary and
23 traditional uses of brown bear in Units 8 and all of
24 15. A community's customary and traditional use is
25 generally described through the holistic application of
26 eight factors that are listed on Page 84 of your
27 Council books. Some of you are probably familiar with
28 the eight factors and some of you who are newer might
29 want to look through them to familiarize yourself. I
30 won't read them all right now. And in addition to that
31 the Board takes into consideration the reports and
32 recommendations of any appropriate Regional Advisory
33 Council. Recognition of Ninilchik's customary and
34 traditional uses of brown bear in Unit 8 would allow
35 Ninilchik to hunt brown bear in the unit under Federal
36 wildlife regulations. However as mentioned previously
37 Ninilchik did not request an allocation of permits to
38 harvest brown bear in Unit 8 as part of this proposal.
39 They may do so in the future though. Ninilchik did
40 request a season and harvest limit in Units 15A and
41 15B. And Cole's sitting beside me because she has
42 written the analysis for that part of the proposal
43 which we call 22B.

44
45 The following is a quick discussion of
46 the customary and traditional uses of brown bear by
47 Ninilchik residents. Ninilchik residents have used a
48 wide array of fish and wildlife resources since the
49 founding of the community in 1847. The site was chosen
50 so that retirees who included Alutiiqs, Russians and

1 Creoles from the Russian America Company would be able
2 to support themselves by harvesting wild resources and
3 gardening. There's not extensive documentation of
4 Ninilchik's subsistence patterns, but in the
5 information that is available it's clear that brown
6 bear is a part of the subsistence diet of Ninilchik.
7 There are at least five sources of data related to
8 Ninilchik's subsistence harvest and sources include two
9 studies completed by the Fish and Game Division of
10 Subsistence and two completed by the Ninilchik
11 Traditional Council. In several of these studies it
12 indicates that residents of Ninilchik harvest brown
13 bear in Units 15 and also in Unit 8, Kodiak Island,
14 although the level of harvest is low in either unit.

15
16 In addition to the sources noted above
17 information exists concerning hunting brown bear by
18 Ninilchik residents based on the combined Fish and Game
19 and U.S. Fish and Wildlife Service permit report data
20 base. And concerning Unit 8 residents of Ninilchik
21 have hunted brown bear in Unit 8 and Table 6 shows
22 brown bear hunting and harvest activity in Unit 8 by
23 residents of Ninilchik. Since 1986 17 permits have
24 been issued of Ninilchik to hunt brown bear in Unit 8
25 and nine hunters have reported harvesting four brown
26 bear.

27
28 Ninilchik residents have hunted brown
29 bear in other management units too. For instance,
30 Table 12 shows the number of brown bears that were
31 harvested in any management unit. What was mistakenly
32 put in the book is a table showing Ninilchik's harvest
33 based on permit reports only, but permits were not
34 necess -- you don't need a permit to harvest brown bear
35 during some years and in some areas. So I'm going to
36 replace that with the bear sealing data and in any
37 management unit since 1962 cumulative so I'm going to
38 add all those years together in each management unit.
39 Most, 39 percent, of the brown bears sealed by
40 Ninilchik residents were taken in Unit 15, then Unit 8,
41 11 percent and then Units 9, 13 and 16, 7 percent each.

42
43 In conclusion, if this proposal is
44 adopted Ninilchik residents would have their customary
45 and traditional uses of brown bear recognized in Units
46 15A, 15B, on the Kenai Peninsula and in the Kodiak area
47 in Unit 8. The proponent, the Ninilchik Traditional
48 Council, did not request an allocation of Federal brown
49 bear registration permits to hunt in Unit 8, but may do
50 so in the future.

1 And the OSM preliminary conclusion is
2 to support Proposal WP12-22A.

3
4 Thank you, Mr. Chair. That's the end
5 of my presentation.

6
7 CHAIRMAN SIMEONOFF: Thank you, Pippa.

8
9 MS. KENNER: You're welcome.

10
11 CHAIRMAN SIMEONOFF: Fish and Game.

12
13 MS. YUHAS: Thank you. Mr. Chairman.
14 For the record Jennifer Yuhas, Alaska Department of
15 Fish and Game.

16
17 We did originally recommend that this
18 proposal 22 be broken into two parts, A and B, and so
19 we're happy that the presentation has been broken up as
20 well. The department does not find enough information
21 to support a positive customary and traditional use
22 finding for the residents of Ninilchik for the area
23 including Kodiak for brown bear. The two studies
24 cited, 1982 shows that the study did not include brown
25 bear and 1998 study shows that although eight
26 households within the entire community tried to harvest
27 brown bear, none used, harvested or received a share of
28 it and we believe that a positive C&T for these people
29 in this are would unnecessarily exclude other users.

30
31 *****
32 STATE OFFICIAL WRITTEN COMMENTS
33 *****

34
35 Alaska Department of Fish and Game
36 Comments to the Regional Advisory Council

37
38 Wildlife Proposal WP12-22:

39
40 This proposal requests a customary and
41 traditional use determination for residents of
42 Ninilchik for brown bear in Units 15A, 15B, and 8. The
43 proposal also requests federal subsistence brown bear
44 hunt management regulations be changed for Unit 15.

45
46 Introduction:

47
48 This proposal was submitted to expand
49 the current customary and traditional use determination
50 for the residents of Ninilchik for brown bear in Units

1 15A and B on the Kenai Peninsula and in Unit 8 in the
2 Kodiak Island archipelago. The proposal also requests
3 modification of the current federal subsistence brown
4 bear hunt management to establish a permanently opened
5 season in Unit 15 which may be closed by the Kenai
6 National Wildlife Refuge Manager in consultation with
7 the Alaska Department of Fish and Game and the chair of
8 the South Central Alaska federal subsistence Regional
9 Advisory Council when necessary. This proposed change
10 differs from existing regulation because currently the
11 federal subsistence brown bear regulations for Unit 15
12 states the Refuge Manager may open or close the season
13 by announcement.

14

15 Impact on Subsistence Users:

16

17 Adoption of this proposal will provide
18 a significant increase in opportunity for the residents
19 of Ninilchik to harvest brown bears under federal
20 subsistence regulations. Adoption of this proposal
21 will provide opportunity for residents of Ninilchik to
22 participate a federal subsistence brown bear hunt in
23 Units 15A and B as well as in Unit 8 where the
24 residents of Ninilchik currently do not have a
25 customary and traditional use determination. Adoption
26 of the portion of the proposal restricting the Refuge
27 Manager's ability to open the season is not expected to
28 impact federal subsistence users. A positive C&T
29 finding only for those mentioned may unnecessarily
30 exclude other users.

31

32 Opportunity Provided by State:

33

34 The State brown bear hunt in Unit 15
35 follows:

36

37 Residents and non-residents are allowed
38 one brown bear every 4 regulatory years by drawing
39 permit. The fall season is from September 15 through
40 November 30 (DB303/305) and the spring season is from
41 April 1 through June 15 (DB307/309).

42

43 Conservation Issues:

44

45 Yet to be determined

46

47 Enforcement Issues:

48

49 Differences in federal and State
50 regulations resulting from adoption of this proposal

1 will create enforcement issues in areas with mixed land
2 ownership.

3

4 Other Comments:

5

6 The questions posed in this proposal
7 should be bifurcated. Ability to provide an open until
8 closed status should be determined independently of a
9 Customary & Traditional determination for this
10 population. A positive C&T finding only for those
11 mentioned may unnecessarily exclude other users.

12

13 Recommendation: Modify.

14

15 Thank you.

16

17 CHAIRMAN SIMEONOFF: Thank you.

18 Federal agencies.

19

20 (No comments)

21

22 CHAIRMAN SIMEONOFF: Tribal. Jerry.

23

24 MR. BERG: Yes, thank you. Mr. Chair.

25 This is Jerry Berg with Fish and Wildlife Service.

26

27 We received -- actually there was just
28 one comment on this proposal and that was from Rick
29 Rowland when he was representing the Sun'ag Tribe. And
30 again, Rick, if I don't capture your comments here,
31 correct me, please speak up. But basically Rick was
32 asking why there was a no subsistence priority for
33 Ninilchik for brown bear in Unit 15 remainder since
34 ANILCA was supposed to ensure a priority for
35 subsistence uses. And during the teleconference Pat
36 Petrovelli, who works for the BIA, explained that the
37 Federal Subsistence Board had previously addressed the
38 customary and traditional use of brown bear in Unit 15
39 and had made a determination that residents of
40 Ninilchik primarily used brown bear in 15C. And so
41 that's why there was a no subsistence priority that's
42 identified for the remainder which is 15A and B.

43

44 And so that's the only comment we had
45 regarding this proposal, Mr. Chair.

46

47 CHAIRMAN SIMEONOFF: Good. Thank you,

48 Jerry. Rick.

49

50 MR. ROWLAND: Yes, thank you, Jerry. I

1 would also like to add that in my questioning about the
2 no subsistence priority in Unit 15 I also mentioned
3 that subsistence is a priority. And to have a unit
4 that's in Alaska that says no subsistence priority is
5 conflicting with the Title VIII of ANILCA. And so that
6 was also more information related to my response when I
7 was on teleconference with the Sun'aq Tribe.

8

9 CHAIRMAN SIMEONOFF: Interagency -- oh.

10

11 MR. HOLMES: Oh, never mind, go ahead.

12

13 CHAIRMAN SIMEONOFF: We don't have
14 InterAgency Staff comments. Go ahead, Pat.

15

16 MR. HOLMES: I inquired with several
17 folks in town with some of the Sun'aq Board and then
18 some hunters and guides and, I guess, my comments will
19 be primarily my conversation with Melissa at NBA and
20 she felt that she didn't think there'd be a problem
21 with them taking brown bears in Unit 8. Some other
22 folks felt that there were way too many -- Ivan Lukine
23 in Port Lions commented there were way too many bears
24 on Afognak, but I think neither one of them realized
25 that there was a quota set aside, am I correct, for
26 brown bears in Unit 8, there's a limited number
27 available for subsistence use; is that correct?

28

29 MS. KENNER: Mr. Chair. This is Pippa
30 Kenner. I believe so. What I found in the regulations
31 and nobody has informed me otherwise.....

32

33 MS. BROWN: It's Page 46 of the red
34 book.

35

36 MS. KENNER: And it's also on Page 46
37 of the red book. Cole, could you read that, I don't
38 have it in front of me right now. This is Cole Brown
39 with the Office of Subsistence Management.

40

41 MS. BROWN: Akhiok has one permit,
42 Karluk one permit, Larsen Bay up to three permits, Old
43 Harbor up to permits, Ouzinkie up to two permits and
44 Port Lions up to two permits.

45

46 MR. HOLMES: Thank you, ladies. And, I
47 guess, just knowing those folks for a long time I think
48 conceptually they're thinking about gee, let's get the
49 bears down, that'll make less of a problem, but if it
50 means that some of that quota would be taken away from

1 established areas that already have a C&T here, then
2 their lost long -- long lost cousins up north can go
3 hunt somewhere else.

4

5 Another comment I got on this that I'd
6 like our Board to reflect on is in giving other areas a
7 C&T within the Kodiak within Unit 8 for let's say brown
8 bears and it's just a thought, how would that relate in
9 the future if they were to come back and say gee, now
10 we want a C&T for deer. Because right now there's a
11 lot of problems I know in chatting with Mitch and Al on
12 the south end of the island where a lot of the
13 outfitters from Homer come down here and some of them --
14 a couple I know, are former Kodiak salmon fishermen.
15 So, you know, that potential -- I could see a potential
16 of some conflicts for -- if we reached some limited
17 situations on deer where people once you got the C&T
18 for bears would come down and say gee, let's have a C&T
19 for deer and create even more user conflict within our
20 area. So just as something to reflect on.

21

22 Thank you.

23

24 MR. SUNDSETH: Hello. Mr. Chair. This
25 is Kodiak National Wildlife Refuge chiming in, can you
26 hear us?

27

28 CHAIRMAN SIMEONOFF: Yes, go ahead.

29

30 MR. SUNDSETH: Okay. Sorry for the
31 interruption. It's difficult to hear and we're trying
32 to find a good time to weigh on this.

33

34 I just wanted to take a moment to let
35 you know the feelings from the Refuge and we're opposed
36 to this proposal. Current regulations as you've
37 discussed make an allotment for local communities to
38 harvest bear under subsistence regulations here on
39 Kodiak Island. And that's the system that's currently
40 in place and has worked well. There hasn't been an
41 accommodation for folks coming from outside areas to
42 try and harvest bear on Kodiak Island. And the
43 customary and traditional analysis seems to be weak for
44 this particular case. And I just wanted to state that
45 we are indeed opposed to this proposal.

46

47 Thank you.

48

49 CHAIRMAN SIMEONOFF: All right. Thank
50 you. Yeah, I personally feel that getting a bear

1 permit, I would have to ask which bear guide took them
2 out. You know, there's -- well, on Kodiak the village
3 is a -- tribal villages, if I go over to Old Harbor or
4 Port Lions, I go to the tribal council and say I'm from
5 Akhiok can I hunt in your area. They say yes or no. I
6 mean, you just -- and I abide by that. These guys are
7 coming to Kodiak and hunting bear and they're -- who
8 are they consulting with. I mean, they didn't ask
9 Kodiak, they didn't ask Port Lions. I think their C&T,
10 getting a permit from the State or Federal is not
11 customary and traditional practice. I don't support
12 this proposal.

13

14 MR. CRATTY: Mr. Chair.

15

16 CHAIRMAN SIMEONOFF: Yes, Al.

17

18 MR. CRATTY: Al here. I was on the
19 Council in 1995 when we started working on this and
20 took a lot of time to work on it. And I feel that it
21 would affect the rest of us in Unit 8 if we were to let
22 them hunt. Although I can remember my grandma saying
23 we had relatives up in Kenai. So, you know, that was
24 there, but I feel it took us a lot to get this and I
25 think we should leave it as is in the unit where it is.

26

27 Thank you.

28

29 CHAIRMAN SIMEONOFF: Thank you, Al.
30 Explain that a little further, leave it as is,
31 what.....

32

33 MR. CRATTY: Yeah, in Unit 8. I mean,
34 it's there for Unit 8 and Unit 8 should be able to.....

35

36 CHAIRMAN SIMEONOFF: Okay.

37

38 MR. CRATTY:the villages that
39 have it there should -- are the ones that should have
40 it. I don't think other units should come into our
41 area and -- you know, especially brown bear.

42

43 CHAIRMAN SIMEONOFF: Okay. Thank you,
44 Al. Other regional comments, Advisory comments.

45

46 MR. BERG: Mr. Chair.

47

48 CHAIRMAN SIMEONOFF: Who's that? Go
49 ahead.

50

1 MR. BERG: Yeah, this is Jerry Berg
2 with Fish and Wildlife Service. We did have some
3 InterAgency Staff Committee comments on this proposal.
4 And the Interagency Staff Committee they -- we meet and
5 we discuss all the proposals statewide and so we
6 discussed this proposal on August 2nd and we have a few
7 additional comments that we felt were important to
8 bring forward to the Council.

9
10 Some of the members of the Staff
11 Committee felt that the information available
12 concerning residents of Ninilchik using brown bear in
13 Unit 15A appears limited with one permit issued and no
14 bears being harvested over the past 25 years in that
15 area. There is a report of residents of Ninilchik
16 attempting to harvest brown bear at some point in their
17 lifetime in Units 15A, B and C, however taken together
18 some of the ISC members felt that this does not appear
19 to constitute a consistent pattern of use of brown bear
20 in Unit 15A. It does make more sense that the
21 residents of Ninilchik hunted closer in proximity to
22 their community which is nearer to Units 15C and B.

23
24 In addition some of the Staff Committee
25 members had similar concerns about residents of
26 Ninilchik using brown bears from Unit 8. These members
27 feel that the information available does not
28 demonstrate a consistent pattern of use of brown bear
29 by residents of Ninilchik in Unit 8.

30
31 Thank you, Mr. Chair.

32
33 CHAIRMAN SIMEONOFF: Okay. Thank you.

34
35 MR. KOSO: Mr. Chair.

36
37 CHAIRMAN SIMEONOFF: Yes.

38
39 MR. KOSO: Yeah, I'm going to oppose
40 this just due to the fact, I know I'm not from Kodiak
41 area, I represent this area, and I also don't represent
42 15C, D or E. So as far as 15 goes I think that's out
43 of our jurisdiction. As far as 8 goes it's in our
44 jurisdiction, but it sounds to me that the folks that
45 live there are against this proposal. So I'm going to
46 oppose it as it stands.

47
48 CHAIRMAN SIMEONOFF: Thank you, Rick.
49 Pat.

50

1 MR. HOLMES: Rick, you said the folks
2 that live there are opposed to it or you mean the folks
3 that live in Unit 8?

4
5 MR. KOSO: I was referring to the Unit
6 8 people in the Kodiak Island area. Listening to Al
7 and I listened to Mitch from Kodiak and Rick here, it
8 sounds like you guys got it under control there in Unit
9 8 and I don't think that Unit 15 we should be making a
10 determination that they should be able to come to a
11 different unit. I wouldn't want them doing that in our
12 area. And so I'd be opposed to this proposal.

13
14 MR. HOLMES: If I may continue.

15
16 CHAIRMAN SIMEONOFF: Go ahead, Pat.

17
18 MR. HOLMES: I agree on opposing it in
19 Unit 8 and it sounds like there is some information for
20 them for Unit 15C and E. And I know that Duwayne
21 Kosnokoff and some of the other folks like that that
22 have moved back to the mainland from Kodiak would
23 probably be batting me behind the ears for not doing 8,
24 but I think that we could support them for that Unit
25 15C and E, but not do it for Unit 8. So that's my
26 thoughts at the moment.

27
28 CHAIRMAN SIMEONOFF: Okay. Any other
29 comments?

30
31 MR. KOSO: You know, I kind of disagree
32 a little bit there on what you said there because I
33 don't think it's our place to make a recommendation on
34 an area that we don't represent. So that's the reason
35 I would say -- oppose this whole thing as it stands.

36
37 MR. HOLMES: Okay. I understand you,
38 Rick. Thank you.

39
40 CHAIRMAN SIMEONOFF: Other Advisory
41 group comments?

42
43 MR. ROWLAND: I have a comment.

44
45 CHAIRMAN SIMEONOFF: Go ahead.

46
47 MR. ROWLAND: Under the Page 84, you
48 have Page 84? This is Rick Rowland. Under the eight
49 factors of determining customary and traditional uses,
50 when was this generally exemplified eight factors

1 created?

2

3

MS. KENNER: Very good question, I'm going to think about that just a minute. Some form of the eight factors, sometimes it was construed as 10 factors, were adopted -- was adopted by the -- both Boards, the Alaska Board of Fish and the Alaska Board of Game back in the early -- I'm going to say back in the early 1980s. In 1990 when the Federal Subsistence Management Program was instituted and Federal regulations were being considered by the Federal Subsistence Board, it adopted into Federal regulations the eight factors. They're not in ANILCA, ANILCA just describes customary and traditional uses with a little bit more description than that, including barter and trade and things like that and wild resources used primarily for home use. But we have adopted them into our regulatory structure so we do use them as a frame work within which to describe what we call customary and traditional uses.

21

22

MR. ROWLAND: I appreciate that answer. And this is a general guideline and not a law or a regulation, correct?

25

26

MS. KENNER: I would like to -- I wouldn't characterize it as a guideline, but I would say that they're not criteria, that each one has to be met one after the other in order for something to be considered customary and traditional. The definition of customary and traditional is what the Board sees as customary and traditional based on my analysis within the frame work of the eight factors and recommendations from the Council particularly, but other commentators also.

36

37

MR. ROWLAND: Thank you.

38

39

MS. KENNER: You're welcome.

40

41

CHAIRMAN SIMEONOFF: All right. Thank you. Fish and Game Advisory Committees.

43

44

(No comments)

45

46

CHAIRMAN SIMEONOFF: National Park Service.

48

49

(No comments)

50

1 CHAIRMAN SIMEONOFF: Written comments.
2
3 (No comments)
4
5 CHAIRMAN SIMEONOFF: No written
6 comment. No public testimony. Regional Council
7 recommendation.
8
9 (No comments)
10
11 CHAIRMAN SIMEONOFF: A motion is in
12 order.
13
14 MR. HOLMES: Mr. Chairman. I move that
15 we adopt -- lost my place, WP12-22A.
16
17 MR. KOSO: Second.
18
19 CHAIRMAN SIMEONOFF: Moved and
20 seconded. Any discussion.
21
22 MR. HOLMES: Mr. Chairman.
23
24 CHAIRMAN SIMEONOFF: Pat.
25
26 MR. HOLMES: I'd just like to add on to
27 Al Cratty's comments. '95 when those things were
28 developed I was the secretary for the Fish and Game
29 Advisory Committee and they chewed on it long and hard
30 and tried to work with all the villages to come up with
31 the community subsistence harvest and I suspect they
32 probably -- their thoughts being as most of them are
33 still on that Committee, would parallel our Committee's
34 discussion so far.
35
36 CHAIRMAN SIMEONOFF: Any further
37 discussion.
38
39 (No comments)
40
41 CHAIRMAN SIMEONOFF: Hearing no further
42 discussion may.....
43
44 FALSE PASS: False Pass here, did I
45 miss something?
46
47 CHAIRMAN SIMEONOFF: Go ahead. We --
48 identify yourself.
49
50 FALSE PASS: Hello, False Pass is

1 online.
2
3 CHAIRMAN SIMEONOFF: Okay. Let's
4 finish this. May I have a roll call vote, please.
5
6 MS. BROWN: For WP12-22A. Member
7 Cratty.
8
9 MR. CRATTY: I don't support.
10
11 MS. BROWN: Member Koso.
12
13 MR. KOSO: No.
14
15 MS. BROWN: Member Rowland.
16
17 MR. ROWLAND: No.
18
19 MS. BROWN: Chairman Simeonoff.
20
21 CHAIRMAN SIMEONOFF: No.
22
23 MS. BROWN: Member Holmes.
24
25 MR. HOLMES: No.
26
27 MS. BROWN: Member Shelikoff.
28
29 MR. SHELIKOFF: No.
30
31 MS. BROWN: Member Trumble.
32
33 MS. TRUMBLE: No.
34
35 MS. BROWN: WP12-22A fails unanimously.
36 Thank you. I assume we're taking a quick break.
37
38 CHAIRMAN SIMEONOFF: Okay. Take a
39 short break and then.....
40
41 MS. TRUMBLE: Mr. Chair.
42
43 CHAIRMAN SIMEONOFF: Yes, Della.
44
45 MS. TRUMBLE: I'm under -- did you say
46 you're taking a break or.....
47
48 CHAIRMAN SIMEONOFF: Yes, we're taking
49 a short break and then we're going to come back for our
50 3:00 o'clock appointment.

1 MS. TRUMBLE: On the caribou. That's
2 where the RAC -- Tommy, I heard you ask where they are,
3 they're just getting ready to take a break and then
4 start.

5
6 CHAIRMAN SIMEONOFF: Yeah.

7
8 FALSE PASS: Okay. Thank you.

9
10 CHAIRMAN SIMEONOFF: We'll be right
11 back, we just need a.....

12
13 (Off record)

14
15 (On record)

16
17 CHAIRMAN SIMEONOFF: We'll continue
18 with the proposals. Next proposal on the list is.....

19
20 MS. TRUMBLE: Mr. Chair.

21
22 CHAIRMAN SIMEONOFF: Yes, Della.

23
24 MS. TRUMBLE: There was a couple more
25 beeps, I -- you might want to check if anybody's online
26 for Sand Point or if Stanley Mack is online also.

27
28 CHAIRMAN SIMEONOFF: Okay. False Pass
29 is on, Stanley Mack's on, is there anyone else?

30
31 MR. DeVINE: Yes, this is Peter DeVine,
32 Jr., calling in from Sand Point.

33
34 CHAIRMAN SIMEONOFF: Sand Point. Is
35 that.....

36
37 MS. TRUMBLE: Mr. Chair, we also have ,
38 the president of the Milkowsie Tribal and we have Dean
39 Gould, the president of King Cove Corporation.

40
41 CHAIRMAN SIMEONOFF: Okay. And with
42 that then we'll continue with the proposals. So the
43 next one is WP12-37.

44
45 MS. BROWN: Good afternoon. Mr.
46 Chairman. Members of the Council. This is Cole Brown
47 with Office of Subsistence Management. WP12-37 begins
48 on Page 101 of your Council books.

49
50 Proposal WP12-37 was submitted by the

1 Kodiak/Aleutians Regional Advisory Council and requests
2 a harvest season be established in Unit 9D from August
3 1st through March 15th with a harvest limit of one bull
4 caribou. Quotas and any needed closures would be
5 announced by the Federal in-season manager after
6 consultation with the Alaska Department of Fish and
7 Game. The proponent believes that the Southern Alaska
8 Peninsula Caribou Herd may soon have a small,
9 harvestable surplus that should be made available for
10 harvest to Federally-qualified subsistence users. Only
11 bulls would be available for harvest and the hunt would
12 only be allowed if there was sufficient animals to
13 harvest. This proposal is intended to define a hunt
14 structure to issue permits once the Southern Alaska
15 Peninsula Caribou Herd is above the defined thresholds
16 in the 2008 Operational Plan.

17
18 The Southern Alaska Peninsula Caribou
19 Herd population began to decline during the early 1980s
20 and continued through the 1990s. In 1990 as the
21 population decline continued State and Federal resource
22 manager agreed that all caribou harvesting should cease
23 when the population fell below 2,500 animals. In 2006
24 the regulations were changed to a two bull harvest
25 rather than two caribou. This change allows the
26 continued harvest of the herd and it eliminated the cow
27 hunt at a time when the population was continuing to
28 decline, yet the bull/cow ratio was still within
29 management objectives at the time.

30
31 Based on July, 2007 caribou counts as
32 well as past population declines, poor recruitment and
33 low bull/cow ratios, ADF&G issued an emergency order to
34 close resident hunting in Unit 9D for caribou. Also in
35 2007 the Federal fall and winter seasons were closed.
36 In 2008 the Federal Subsistence Board adopted WP08-26
37 which closed Federal public lands of the caribou season
38 in Unit 9D due to population trend and composition
39 counts indicating the caribou herd had been in a period
40 of decline for the past several years. Following the
41 population decline beginning spring, 2008 intensive
42 predator control began on the calving grounds. Calf
43 survival showed a marked increase in October, 2008 to
44 39 percent and continued to increase to 47 percent in
45 2010. Bull/cow ratios also increased from 10 bulls to
46 28 bulls per 100 cows in 2010. In 2009 and 2010 the
47 bull/cow ratios were 21 and 28 per 100 cows which are
48 above the minimum 20 bulls per 100 cows stipulated in
49 the Southern Alaska Peninsula Caribou Herd Operational
50 Plan. The post calving caribou count has been

1 approximately 800 animals in 2009 which was an increase
2 from 2008 post calving count of 700. If the 2011
3 bull/cow ratios, which is to be conducted in October of
4 this year, are similar or greater than the past two
5 years, this portion of the management objectives will
6 have been met. The Izembek National Wildlife Refuge
7 staff conducted an aerial population count of the herd
8 in April, 2011 and 790 caribou in 64 groups were
9 counted.

10

11 Historically caribou are the most
12 important land mammal used for subsistence in the lower
13 Alaska Peninsula communities. Most of the reported
14 subsistence harvest in Unit 9D occurred along the Cold
15 Bay road system during November and December when the
16 herd is in the vicinity of Cold Bay. The season would
17 be eight months long and Federally-qualified
18 subsistence users would have an opportunity to harvest
19 a small number of caribou should they reach the
20 threshold of the management plan.

21

22 Additionally if this is adopted it
23 would allow the Izembek National Wildlife Refuge
24 manager to determine and announce harvest quotas and
25 any needed closures after consultation with the Alaska
26 Department of Fish and Game which will give regulatory
27 flexibility to change the allowable harvest with
28 fluctuations of the caribou population and to close the
29 hunt based on conservation concerns or once the quota
30 has been met.

31

32 The OSM preliminary conclusion is to
33 support with modification Proposal 12-37 to split the
34 season dates to the last precloser season which allows
35 recovery time after the rut. The modified regulation
36 should read one bull caribou by Federal registration
37 permit only, quotas and any needed closures will be
38 announced by the Federal in-season manager after
39 consultation with ADF&G, from August 1 through
40 September 30th and November 15th through March 31st.

41

42 The justification, the calf survival
43 has shown a marked increased from 2008 until present.
44 The recruitment of calves has reversed the negative
45 population trend. Bull/cow ratios have also increased
46 from 10 to 28 bulls per 100 cows. And as outlined in
47 the Southern Alaska Peninsula Caribou Herd Operational
48 Plan, when a threshold to allow harvest have been met,
49 a small harvestable surplus may exist for Federally-
50 qualified subsistence users to harvest one bull caribou

1 by Federal registration permit only.

2

3 Due to the length of this regulatory
4 cycle this proposal is intended to create the hunt
5 structure to issue the permits, but to keep the hunt
6 closed until the population exceeds the thresholds
7 within the 2008 Operational Plan which is currently
8 1,000 animals.

9

10 The Izembek National Wildlife manager
11 has subsequently proposed a season from August 1st
12 through September 30th and December 1st through March
13 31st to allow for more recovery time after the rut.
14 ADF&G has proposed a season limited to the fall of only
15 August 10th to September 20th. There has been a debate
16 on whether harvest of caribou directly after the rut is
17 important to subsistence users, therefore input from
18 the Kodiak/Aleutians Regional Advisory Council would be
19 appreciated.

20

21 Thank you.

22

23 CHAIRMAN SIMEONOFF: Thank you, Cole.
24 Fish and Game.

25

26 MS. YUHAS: This is Jennifer Yuhas with
27 the Alaska Department of Fish and Game. Thank you.
28 Mr. Chairman.

29

30 You've seen the modifications that
31 we're supporting and we're pleased to see that the herd
32 is beginning to recover. We were unable to do some of
33 our surveys last year due to weather, we were in place,
34 but we couldn't get up to go do the surveys.

35

36 We're supporting having this in front
37 of you as a means to put the mechanics in place so that
38 when the herd has recovered we can open the hunt more,
39 but we do support the modifications that we suggested
40 with the dates of August 10th to September 20th and
41 only opening and closing in consult with Fish and Game.

42

43 *****
44 STATE OFFICIAL WRITTEN COMMENTS
45 *****

46

47 Alaska Department of Fish and Game
48 Comments to the Regional Advisory Council

49

50 Wildlife Proposal WP12-37:

1 Reopen Unit 9D federal subsistence
2 caribou hunt if the herd is rebounding.

3

4 Introduction:

5

6 This proposal requests re-establishing
7 a federal subsistence caribou hunt in Unit 9D. All
8 caribou hunting in Unit 9D are currently closed due to
9 conservation concerns. This proposal was submitted as
10 a regulatory process place holder in expectation that
11 the Unit 9D caribou herd will rebuild to a point that
12 harvestable surplus will become available by the time
13 the Federal Subsistence Board meets to discuss this
14 proposal.

15

16 Impact on Subsistence Users:

17

18 If adopted, federal subsistence hunters
19 will be allowed to harvest caribou in Unit 9D at a
20 level that still needs to be determined. Currently,
21 all hunting has been closed in the area due to
22 extremely low caribou population levels, bull:cow
23 ratios, and calf recruitment.

24

25 Opportunity Provided by State:

26

27 State regulations currently prohibit
28 hunting caribou in Unit 9 under state regulations.
29 This hunt was closed by emergency order in 2007 due to
30 low population levels.

31

32 Conservation Issues:

33

34 The Unit 9D caribou population declined
35 rapidly after reaching a peak in 2002. This decline
36 was associated with very poor calf recruitment, which
37 in turn reduced the bull:cow ratio. According to
38 guidelines established in the 2008 Southern Alaska
39 Peninsula Caribou Herd Operational Plan, there is to be
40 no hunting of this herd when the population size is
41 less than 1,000 caribou and the bull ratio is below 20
42 bulls:100 cows. . The plan also recommends that the
43 bag limit be limited to only bulls until the herd
44 reaches a population size of 2,000. Recent actions by
45 the State to reduce wolf predation stopped the decline
46 and initiated the recovery of the herd. This
47 rebuilding effort is expected to provide a small
48 harvestable surplus in the near future when the herd
49 exceeds the threshold of 1,000 caribou and the bull:cow
50 ratio nears the management objective. This proposal

1 was submitted to establish the permit hunt structure
2 that will eventually be used to offer federal
3 subsistence opportunity once the population has
4 rebounded enough to provide harvest. If the herd has
5 rebuilt to meet operational plan goals, it is unlikely
6 a limited harvest would have any negative impact on the
7 herd. However caribou hunts during the rut are not
8 recommended because they are disruptive to the herd and
9 the meat from harvested bulls is of poor quality. Hunts
10 during winter months (November to March) result in high
11 rates of wounding loss and cow harvest. The impact of
12 the harvests must to be evaluated with these facts in
13 mind.

14

15 Enforcement Issues:

16

17 Differences in federal and state
18 regulations resulting from adoption of this proposal
19 will create enforcement problems in areas with mixed
20 land ownership. Hunters, as well as state and federal
21 administrators, may have difficulty distinguishing
22 between state and federal lands in Unit 9D.

23

24 Other Comments:

25

26 The Department will continue to
27 evaluate the herd relative to the population threshold
28 established in the Southern Alaska Peninsula Caribou
29 Herd Operational Plan. Population counts during the
30 last 2 years (2010 and 2011) were not conducted due to
31 poor weather conditions that have persisted in the area
32 during the last 2 summers. Attempts to enumerate the
33 herd and evaluate the population's status will be
34 repeated during herd aggregations during fall rut and
35 post-calving. At that time, state managers will
36 determine if the herd meets the required population
37 level, bull:cow and calf:cow ratios.

38

39 Recommendation:

40

41 The Department recommends adopting this
42 proposal with modifications. Season dates should be
43 limited to the fall (Aug 10 to Sept 20) and should not
44 include dates associated with rutting behavior (Sept.
45 20 to Nov. 10) or high rates of wounding loss and cow
46 harvest (Nov. 1 to March 31). Winter hunts will be
47 recommended when the herd has recovered sufficiently to
48 accommodate high harvest rates and cow harvests.

49

50 The Department also recommends a clear

1 statement that ADF&G will be consulted on hunt
2 openings, closings, and harvest quotas. Additionally
3 it should be acknowledged during discussions of this
4 proposal that the intent is to create a hunt structure
5 to issue permits in the future, but that no permits
6 will be issued until the herd is above the recommended
7 thresholds laid out in the 2008 operational plan. The
8 status of the herd and its ability to sustain harvest
9 remain in question at this time, and further action by
10 the state to reduce predation rates may be needed if
11 human harvest is authorized. Coordination between
12 state and federal managers is important at all stages
13 of population growth, but it is critically important
14 when herd size is small and harvest is questionable.

15
16 CHAIRMAN SIMEONOFF: Okay. Thank you.
17 Federal agencies.

18
19 MS. PETERSON: Just that Izembek
20 supports having this put in place as a -- I think
21 somebody called it a structure for future use based on
22 the numbers that do come out. We've -- and as was said
23 by the Fish and Game we've attempted to get out and do
24 the surveys, but the weather's not permitted. We work
25 with State Fish and Game for those surveys and we have
26 everything in place to do it, and are unable to
27 accomplish that sometimes due to weather.

28
29 So we would like to keep a close eye on
30 the numbers that do come in from the surveys we're able
31 to accomplish and base the outcome as far as the actual
32 hunt numbers, base it on those numbers that we come up
33 with.

34
35 Thank you.

36
37 CHAIRMAN SIMEONOFF: Okay.

38
39 FALSE PASS: Mr. Chair. We're having a
40 hard time hearing you at False Pass, move closer to the
41 mic.

42
43 CHAIRMAN SIMEONOFF: Would you like her
44 to repeat that?

45
46 FALSE PASS: Yes, we would, please.

47
48 MS. PETERSON: Okay. I'm sorry. I'll
49 put it up closer, does that work better, can you hear
50 this? Are you able to hear me now?

1 CHAIRMAN SIMEONOFF: Can you hear okay?
2
3 FALSE PASS: A little better.
4
5 MS. PETERSON: Okay.
6
7 CHAIRMAN SIMEONOFF: Okay.
8
9 MS. PETERSON: Okay. Thank you.
10 Normally I get accused of having too loud of a voice, I
11 apologize.
12
13 What I was saying is that Izembek does
14 support having this proposal in place as a structure
15 for the -- setting the statistics for the hunt in the
16 future because it does take time to get these things to
17 go through the process and get it in place. We would
18 like to base the future numbers that are set for the
19 take upon what numbers come out of the surveys that we
20 are able to accomplish. We work with State Fish and
21 Game on those surveys and work with them as well at
22 coming up with the number for the actual herd
23 statistics. So we do support having -- going through
24 this process and getting in put in place.
25
26 Thank you, Mr. Chairman.
27
28 CHAIRMAN SIMEONOFF: Okay. Thank you.
29 False Pass, did you get that okay?
30
31 FALSE PASS: Yes, thank you.
32
33 CHAIRMAN SIMEONOFF: All right. Native
34 tribe and villages. Jerry.
35
36 MR. BERG: Thank you. Mr. Chair.
37 Jerry Berg with Fish and Wildlife Service. For those
38 who just joined I'm summarizing some input we got
39 through tribal consultation teleconference we had about
40 a week ago.
41
42 And for this proposal we only heard
43 input from one tribe and that was from Rick Rowland
44 with the Sun'ag Tribe. And again, Rick, correct me or
45 clarify anything that I didn't capture during that
46 teleconference, but at the time I had down that you
47 suggested that the agencies work with the local users
48 of the Southern Peninsula Caribou Herd so they can
49 provide input on how the hunt would work best for them.
50

1 That's all I had, Mr. Chair. Thank
2 you.

3
4 CHAIRMAN SIMEONOFF: Thank you, Jerry.
5 InterAgency Staff Committee.

6
7 MR. BERG: The InterAgency Staff
8 Committee has no comments that I'm aware of for this
9 proposal. Mr. Chair.

10
11 CHAIRMAN SIMEONOFF: Thank you.
12 Advisory group comments. Mr. Rowland.

13
14 MR. ROWLAND: Thank you. Mr. Chair.
15 Rick Rowland. In a follow-up to what Jerry was talking
16 about, the reason why I mentioned that was in relation
17 to the potential of co-management responsibilities to
18 where the user groups in the area quite possibly could
19 enter into a co-management agreement with the Federal
20 government and quite possibly State of Alaska to deal
21 with not only the harvest of the caribou, but also with
22 the predator control and the subsistence user out
23 there.

24
25 The one thing that comes to my mind
26 while I'm listening to this presentation of the
27 proposal is I keep thinking about this Unimak Island
28 caribou response that we got from the Federal
29 Subsistence Board to where we were suggesting that
30 something be done about the predator, but I hope we
31 don't lose sight of this predator issue because we
32 start talking about the harvest of the caribou. So
33 this is an important issue as well as the other issue
34 for those individuals out there and so I'd like to hear
35 what they have to say.

36
37 CHAIRMAN SIMEONOFF: Thank you, Rick.
38 Any other comments from the.....

39
40 MR. KOSO: Mr. Chairman.

41
42 CHAIRMAN SIMEONOFF:Advisory
43 Council. Rick Koso.

44
45 MR. KOSO: Yeah. Mr. Chairman. This
46 is Rick here. I just -- I guess I got a question, you
47 got August 1st, September 30th and November 15th. Are
48 you looking at this year for November 15th or are you
49 going to implement it in the next year on this opening
50 you're talking about.

1 MS. BROWN: This is just what the hunt
2 structure would be if the population exceeds 1,000. We
3 haven't hit that yet, but because of the regulatory
4 cycle it takes -- you know, it's two plus years long,
5 that when the herd does hit it, it has two of the
6 criteria met, the bull/cow ratios are looking good, the
7 calf survival is looking good, but we haven't hit that
8 threshold of the 1,000 population in order to open up a
9 hunt. So this is putting that in place, what the
10 season would be, what the structure would be,
11 recommending the Federal registration permit, the
12 quotas, et cetera, the consultation with ADF&G is all
13 contingent upon that herd reaching that threshold.
14 Once it does then the managers take over on what the
15 quota is and when it's open.

16
17 MR. KOSO: Yeah, that's -- thank you
18 for that. I guess my question then is to find out if --
19 you know, you've got your 28 caribou versus your 20
20 bulls per 100 and is there a chance that since you have
21 the bulls and you're allowed let's say eight bulls to
22 hunt, if the tribes of King Cove or False Pass or
23 Nelson Lagoon, if they allotted someone to go out and
24 shoot X amount of bulls or whatever for the community,
25 is that a possibility to do prior to getting the total
26 of 1,000 caribou?

27
28 MS. BROWN: No, we need -- because it's
29 a joint management plan between the Fish and Wildlife
30 Service and Alaska Department of Fish and Game they
31 have agreed upon the management objectives for this
32 herd and it stipulates that there will be -- there will
33 not be a harvest unless you -- the herd exceeds 1,000
34 caribou. So there are certain criteria as in it -- the
35 bull/cow ratio needs to be above 20 per three
36 consecutive years, that's another criteria, the calf
37 survival rate. So what I'm saying is that there's two
38 of those thresholds that have been met. We are hopeful
39 that in the near future this hunt will be allowed and
40 so we want to put this hunt structure in place for that
41 time frame when it does.

42
43 MR. KOSO: I got one more question, it
44 just -- it may not relate to this area, but to Adak.
45 Nancy, are you the one that controls the Refuge in Adak
46 or someone else out of Homer?

47
48 MS. HOFFMAN: No, Steve Delehanty from
49 the Alaska Maritime National Wildlife Refuge.
50

1 MR. KOSO: Okay. Thanks.
2
3 CHAIRMAN SIMEONOFF: Okay.
4
5 MS. TRUMBLE: Mr. Chair.
6
7 CHAIRMAN SIMEONOFF: Yes, Della.
8
9 MS. TRUMBLE: I guess the thing is --
10 I'm thinking that's you, I -- we have a hard time
11 hearing a little bit, but I recognize the voice.
12
13 Under this general -- under this
14 proposed regulation it -- I recall in the past when we
15 had done this that we allowed for by Federal permit was
16 one caribou per household or in this case is it one
17 bull per household. Is there any reason that's left
18 out of there or is it just based on the fact that the
19 recommendation or the harvest would come up at a later
20 point?
21
22 MS. PETERSON: Did I understand --
23 Della, this is Chris. Did I understand correctly that
24 you are asking if that phrase per household was left
25 out intentionally or was just based on the numbers that
26 come in, is that what you were asking?
27
28 MS. TRUMBLE: Yes, because what I
29 recall in the past what was allowed was one per
30 household.
31
32 MR. BERG: Della, I think you're -- I
33 don't know if you're correct, I thought it was -- you
34 know, it wasn't one per household I don't think.
35
36 MS. PETERSON: I don't -- I don't
37 recall that phrase.
38
39 MS. BROWN: No, not in that unit.
40
41 MS. PETERSON: Okay.
42
43 CHAIRMAN SIMEONOFF: Yeah. It's not
44 here. I might remind those online when you speak would
45 you please identify yourself so that our recorder will
46 know who you are.
47
48 MS. TRUMBLE: Mr. Chair. This is Della
49 again. I guess maybe if we can go back and look, I
50 don't know if there's information, but I think it

1 limited on what the harvest. So four people in your
2 house couldn't get a permit and harvest four caribou.
3 And that's kind of what I recall to some degree and if
4 there's -- I don't know how we get the answer to that,
5 if someone can do some research on it. But that is
6 what I recall. And then it was later it was allowed
7 for two permits per household and then I think the
8 State -- I think it was first one by Federal permit and
9 then it was one Federal and one State and then the
10 Federal changed it to two per Federal permit. But that
11 is what I recall and I could be wrong.

12

13 MS. BROWN: Della, this is Cole and I
14 have the regulatory history in the Council book on Page
15 103, I guess, starting with what you were just
16 recalling about the harvest going from one to two. It
17 doesn't stipulate that it was per household, so I'm
18 assuming that it wasn't because it's not included in
19 the entire histories, but we can definitely look back
20 on all the proposal books we have and clarify that.
21 What was addressed as the OSM preliminary conclusion is
22 because that's how it came in from the Council. It was
23 not stipulated one bull caribou per household by
24 Federal registration permit, it was just stipulated one
25 bull caribou by Federal registration permit so that's
26 what was analyzed.

27

28 CHAIRMAN SIMEONOFF: Thank you, Cole.
29 Pat.

30

31 MR. HOLMES: Mr. Chair. Della. I
32 don't know what it came out, but I do recall having
33 those discussions about household and how to fairly
34 allocate the harvest. And so I think it deems the
35 staff to go back and look through the old reg books and
36 archives or bathrooms or wherever and check that out.

37

38 And I wanted to bounce this thought off
39 you, Della and Tom and the other folks there in Sand
40 Point, I'm wondering on this season that's proposed,
41 this split season if the folks out here in the
42 peninsula villages might want to look at that in terms
43 of not only their opportunity to hunt, but the fact
44 that, you know, do we want to have those to line up
45 that later season with the duck and goose harvest and
46 would that dilute local effort. I don't know, but I'd
47 like to see you folks come up with some suggestions on
48 when's the best harvest time that would allow the
49 greatest potential for all of our villages here. And,
50 you know, they -- occasionally these critters wander up

1 there to Nelson Lagoon too so it would be good if
2 somebody could call them and kind of see what they
3 think on the situation as well.

4

5 Thank you.

6

7 CHAIRMAN SIMEONOFF: Okay.

8

9 MR. BERG: Mr. Chair.

10

11 CHAIRMAN SIMEONOFF: Yes.

12

13 MR. BERG: Yeah, this is Jerry Berg
14 with Fish and Wildlife Service. Yeah, I just wanted to
15 follow-up on Della's comment. You know, I do remember
16 I was involved with some of that -- some of those
17 issues back in the late '90s I think when Greg
18 Siekaniec was at the Refuge there. And I -- yeah, we
19 had to limit the number of permits somehow, I can't
20 remember if it was household -- by household or what,
21 but I think it would be important for the Council to
22 have that discussion because if the surveys do come out
23 that we need to limit the number of permits to 10, 20
24 or 30, I don't know what it might come out to be, but
25 there needs to be some mechanism in place on how best
26 to issue those permits. So if it's by household or
27 whatever, that might be a good discussion for the
28 Council to have for this around as well.

29

30 Thank you, Mr. Chair.

31

32 CHAIRMAN SIMEONOFF: Thank you, Jerry.
33 Fish and Game Advisory Committee.

34

35 (No comments)

36

37 CHAIRMAN SIMEONOFF: National Park
38 Service.

39

40 (No comments)

41

42 CHAIRMAN SIMEONOFF: Written comments.

43

44 (No comments)

45

46 CHAIRMAN SIMEONOFF: Public testimony.
47 Okay. Public -- under public testimony the people from
48 False Pass, Sand point, this is your opportunity to
49 make comments on this proposal.

50

1 MR. DeVINE: Yes. Mr. Chair. This is
2 Peter DeVine from Sand Point.
3
4 CHAIRMAN SIMEONOFF: Would you please
5 speak up, please.
6
7 MR. DeVINE: Yes. Mr. Chair. This is
8 Peter Devine, Jr., from Sand Point. I'm president of
9 the Shumagin Corporation and vice president of the QT
10 Tribe. And we are in support of this proposal.
11
12 CHAIRMAN SIMEONOFF: I didn't get that.
13
14 MR. HOLMES: He said they support the
15 proposal.
16
17 MR. DeVINE: Mr. Chair.
18
19 CHAIRMAN SIMEONOFF: Okay. Thank you.
20 False Pass, do you have comments on this proposal?
21
22 FALSE PASS: This is False Pass, Tom in
23 False Pass. Yes, we are in support of this proposal.
24 And I think those dates, they look good to me just
25 because, you know, the rut and all that. So I don't
26 have a problem with that.
27
28 CHAIRMAN SIMEONOFF: Okay. Thank you.
29 Is there anybody else out there that want to make a
30 public testimony? Della, do you have people in your
31 group that wish to speak?
32
33 MS. TRUMBLE: Yeah, hold on. Mr.
34 Chair.
35
36 MR. GOULD: Dean Gould here, King Cove
37 Corporation president also in support.
38
39 MR. KADAKEN: I'm Phil Kadaken (ph)
40 from Belkoski Tribe. Okay.
41
42 MS. TRUMBLE: Support.
43
44 MR. KADAKEN: For support, yeah.
45
46 MS. TRUMBLE: That's all I have on King
47 Cove at this time, Mr. Chair, and there are a couple --
48 there are a couple suggestions that I'll bring up in
49 Council deliberation.
50

1 CHAIRMAN SIMEONOFF: Okay. Thank you.
2 Are there any other public testimony?
3
4 (No comments)
5
6 CHAIRMAN SIMEONOFF: Hearing none, then
7 Regional Council recommendations.
8
9 (No comments)
10
11 CHAIRMAN SIMEONOFF: A motion is in
12 order.
13
14 MR. HOLMES: Mr.....
15
16 MS. TRUMBLE: So moved. This is Della.
17
18 MR. ROWLAND: Second.
19
20 CHAIRMAN SIMEONOFF: Moved and
21 seconded. Discussion.
22
23 MS. TRUMBLE: Mr. Chair.
24
25 CHAIRMAN SIMEONOFF: Yes, Della.
26
27 MS. TRUMBLE: This is Della. One of
28 the suggestions as we go through this and I think it
29 was brought up earlier is that if there will be a
30 harvest of caribou that we work closely with the State
31 and the Izembek Refuge and the -- maybe the tribal
32 councils in the area. One of the concerns, I think, is
33 there are a limited number of caribou to be harvested,
34 that if you had four people in a household that applied
35 for a permit and you did a drawing, there's a potential
36 of those four people getting the permit. So how that
37 distribution is made up, I think, really needs to be an
38 issue of co-management.
39
40 CHAIRMAN SIMEONOFF: Okay. Thank you
41 for that, Della. Other discussion. Rowland.
42
43 MR. ROWLAND: Hi. This is Rick
44 Rowland. My question was for the State of Alaska. And
45 previously you mentioned that you weren't able to get
46 out there and do the surveys; is that correct?
47
48 MS. YUHAS: Correct.
49
50 MR. ROWLAND: Okay. And then so from

1 what I listened to Office of Subsistence Management,
2 Office of Subsistence Management mentioned that from
3 survey data the threshold wasn't released or wasn't
4 reached. So my question is how do you know there's not
5 a 1,000 out there?

6
7 MS. YUHAS: Through the Chair. This is
8 Jennifer Yuhas. I believe that we have our biologist,
9 Megan, online if she can answer that for you.

10
11 CHAIRMAN SIMEONOFF: Okay. Go ahead.

12
13 MS. RILEY: Hi. This is Megan Riley,
14 I'm a wildlife biologist with the Department of Fish
15 and Game in King Salmon.

16
17 And basically we've been out to do
18 surveys, in the fall we've been able to do composition
19 surveys to get bull to cow ratios and calf to cow
20 ratios, but we haven't been able to a post-calving
21 census to sort of estimate how many animals are in the
22 herd. And so we don't know for sure that 1,000 animals
23 aren't in the herd yet, but we don't know that there
24 are either. The last count that we did was 800 caribou
25 and I believe the last count that Izembek did was a
26 little bit under 800 caribou. Chris knows the exact
27 number, but basically we can't prove that the herd is
28 at 1,000 animals and we don't have anything to suggest
29 that it necessarily is. So we can't really go ahead
30 with the hunt until we know that we've reached that
31 threshold.

32
33 MS. YUHAS: Mr. Chairman. To answer
34 member Rowland's question, those would be the details.
35 I believe to answer your question, we don't know that
36 there are, but we don't there aren't, that's why we're
37 supporting putting this in place. Once we know there
38 are, we'd like to be able to have these mechanics in
39 place so we can open the hunt.

40
41 MR. ROWLAND: Okay. I appreciate that.
42 And then I appreciated what Della said about working
43 towards co-management because those individuals out
44 there that are frequenting those interactions with the
45 herds know exactly what's out there so it would make
46 sense for the State of Alaska and Fish and Wild -- or
47 Fish and Wildlife and Office of Subsistence Management
48 to communicate with those individuals.

49
50 And then a final closing about this

1 issue that I'd like to mention is that again
2 subsistence is the priority here and that if the wolves
3 can still hunt the animals and the people can't then
4 the priority is not subsistence because why could a
5 wolf hunt when a person cannot hunt. So I support --
6 I support this resolution.

7

8 CHAIRMAN SIMEONOFF: Thanks for that,
9 Rick. Hunter discretion. Pat.

10

11 MR. HOLMES: Mr. Chairman. Under
12 discussion and for those folks from Sand Point, False
13 Pass and King Cove, we did get some comments saying the
14 dates are okay, but there's two different options here.
15 There's the one suggested by the Federal government of
16 August 1 to September 30th and November 15 to March
17 31st. And then the State suggests a more modest season
18 from August 10th to September 30th. And I was
19 wondering if you could think a little bit on that and
20 maybe get back to us before we vote on a motion.

21

22 Thank you.

23

24 MS. PETERSON: Mr. Chairman.

25

26 CHAIRMAN SIMEONOFF: Yes, go ahead.

27

28 MS. PETERSON: If I might I have.....

29

30 MS. TRUMBLE: Mr. Chair. This is
31 Della. What I've heard is that the dates for the
32 August 1 to September 30th and November -- the
33 recommendation by the Federal staff was fine.

34

35 MR. HOLMES: Okay. Thank you.

36

37 MR. DeVINE: Mr. Chairman. We ask for
38 clarification, same thing from False Pass, I think that
39 August 1 by the Feds is what we're looking at. Okay.

40

41 Thank you.

42

43 CHAIRMAN SIMEONOFF: Okay.

44

45 MS. PETERSON: Mr. Chairman. This is
46 Chris Peterson from Izembek National Wildlife Refuge.
47 I just wanted to clarify a couple of things that were
48 brought up earlier. Izembek did have a survey this
49 past spring in April and -- of the Southern Peninsula
50 Caribou Herb and we counted 790 caribou on a very good

1 condition survey. So we felt very good about those
2 numbers.

3

4 As to the gentleman's comment about,
5 you know, maybe there is a 1,000 and that's true, there
6 may be, but we don't know that for sure. We do know
7 there's 790. And that was a good hunt so we feel like
8 we were not missing a lot of caribou. We had very good
9 coverage and very good visibility. So we feel very
10 good about those numbers. And we do think that the
11 numbers are improving. Obviously we would not be able
12 to count every single animal, there are some in there
13 that we obviously missed, but to -- rather than have a
14 situation that's happened before which is you -- we
15 open a hunt and the numbers were not high enough to
16 sustain those hunting numbers. We don't want to have
17 it dip below that amount, that threshold amount again.
18 So we would rather be conservative and err on the side
19 of caution and be able to open a hunt and keep that
20 hunt open rather than have to subsequently close it.

21

22 Thank you.

23

24 CHAIRMAN SIMEONOFF: Thank you for
25 that. Pat.

26

27 MS. TRUMBLE: Mr. Chair. This is
28 Della.

29

30 CHAIRMAN SIMEONOFF: Oh, go ahead,
31 Della.

32

33 MS. TRUMBLE: Chris, I appreciate your
34 comments. And I guess I'm just going to go back to
35 this co-management issue again because I know in the
36 past it has worked very well on trying to figure out
37 where these caribou are. The past -- over this summer
38 and this fall I've been hearing a lot of comments from
39 fishermen and where they've been sighting caribou for
40 the course of them being on the ground and also as
41 they've been fishing cod right now. But it appears to
42 me that there are possibly more caribou than I think
43 that might -- that's being quoted. And maybe it's not
44 too much more than what's on record. If we can work
45 and continue with that effort on how we develop some
46 sort of -- some sort of co-management committee I think
47 would be beneficial to all us.

48

49 MS. PETERSON: Della, this is Chris
50 again. On our survey this spring we did take into

1 consideration comments that were made by local people
2 about having seen caribou in additional locations than
3 were normally covered in the survey. So we did cover
4 those additional areas and were unable to find any
5 indication of caribou including tracks or scat or any
6 signs of foraging on those areas. But we will continue
7 to include areas where there's a possibility that there
8 might be caribou found there. So we do work closely
9 with the State on the survey and our numbers actually
10 this spring were within, I believe, 20 animals of what
11 the State also counted. So that's pretty good numbers
12 and we feel pretty good about those.

13

14 Thank you.

15

16 MS. TRUMBLE: Thank you, Chris. And if
17 may -- I understand you were saying you worked with
18 locals, I'm assuming these -- they're locals that have
19 been fishermen?

20

21 MS. PETERSON: This is Chris, Della. I
22 don't know specifically who the people were that had
23 made the report, but Izembek has specifically received
24 report that people were seeing caribou in additional
25 areas. So we made sure that we covered those areas.
26 We do not want to be missing any animals. So if I was
27 able to right now to show you a map of where we had
28 covered, you'd have a very difficult time finding areas
29 that we did not cover on the Southern Peninsula. We
30 put in many, many transects and miles without seeing a
31 single caribou or tracking in the snow or anything. So
32 -- and we do have collars on -- it escapes me at the
33 moment how many animals we have collars on. So we do
34 use those collared animals to help us find animals to
35 count. So it works a couple of different ways when
36 we're out there.

37

38 Thank you.

39

40 CHAIRMAN SIMEONOFF: Thank you.

41

42 MS. TRUMBLE: Thank you, Chris. And if
43 I can get a copy of that map I'd appreciate it. I'd
44 like to maybe distribute it around to some of the
45 fishermen and just kind of get some information from
46 them and get that back to you. I think like you say
47 the more -- I think the more that we can work on this
48 together it is going to be beneficial. I'm not saying
49 that you -- the Federal government or State is not
50 doing their job right, I'm just saying the more the

1 merrier.

2

3 MS. PETERSON: Okay. Thank you. I can
4 appreciate that. Thank you.

5

6 CHAIRMAN SIMEONOFF: Okay. We'll hear
7 from Pat and then from Rick Rowland.

8

9 MR. HOLMES: Yeah. A couple questions.
10 I'm glad you're getting joint counts and it's quite
11 heartening to see that dramatic changes on the South
12 Peninsula Herd. And particularly seeing that those
13 changes have resulted from the, you know, surgical
14 removal of only 28 wolves on the State -- on the
15 calving grounds which are on State lands. And so we
16 have one herd that's gone from less than a half of calf
17 surviving between June and September to now that 47
18 percent of the calves survive. So that's some pretty
19 empirical and important data.

20

21 And also, you know, to your folks'
22 presentation the last time of potential habitat being
23 the major factor on Unimak, I find that quite hard to
24 believe because both herds, you can say they're
25 genetically distinct, but it depends on how you're
26 splitting those mitochondrial DNA and I've personally
27 seen caribou swim across False Pass, lots of people
28 have, Rick probably has when he was fishing salmon
29 here. And I understand that one of the State tagged
30 wolf went from up Cape Sarichef and swam across over to
31 False Pass. And so I find that quite interesting in
32 the whole scheme of things in our continuing discussion
33 of the merit of surgical removals of wolves to try to
34 enhance the herd.

35

36 I do have a question on your count
37 timing. Again when does the calving occur on Unimak?

38

39 MS. PETERSON: We're going to Unimak
40 now?

41

42 MR. HOLMES: Yep.

43

44 MS. PETERSON: Okay.

45

46 MR. HOLMES: I'm on Unimak now.

47

48 MS. PETERSON: Unimak occurs in June.

49

50 MR. HOLMES: Okay.

1 MS. PETERSON: The peak calving is
2 usually the second to third week of June.

3
4 MR. HOLMES: Uh-huh. And I called
5 around this year and talked to a lot of the other
6 Refuges and most of them, if not all, do their caribou
7 counts in the pre-calving aggregation time period which
8 is in basically May. And I was just wondering why you
9 folks persist on trying to do winter surveys?

10
11 MS. PETERSON: Okay. I'll try to
12 address -- you had a couple different questions in
13 there so I'll try to address those.

14
15 MR. HOLMES: Couple of them, uh-huh.

16
17 MS. PETERSON: So number 1 we did
18 conduct our, what you might call our winter survey in
19 April this year because due to weather conditions we
20 were unable to do it in the wintertime which has
21 happened on more than one occasion. And due to this
22 difficulty we have been trying to also conduct a second
23 count along with the State Fish and Game in July to
24 cover the post-calving season which is the best time to
25 get -- on Unimak to find the cows, the congregation --
26 the aggregations of caribou. Now on Unimak however
27 it's not been noted that caribou aggregate like they do
28 on other peninsula herds. So when we do go down there
29 even for the post-calving counts we don't have the
30 aggregations, we still have to find the animals on the
31 island. So in -- with all those things in
32 consideration what we've been trying to do is do both
33 counts, the winter count and the summer -- the post-
34 calving count. And we wanted to try to compare those
35 two different counts and see through a period of
36 several years see which count was producing the best
37 results. Since we've been trying to do both counts
38 we've not been able due to weather, there's always been
39 one or the other count that we've not been able to do.
40 So both counts are plagued with inability to complete
41 the count due to weather. The post-calving count is a
42 very good time to do it and we agree and that's why
43 we're trying to do that. This year it didn't work out.
44 Fish and Game was ready, we were ready, we waited
45 basically a month trying to get out and couldn't do it,
46 none of us could. So both counts have problems. So
47 possibly it's a good thing to have both counts in place
48 and try to get one or the other done. That's something
49 that we'll have to consider.

50

1 MR. HOLMES: I'd like to go back to --
2 I don't have -- I didn't bring the transcripts from our
3 last meeting, but Tom Boyd assured us that everything
4 would be in place to get surveys done this summer. And
5 in my mind, and we did discuss with him and we've
6 discussed with you folks, having a helicopter. He said
7 that that would be the highest priority for the
8 southern -- my paraphrasing, for the southern regions
9 of Fish and Wildlife Service to do that. And it would
10 seem to me -- I mean, when we had our last meeting here
11 it was over at the lodge and two guys walked in with a
12 Robinson helicopter and said hey, what's up, what's new
13 around here. We came up and they said all you have to
14 do is ask us, we'll go do it, you know. And the cost
15 of renting a Robinson or chartering one and having it
16 sit on the ground, I've chartered helicopters,
17 everything and also the option of working with the
18 Coast Guard and I know they have limits, but, you know,
19 I hate to be an old chromogen, but I've done surveys --
20 I surveyed the whole Aleutian Chain for salmon and I
21 looked at every bloody stream. And with a helicopter
22 you can fly in any weather and you can go
23 (indiscernible - engine sound) and it gets bad and then
24 you either land or you go a different direction. And
25 we counted caribou at Adak. And when I came in and
26 gave the Refuge out there a whole day's worth of time
27 because they needed it to count the caribou and, you
28 know, they flew spring surveys this year for salmon.

29
30 MS. PETERSON: Uh-huh.

31
32 MR. HOLMES: And it's a whole lot
33 harder to count humpies in a creek than it is to count
34 caribou. And I counted caribou or seen moose over the
35 last 40 years move down the peninsula and I've been
36 here in Cold Bay at the airport where you couldn't land
37 a plane because of all the caribou. And, you know,
38 it's really tough for me to accept and I appreciate you
39 ladies' grace in listening to me every year, but you
40 guys got to have some contingencies here. And you
41 can't be saying that it's going to be nutrient
42 deficiencies that are causing the decline of the Unimak
43 herd. Not when you've got the same caribou that go
44 from one place to the other, probably the same wolves
45 moving around, and then just say gee, we don't know
46 what's happening at Unimak because there is science,
47 it's a very simple management tool, it's been done, it
48 works, we're talking about having a hunt in a year or
49 two on Unit 9.

50

1 And so anyway I'm done, Mr. Chairman,
2 with my sermon for this meeting.

3
4 MS. PETERSON: Mr. Chairman. May I
5 respond?

6
7 CHAIRMAN SIMEONOFF: Go ahead.

8
9 MS. PETERSON: Thank you. We would
10 also hate to see you be an old chromogen and we do
11 appreciate your comments. We have attempted to work
12 with other venues of access to Unimak. The main
13 comment that we've received back from the people that
14 we've contacted is that it would have to be upon their
15 schedule and their timing which seldom cooperates with
16 the timing of the good weather on Unimak. We have
17 attempted to work with State Fish and Game, they have
18 had planes and helicopters down here waiting to go and
19 the pilots would not fly. We've had them here multiple
20 weeks waiting to go and they would not fly due to the
21 weather. I'm not a pilot, but I certainly do not feel
22 that I'm in a position where I can order somebody to go
23 do that.

24
25 And also to address one other remark
26 you had which was that we are claiming that habitat is
27 the primary cause of the poor population growth or
28 decline on Unimak. That is not our position, it has
29 been presented as one possibility that we are
30 investigating. We are well aware that it is possible
31 animals are moving between the Southern Peninsula and
32 Unimak. We have collars on animals to try and assess
33 whether or not that is happening. So we're looking at
34 more things that just nutrition. We're looking at
35 nutrition as one possibility, there are numerous other
36 possibilities. We are also working toward getting some
37 predator research going to examine that. We're looking
38 at -- into the immigration/emigration question. So we
39 are not limiting it just to nutrition, that's -- that
40 is however one possibility that we are able to look at
41 right now. So it makes sense to do that.

42
43 And I hope that addressed some of the
44 points that you brought up, I probably missed a couple.

45
46 Thank you.

47
48 CHAIRMAN SIMEONOFF: Thank you.

49
50 MR. HOLMES: And thanks for your come

1 back on that and volley back across the net and you've
2 scored some good points too.

3
4 Thank you.

5
6 MS. PETERSON: Well, I didn't mean to
7 score points, I just don't think you're an old
8 chromogen.

9
10 CHAIRMAN SIMEONOFF: Thank you. Any
11 further discussion on the motion.

12
13 MR. DeVINE: Mr. Chair. Peter DeVine,
14 Sand Point. May I make a comment?

15
16 CHAIRMAN SIMEONOFF: Yes, go ahead.

17
18 MR. DeVINE: Yes, I don't know where
19 these caribou have been collared at, but we've had a
20 report about seven years ago there was one on Cape
21 Alyeskin, that's over in Balboa Bay otherwise known as
22 Kegihok Flats. They're -- I know I took a reindeer
23 husbandry class before we were on the telemetry, and I
24 know people up north, you know, have a pretty complex
25 system for watching their reindeer. Do we track the
26 caribou that are collared and -- that are wandering
27 around?

28
29 MS. PETERSON: This is Chris Peterson
30 from Izembek, if I followed that right, it's difficult
31 for me to hear a little bit, but I think you were
32 asking if we track the caribou who are -- that are
33 collared; is that correct?

34
35 MR. DeVINE: Yes, one of my hunters
36 reported a collared caribou about seven years ago.

37
38 MS. PETERSON: Okay. And I'm sorry,
39 but I'm new to Alaska and I don't know the location
40 that you mentioned. Is that on Unimak?

41
42 MR. DeVINE: Oh, that's on the South
43 Alaska Peninsula.

44
45 MS. PETERSON: Oh. Okay. Well, I've
46 just been informed that that location is on the
47 peninsula and with that in mind it probably is one of
48 the State collared caribou, they do put VHF collars on
49 caribou on the Southern Peninsula Herd as well. And I
50 believe they were doing that seven years ago. So

1 that's very possible. On Unimak we have a combination
2 of satellite collars on some animals and VHF collars on
3 other animals. The satellite collars are programmed to
4 give positions five times in a 24 hour period. And we
5 do download that data once a week and keep track of
6 where the animals are and we do use that for numerous
7 parts of a couple of projects. The VHF collars are
8 mainly in use for analysis of mortality and also for
9 helping us to locate animals when we are surveying
10 particularly on Unimak where the numbers are low right
11 now. And it is difficult to actually track down
12 individual animals unless we have some clue where to
13 look. So we do have transects that cover the island
14 except for the upper elevations of the volcanos on the
15 island. And we do cover the entire island looking for
16 those animals. I hope that answered your question.

17

18 Thank you.

19

20 MR. DeVINE: Yes, thank you.

21

22 CHAIRMAN SIMEONOFF: Any other
23 discussion on Wildlife Proposal 12-37. Rick Rowland.

24

25 MR. ROWLAND: Rick Rowland here.
26 What's your name again, ma'am?

27

28 MS. PETERSON: Chris Peterson.

29

30 MR. ROWLAND: Chris. Where you from,
31 Chris?

32

33 MS. PETERSON: I'm from Utah.

34

35 MR. ROWLAND: Utah and then how long
36 have you been here in Alaska?

37

38 MS. PETERSON: About 18 months right
39 now.

40

41 MR. ROWLAND: Eighteen months. Okay.
42 Well, welcome to Alaska.

43

44 MS. PETERSON: Thank you.

45

46 MR. ROWLAND: So in listening to this
47 it made me realize that I have a question. And my
48 question is that is there a possibility that by stating
49 Izembek in the surveys quite possibly there'll be a
50 limitation to the area that is surveyed which, in fact,

1 would cause a lower population. So my question is is
2 all of area 9D going to be surveyed or is it just
3 Izembek that's going to be surveyed?

4
5 MS. PETERSON: Oh, no. We survey the --
6 all of 9D clear up to Port Moller, I believe it's
7 called Port Moller. Yes, up to Port Moller. So we do --
8 we generally begin on the -- what you might call the
9 northern side of the peninsula and work our way further
10 east, northeast. And then this last survey we did drop
11 down to -- oh, I've forgotten the name, there were a
12 couple of bays that were suggested as being areas that
13 -- where caribou had been seen on the southern edge of
14 the peninsula. So we covered some areas down there,
15 Harrington Bay and Betchuvin Bay. And so we did cover
16 some areas down on the southern edge as well. Any
17 place that is categorically caribou habitat we do try
18 to cover in those surveys. The transects are
19 basically, I believe it's one mile widths between and
20 it's a very good -- when you're in the air it's a very
21 good coverage so you can -- and then if you pick up a
22 signal from a radio you do go investigate that as well.
23 So if that answers your question.

24
25 MR. ROWLAND: That clearly.....

26
27 MS. PETERSON: Okay.

28
29 MR. ROWLAND:defines your
30 transective survey. And so it's hopeful that co-
31 management will occur to where you're having
32 communications with individuals in the communities that
33 are having sites on area specific herds that are in
34 their location so that it would reduce the possibility
35 of confusing or confining the survey results into just
36 one specific area. And then as Pat mentioned how he'd
37 fly around in a helicopter, that was when he was a
38 young guy, but there is one point there is that there
39 was the word try removed. I heard today that a lot of
40 times you guys were saying you're trying to do this,
41 you're trying to do that. The example is that the word
42 try was removed because it leaves the option out of
43 saying well, we tried. So in Pat's case they actually
44 did the surveys and so the point is to actually do the
45 surveys and get them done, that way we can work for the
46 subsistence users.

47
48 MS. PETERSON: This is Chris for those
49 on the phone. Yes, I would agree that to get the
50 survey done is the ultimate goal and I would love to

1 get it done and if you can find me pilots who will go
2 out there, I'm almost willing to go in almost any
3 situation. Pilots are not and I can't force them to do
4 that, sir. So we've had helicopters here and tried to
5 wait for a situation where the pilots would go, we've
6 had very, very fine helicopter pilots here and would
7 not fly it.

8

9 Thank you.

10

11 CHAIRMAN SIMEONOFF: Thank you. Any
12 further.....

13

14 MS. TRUMBLE: Mr. Chair.

15

16 CHAIRMAN SIMEONOFF: Yes.

17

18 MS. TRUMBLE: This is Della.

19

20 CHAIRMAN SIMEONOFF: Della.

21

22 MS. TRUMBLE: Chris, if you can get
23 that map to me I'd be -- I can make sure I get it
24 around. And I have no problem being the point person
25 for the residents in the region to get the information
26 to me on the different various times that they're on
27 the fishing grounds and share that with you because I
28 think -- I think it's important that we have -- get
29 more information on what's going on and where,
30 different times of the year.

31

32 MS. PETERSON: I'd be do that, Della.
33 I will follow through on that.

34

35 Thank you.

36

37 MR. HOLMES: Mr. Chair.

38

39 CHAIRMAN SIMEONOFF: Pat.

40

41 MR. KOSO: Mr. Chair.

42

43 MR. HOLMES: Yeah, Chris.

44

45 FALSE PASS: Mr. Chairman. Mr.
46 Chairman.

47

48 CHAIRMAN SIMEONOFF: Yes.

49

50 FALSE PASS: False Pass here. We have

1 an individual in the community that wants to ask a
2 question, is that okay?

3

4 CHAIRMAN SIMEONOFF: Okay.

5

6 MR. PARKER: Hi. This is Ken Parker,
7 I'm from False Pass. The questions are for Chris from
8 Izembek. You said you have satellite collars and VHF
9 collars. Do you -- can you tell me how many that are
10 on Unimak. And the other question is where is Izembek
11 as far as working on the predator control issues.

12

13 MS. PETERSON: Okay. Just one moment.
14 We currently have eight satellite collars out and, I
15 believe, I don't have the numbers right in front of me,
16 but I believe we have about 12 to 13 VHF collars out.
17 Our plans for this fall are to increase the satellite
18 collars by an additional seven. And I believe the
19 State was considering putting out up to 10 more VHF
20 collars, I'm not certain of that number.

21

22 And we -- I'm currently working on a
23 predator control plan or I shouldn't call it that, a
24 predator study on Unimak to try to determine -- to
25 determine, excuse me, the numbers of wolves that might
26 be found on the island at various seasons. As Mr.
27 Holmes presented there is one wolf that was collared
28 elsewhere that has been found on Unimak and has
29 remained there. So -- and it does have a collar on and
30 so we are aware of where it is and that helps us find
31 the others. We also have two other wolves collared on
32 the island and we do -- when we are down there doing
33 surveys we also monitor where those animals are and how
34 many animals are with them as well. In upcoming
35 meetings I'm sure we will be discussing our predator
36 studies down there as well.

37

38 Thank you.

39

40 CHAIRMAN SIMEONOFF: Rick Koso.

41

42 MR. KOSO: Mr. Chair. I'd like to make
43 a motion that we put this on the table.

44

45 CHAIRMAN SIMEONOFF: No, we already
46 have a motion on the floor. We're under discussion
47 right now.

48

49 MR. KOSO: Oh, okay. Excuse me.

50

1 MR. HOLMES: I had one comment for --
2 short, quick. Anyway thank you very much for listening
3 to my sermon. And I've been thinking about the last
4 time I flew up around the north end and there's parts
5 of that I agree that unless you had bell ringer weather
6 here would be tough to do without a helicopter, fixed
7 wing it would be really tough because there's some
8 gnarly mountains there that I have almost dampened my
9 hip boots over. And so a proverb of biologists, don't
10 barf in your hip boots.

11
12 So anyway, but I think that -- hope
13 things are moving forward because having the collared
14 caribou is going to give you some options on seeing
15 where they are. It sounds like the collared calf
16 numbers have -- who knows what happened to them, but I
17 think we'll find out. And then whenever you do get a
18 herd in low numbers from back when I took that sort of
19 thing in college before probably most folks were
20 around, but anyway the smaller numbers you've got on
21 ungulates I will have to admit publicly it's harder to
22 find them if they're scattered out in the mountain
23 whereas humpies, you know where the river is. And so I
24 would have to back up a little bit on my sermon there
25 and give you a little bit of grace.

26
27 And thank you for your very graceful
28 and timely information.

29
30 MS. PETERSON: Well, thank you. I was
31 serious about you're not a chromogen.

32
33 CHAIRMAN SIMEONOFF: Any further
34 discussion on Wildlife Proposal 12-37.

35
36 MR. KOSO: Mr. Chair. I think we've
37 beat this one up enough, I would like to put it on the
38 table.

39
40 CHAIRMAN SIMEONOFF: Yeah. If there's
41 no further discussion may we have a roll call vote,
42 please.

43
44 MS. BROWN: For WP12-37. Member
45 Cratty.

46
47 MR. CRATTY: I support.

48
49 MS. BROWN: Member Koso.

50

1 MR. KOSO: Yes.
2
3 MS. BROWN: Member Rowland.
4
5 MR. ROWLAND: I support.
6
7 MS. BROWN: Chairman Simeonoff.
8
9 CHAIRMAN SIMEONOFF: Yes.
10
11 MS. BROWN: Member Holmes.
12
13 MR. HOLMES: Yes.
14
15 MS. BROWN: Member Shelikoff.
16
17 MR. SHELIKOFF: Yes.
18
19 MS. BROWN: Member Trumble.
20
21 MS. TRUMBLE: Yes.
22
23 MS. BROWN: WP12-37 passes unanimously.
24 Thank you.
25
26 CHAIRMAN SIMEONOFF: Thank you. That
27 brings us to Wildlife Proposal WP12-38.
28
29 MS. BROWN: Can I have a second?
30
31 CHAIRMAN SIMEONOFF: Okay. Take a
32 second.
33
34 MS. BROWN: Thank you. Mr. Chairman.
35 Members of the Council. This is Cole Brown again with
36 the Office of Subsistence Management. The next
37 proposal for your consideration is WP12-38 which begins
38 on Page 111 of your Council books.
39
40 Proposal WP12-38 was submitted by the
41 Kodiak/Aleutians Regional Advisory Council. This
42 proposal requests that the wolf hunting and trapping
43 seasons for Unit 10 be extended through June 30th and
44 that the harvest limit for wolf hunting be increased
45 from five per year to 10 per day. These changes would
46 align the State and Federal regulations which just
47 recently changed under the State regulations and would
48 provide additional subsistence hunting and trapping
49 opportunity.
50

1 Since 1994 the Federal subsistence
2 hunting season for wolves in Unit 10 has been August
3 10th to April 30th for five wolves per year. Since
4 1990 the Federal subsistence wolf trapping season in
5 Unit 10 has been November 10th to March 31st with no
6 harvest limit. There is very little information about
7 the subsistence uses of wolves in Unit 10. The wolf
8 population on Unimak Island is estimated by the Alaska
9 Department of Fish and Game to be between 20 and 30
10 animals and reported harvest has ranged from zero to
11 four animals per year. Given the small size of the
12 wolf population, increasing the hunting harvest to 10
13 per day and extending both the hunting and trapping
14 season would violate recognized principles of fish and
15 wildlife conservation as prohibited in ANILCA Section
16 815, Subsection 1. The proposed regulatory change
17 could allow up to one-half of the wolf population to be
18 harvested in one day, allow harvest of animals whose
19 pelts are not in prime condition and allow harvest of
20 lactating females in May or June resulting in the death
21 of pups. Currently Federally-qualified subsistence
22 users can harvest wolves under the recently changed
23 State hunting and trapping regulations which are more
24 liberal. These regulations became effective in spring,
25 2011 and there has not been time to evaluate the impact
26 of those changes.

27
28 The OSM preliminary conclusion is to
29 oppose WP12-38.

30
31 Thank you.

32
33 CHAIRMAN SIMEONOFF: Fish and Game.

34
35 MS. YUHAS: Thank you. Mr. Chairman.
36 Jennifer Yuhas, Alaska Department of Fish and Game.

37
38 And we support the proposal. There's
39 no -- currently no conservation issue with the wolves
40 and this would align State and Federal regulations
41 reducing confusion.

42
43 *****
44 STATE OFFICIAL WRITTEN COMMENTS
45 *****

46
47 Alaska Department of Fish and Game
48 Comments to the Regional Advisory Council

49
50 Wildlife Proposal WP12-38:

1 This proposal requests the
2 liberalization of the federal subsistence wolf hunting
3 and trapping seasons and bag limits in Unit 10.

4

5 Introduction:

6

7 The proponent requests the federal
8 subsistence wolf hunting season and bag limit be
9 increased in Unit 10 by lengthening the hunting season
10 by two months from August 10 through April 30 to August
11 10 through June 30 and raising the bag limit from an
12 annual limit of 5 wolves to a daily limit to 10 wolves
13 per day. The proponent also requests the federal
14 subsistence board liberalize the trapping season from
15 November 10 through March 31 to November 10 through
16 June 30. The intent of this proposal is to align
17 federal subsistence and state hunting and trapping
18 regulations in Unit 10 following the Alaska Board of
19 Game March 2011 adoption of a liberalized season and
20 bag limit for Unit 10.

21

22 Opportunity Provided by State:

23

24 In Unit 10, the following wolf hunting
25 regulations will be effective for 2012: Ten wolves per
26 day; residents and nonresidents; season August 10
27 through April 30; tag required for nonresidents; hide
28 must be sealed within 30 days of kill. In Unit 10, the
29 state trapping season is November 10 through March 31
30 The following trapping regulations will be effective
31 for 2012: No harvest limit, seas November 10 through
32 June 30.

33

34 Conservation Issues:

35

36 None.

37

38 Current harvest is insignificant. Wolf
39 distribution in the Aleutians is limited to Unimak
40 Island. It is unlikely that wolves will disperse to
41 other Aleutian Islands because of the distance between
42 Unimak Island and other Aleutian Islands. Because wolf
43 trapping can only occur on islands with wolves, wolf
44 trapping does not occur on the majority of islands in
45 Unit 10. Adoption of this proposal is not expected to
46 result in benefits for wolf conservation or federal
47 subsistence use of wolves in Unit 10.

48

49 Other Issues: Federal and state regulations are
50 currently misaligned creating user confusion.

1 Enforcement Issues:
2
3 Alignment of the state and federal
4 hunting and trapping regulations would serve to
5 alleviate enforcement difficulties.
6
7 Recommendation: Support.
8
9 CHAIRMAN SIMEONOFF: Thank you.
10 Federal agencies.
11
12 MS. HOFFMAN: Mr. Chair. Council
13 members. Nancy Hoffman, Izembek National Wildlife
14 Refuge.
15
16 There is very little information on the
17 Unimak Island, Unit 10 wolf population numbers. The
18 rough population estimate that the State of Alaska uses
19 is 20 to 30 wolves as mentioned by Cole. According to
20 Izembek National Wildlife Refuge records there has
21 never been an actual survey of wolves conducted on
22 Unimak Island. The only information we have seems to
23 be from incidental sightings during our caribou, bear
24 and swan inventories or surveys. Just some incidental
25 survey information -- incidental information during
26 these surveys we have recorded on our records six
27 wolves in 2007, 11 wolves in 2010, nine wolves in 2011.
28 Many years prior to this no wolf numbers appeared to be
29 reported in any of the survey data. So we really have
30 no idea of incidental numbers.
31
32 This seems to highlight the fact that
33 we really have no idea of how many wolves are on Unimak
34 Island. By changing the Federal regulations to allow
35 10 wolves taken a day, this would change the potential
36 allowable harvest for an individual to be changed from
37 five a year to approximately 3,250 a year. Even if you
38 use the population estimate of 20 to 30 wolves, let's
39 just use 30, how can we justify a current regulation --
40 even the current State regulation of 10 a day. Setting
41 a daily bag limit of the entire population is poor
42 wildlife management at best. With this sort of bag
43 limit already in place why would we need to change a
44 Federal regulation to match it. We may -- it would
45 appear that there is absolutely no way to justify the
46 current State bag limit let alone change the Federal
47 bag limit to match the State.
48
49 Additionally under -- as noted under
50 the current Federal and State regulations there is no

1 limit on the number of wolves to be taken while
2 trapping, no limit to the number of animals taken when
3 the best guess is that there is a total 30 animals in
4 the population. It would appear this is also
5 impossible to justify.

6
7 So we -- Izembek National Wildlife
8 Refuge do not support the proposed change to the
9 subsistence regulations. The proposal is not based on
10 responsible management of our subsistence resources.
11 This proposal appears to be a reaction that will result
12 -- that will not result in decreasing the wolf
13 population, but instead would result in an increase in
14 the time and expense to the taxpayer.

15
16 Thank you, Mr. Chair.

17
18 MR. KOSO: Mr. Chair. Question for
19 her.

20
21 CHAIRMAN SIMEONOFF: Oh. Go ahead,
22 Rick.

23
24 MR. KOSO: Yeah. Nancy, I'm just
25 curious if them wolves were not natural to the island
26 then like the fox on Adak you guys went out and trapped
27 them until they were extinct. So if these wolves are
28 not natural to the island of Unimak why aren't you
29 going over there and killing them off like you did the
30 fox?

31
32 MS. HOFFMAN: They are natural to the
33 island.

34
35 MR. KOSO: Well, I just heard you say
36 you didn't have any record of them being on there.

37
38 MS. HOFFMAN: No, incidental surveys.

39
40 MR. KOSO: Oh, okay. So.....

41
42 MS. HOFFMAN: Yeah, we do surveys for
43 bears and caribou and swans and we set up transects and
44 we do it in a very systematic way so we have an exact
45 count as we do for subsistence species, but we don't
46 have an exact count, you know, scientifically for
47 wolves. And so that's what we should do is we should
48 make a point and actually survey the number of wolves
49 there, get a real population, they are a subsistence
50 species, I know subsistence is important to you and

1 figure out what really is the population. So they're
2 not an invasive or an exotic species, they're a natural
3 species, they got there on their own.

4

5 MR. KOSO: All right. Thanks.

6

7 MS. HOFFMAN: You're welcome.

8

9 MS. TRUMBLE: Mr. Chair. This is

10 Della.

11

12 CHAIRMAN SIMEONOFF: Go ahead, Della.

13

14 MS. TRUMBLE: Nancy, I just -- I've got
15 a couple of issues here. When you use those figures of
16 10 wolves a day and possibly the 3,250 a year, how do
17 you take that into consideration when the impact --
18 there has been no impact with the five a day, number 1.
19 And when you're looking at a community of 60 people how
20 can you even consider giving not only that, but then
21 the environment is so harsh that you -- nobody is going
22 to be out there trying to harvest these wolves in those
23 conditions. And when you take into consideration some
24 of the -- at our meeting in March and when I got ahold
25 of the president of the tribal council and at the time
26 -- this is at lunchtime when I got ahold of her, she --
27 you know, she said right now there's five wolves by the
28 school and they're trying to get them out of town.
29 It's apparent there's a problem. And when you're
30 talking about surveys, you can't get the surveys done
31 on caribou, how in the world are you going to get a
32 survey done on the wolves. And just from the
33 interaction and the what's going on, it's apparent
34 there's a problem. I'm very -- I guess I'm confused
35 and I know I'm very disturbed that actual facts of life
36 and the way life -- what's going on isn't taken into
37 consideration.

38

39 MS. HOFFMAN: Yeah, Della, I understand
40 your frustrations and I'm -- I get frustrated that we
41 already have 10 a day and I thought oh, okay, so if we
42 change subsistence then that gives -- we can take 20 a
43 day. It's like well, no, you can't. If it's
44 subsistence and State at the same time you still can
45 only take 10 a day. So this proposal doesn't change
46 anything, it just adds another layer of bureaucracy.
47 Because you can take as many trapped animals as you
48 want and you can take 10 a day. And I talked to
49 Isanotski Corporation manager and she was saying --
50 because I asked the question why aren't they trapping.

1 And she was telling me that they don't want to trap
2 because they're fearful that they'll trap their dogs.
3 So what's more important, trapping your dogs or trying
4 to get rid of wolves that are threatening -- you feel
5 that they are threatening family or livestock or
6 whatever in town.

7

8 So the vehicle's already there to take
9 care of if there's issues, 10 a day. This proposal
10 doesn't change it. I mean, it would change it from
11 five a year to 10 a day which the State already has 10
12 a day. So you can max -- you can't go beyond the
13 existing State anyway. So the rules are already there.

14

15 FALSE PASS: Mr. Chairman. Mr. Chair.

16

17 CHAIRMAN SIMEONOFF: Yes.

18

19 MS. BROWN: Please identify yourself.

20

21 FALSE PASS: This is False Pass. You
22 know, I see the proposal, I don't see where it does any
23 good. I mean, even if we did trap, we can't trap in
24 the community because of, you know, our pets, of
25 course. And last year there was five wolves that ran
26 through the community. But by the time you get a gun
27 out or whatever to try and hunt them they're already
28 running through the bushes. But I think the biggest
29 part of this wolf problem is the Federal government
30 blocking the State from doing the aerial wolf hunt last
31 spring when it should have been done.

32

33 CHAIRMAN SIMEONOFF: Pat.

34

35 MR. HOLMES: You hit it right on the
36 head. And, you know, what this is is not a discussion
37 of wild -- of appropriate wildlife management, it's
38 running up a very large signal flag saying that, you
39 know, our Council isn't particularly happy with the way
40 things are going. And, you know, in that EA, I don't
41 believe in looking through all those tons of paper that
42 are words and I have a terrible time looking it up on
43 -- things on the computer, did reference a selective
44 removal of seven wolves from the camping grounds, it
45 said predator control. And predator control even in my
46 mind is a fiercesome thing because I remember back in
47 the '50s when, you know, there was -- heck, you could
48 get what was it, 50 cents or five bucks for an eagle
49 scalp and Belugas and -- I mean, everything had a
50 bounty on it if it ate something else and that's really

1 bad. And, you know, myself I think having -- you know,
2 you have to look at this for what it is and that's this
3 Council, all the things we've talked about and argued
4 and lectures, seven wolves is nothing. And so the
5 point the gentleman made is this is a flag and sure
6 it's going to take extra time and bureaucracy, but, you
7 know, I guess it's the one point where our Council can
8 raise the issue and we'll keep trying probably.

9

10 Thank you and I appreciate your
11 comments.

12

13 MR. PARKER: Mr. Chair.

14

15 CHAIRMAN SIMEONOFF: Yeah. Please
16 identify yourself if you have something to say.

17

18 MR. PARKER: My name is Ken Parker from
19 False Pass.

20

21 CHAIRMAN SIMEONOFF: Go ahead.

22

23 MR. PARKER: Well, I live -- I've been
24 in False Pass since February, before I lived in McGrath
25 for about seven years. I sat on the McGrath Advisory
26 Council and during that time we had predator control
27 issues as far as our moose population. I'm kind of
28 surprised that we're only looking and the wolves and
29 we're not looking at the bears. Again I've been here
30 since February, here in False Pass I've seen quite a
31 number of juvenile bears that are not -- they're not in
32 very good shape and this is telling me that there's an
33 overpopulation of the brown bear too. And in McGrath
34 even though we were talking about moose, brown bear
35 like moose meat. And I'm sure that brown bear here
36 like caribou meat. So my concern is why are we only
37 looking at one when you have two.

38

39 Thank you.

40

41 CHAIRMAN SIMEONOFF: Thank you. You've
42 got a question?

43

44 MR. ROWLAND: Yeah.

45

46 CHAIRMAN SIMEONOFF: Go ahead.

47

48 MR. ROWLAND: Hi. My name's Rick
49 Rowland. Nancy, where'd you go to school at?

50

1 MS. HOFFMAN: I went to Hammond,
2 Indiana.

3
4 MR. ROWLAND: Indiana. Are you a
5 wildlife biologist?

6
7 MS. HOFFMAN: Well, I went to -- I went
8 to high school there and then I did my bachelor's at
9 Washington State in wildlife biology, my master's at
10 Montana State in fish and wildlife management.

11
12 MR. ROWLAND: Okay. Thank you.

13
14 MS. HOFFMAN: You're welcome.

15
16 MR. ROWLAND: My question is that the
17 wolf population is an issue and the Kodiak/Aleutians
18 Regional Advisory Council at the last meeting suggested
19 to write a proposal in regard to this. The State of
20 Alaska has rules that are saying 10 a day and one of
21 the main reasons why we had a big discussion about it
22 was because at the -- prior to the last meeting we had
23 some lady in Chignik had to run from a wolf and got ate
24 down by her. And so we heard concerns from the False
25 Pass area relating to the wolf overpopulation there.
26 And so it made sense to submit this proposal. And
27 hopefully the -- my one vote of supporting this
28 proposal will make a difference for those subsistence
29 users out there, not only for the subsistence, but for
30 their safety as well. So that's why I have to say is
31 that the information that you're providing to me about --
32 that this doesn't make sense and it has to be
33 resurveyed, is that survey an attempt to just extend
34 the time limit that the wolf be populating out there?

35
36 MS. HOFFMAN: I'm sorry. This is Nancy
37 from Izembek. I didn't say resurvey because we've
38 never surveyed for wolves. So maybe there was a
39 misunderstanding.

40
41 MR. ROWLAND: I didn't say resurvey, I
42 said is the attempt to survey being put together so
43 that the population will have an extension of amount of
44 time to where they could survive out there, the wolf
45 population because I know that one of the strategies of
46 management is by politics to create a survey and the
47 survey implementation could take years and if there's a
48 survey in process we don't get the data so no hunt
49 could occur. Is that part of the strategy that's going
50 into place right now about suggesting a survey?

1 MS. HOFFMAN: No, we don't have an
2 agenda like that, we don't try to manage that way.
3
4 MR. ROWLAND: Oh, that's great to hear.
5
6 MS. HOFFMAN: This is a subsistence
7 species.....
8
9 MR. ROWLAND: Thanks.
10
11 MS. HOFFMAN:and you're a
12 subsistence Board and so.....
13
14 MR. ROWLAND: Thank you.
15
16 MS. HOFFMAN:we make
17 determinations based on science.
18
19 MR. ROWLAND: Thank you.
20
21 CHAIRMAN SIMEONOFF: Okay.
22
23 MR. HOLMES: Mr. Chair.
24
25 CHAIRMAN SIMEONOFF: Pat.
26
27 MR. HOLMES: Mr. Chairman. Nancy, one
28 thing I noticed in -- I was reviewing the EA and then
29 the response from the Board to our letter of concern,
30 September 8. And one thing that doesn't -- it
31 referenced in there that the folks at False Pass, that
32 90 percent of their caribou harvest taken for
33 subsistence has come from the south peninsula. But I
34 got to thinking about that, I looked up the study, I
35 called over to Jim Fall's successor, and was able to
36 read it. And that study was done after the Unimak herd
37 went (indiscernible - falling sound) and a bunch of
38 them moved across the strait. I mean, it was after the
39 fact and there weren't any caribou to speak of that
40 were really available for the people at False Pass to
41 take. So the ones that are particularly gillnetters or
42 whatever, you know, that had boats went up to the
43 peninsula to take it. So that bit of information
44 really needs to be footnoted as to the date that that
45 took place and that they went to the other place
46 because they didn't have the animals. And prior to
47 that there really weren't any really good studies and
48 so that does put you in a rock and a hard spot because
49 you have to present that bit of data. But it should be
50 qualified.

1 Thank you.
2
3 CHAIRMAN SIMEONOFF: Tribal. Jerry.
4
5 MR. BERG: Thank you. Mr. Chair.
6 Jerry Berg with Fish and Wildlife Service. We did not
7 receive any input from any tribes on this proposal.
8
9 Thank you, Mr. Chair.
10
11 CHAIRMAN SIMEONOFF: Okay. Thank you.
12 Interagency Staff Committee.
13
14 MR. BERG: The Interagency Staff
15 Committee had no comments on this proposal as well, Mr.
16 Chair.
17
18 CHAIRMAN SIMEONOFF: Okay. Thank you.
19 Advisory group comments.
20
21 (No comments)
22
23 CHAIRMAN SIMEONOFF: Local Fish and
24 Game Advisory Committee.
25
26 (No comments)
27
28 CHAIRMAN SIMEONOFF: National Park
29 Service.
30
31 (No comments)
32
33 CHAIRMAN SIMEONOFF: Written comments.
34
35 (No comments)
36
37 CHAIRMAN SIMEONOFF: Public testimony.
38
39 (No comments)
40
41 CHAIRMAN SIMEONOFF: Does anyone in
42 False Pass, Sand Point, King Cove who'd like to make
43 public testimony, go ahead, please. Identify yourself.
44
45 MS. TRUMBLE: There isn't anyone here
46 right now from -- except me, Mr. Chair.
47
48 CHAIRMAN SIMEONOFF: Okay.
49
50 MR. DeVINE: Mr. Chair. This is Peter

1 DeVine from Sand Point.

2

3 CHAIRMAN SIMEONOFF: Go ahead.

4

5 MR. DeVINE: Yes, I would like to say
6 that we are in support of this proposal because when it
7 comes to life and family, you know, I think that should
8 be protected. And I'd like to thank Rick Rowland for
9 his comment on who are we saving the food for, like the
10 subsistence user is always pushed out.

11

12 And as far as 30 animals on Unimak
13 Island, I don't believe that. Maybe if you add a zero
14 to it you might come up with a more realistic number.

15

16 CHAIRMAN SIMEONOFF: Thank you.
17 Regional Council.

18

19 (No comments)

20

21 CHAIRMAN SIMEONOFF: A motion is in
22 order.

23

24 MR. KOSO: I'll make a motion.

25

26 MS. TRUMBLE: I'll second. This is
27 Della.

28

29 CHAIRMAN SIMEONOFF: Okay. Rick moved
30 to support WP12-38, seconded by Della. Discussion.

31

32 MS. TRUMBLE: Mr. Chair. This is
33 Della.

34

35 CHAIRMAN SIMEONOFF: Yes, go ahead.

36

37 MS. TRUMBLE: I guess there was a
38 comment and I'm thinking it was made by Nancy, there's
39 no difference. The difference is basically aligning
40 this to -- from five wolves to 10 wolves which is what
41 the State has. The trapping has both no limit. So I
42 fully support this, whether being good or not I think
43 it allows for some sort of mechanism of support.

44

45 CHAIRMAN SIMEONOFF: Thank you, Della.
46 Further discussion.

47

48 (No comments)

49

50 CHAIRMAN SIMEONOFF: Hearing no further

1 discussion, may I have a roll call vote, please.
2
3 MS. BROWN: For WP12-38. Member
4 Cratty.
5
6 MR. CRATTY: I support.
7
8 MS. BROWN: Member Koso.
9
10 MR. KOSO: Yes.
11
12 MS. BROWN: Member Rowland.
13
14 MR. ROWLAND: I support.
15
16 MS. BROWN: Chairman Simeonoff.
17
18 CHAIRMAN SIMEONOFF: Yes.
19
20 MS. BROWN: Member Holmes.
21
22 MR. HOLMES: Yes.
23
24 MS. BROWN: Member Shelikoff.
25
26 MR. SHELIKOFF: Support.
27
28 MS. BROWN: Member Trumble.
29
30 MS. TRUMBLE: Yes.
31
32 MS. BROWN: WP12-38 unanimously
33 supported by the Kodiak/Aleutians Regional Advisory
34 Council.
35
36 CHAIRMAN SIMEONOFF: Thank you. Okay.
37 I think we're done with the proposals. Can we take a
38 brief break before we get into the next item.
39
40 MR. HOLMES: Please.
41
42 CHAIRMAN SIMEONOFF: Okay. Take a
43 break.
44
45 MS. TRUMBLE: Mr. Chair.
46
47 CHAIRMAN SIMEONOFF: Yes, Della.
48
49 MS. TRUMBLE: I just wanted to thank
50 the community that participated today, I think all the

1 comments were very much appreciated.

2

3 CHAIRMAN SIMEONOFF: Yes, we appreciate
4 their participation. Thank you for getting them
5 together for us.

6

7 FALSE PASS: This is False Pass, thank
8 you for giving us the opportunity. We're signing off,
9 Mr. Chair.

10

11 MR. HOLMES: Well, I hope we can get
12 out there sometime.

13

14 FALSE PASS: Okay. Thanks, Pat.

15

16 MR. DeVINE: Mr. Chair. This is Peter
17 DeVine at Sand Point. I would like to thank the
18 Council for allowing us to call in.

19

20 CHAIRMAN SIMEONOFF: Okay. Thank you,
21 Peter. Good to see you sometime.

22

23 MR. DeVINE: And I would like to thank
24 the Council for their support of these two proposals.
25 I know they are, you know, pretty important to our
26 region.

27

28 Thank you very much.

29

30 (Off record)

31

32 (On record)

33

34 CHAIRMAN SIMEONOFF: Let's call the
35 meeting back to order. Let's get Pat back up here.

36

37 Okay. As per our amended agenda we
38 were going to go into the halibut bycatch and Karluk
39 and response for our letter. But I would like to ask
40 the Board if we want to just continue with the agency
41 reports and then come back to the items we added this
42 morning.

43

44 MR. CRATTY: Yes. Mr. Chair. I think
45 they should be put under new business and continue onto
46 agency reports. Are we going to recess at 5:00, you
47 got 15 minutes.

48

49 CHAIRMAN SIMEONOFF: If we're going to
50 recess at 5:00 we got 15 minutes left. So we get

1 through the Office of Subsistence Management. Steve
2 Fried.

3

4 MR. FRIED: Okay. For the record I'm
5 Steve Fried, I work with the Office of Subsistence
6 Management. And there's some informational briefings
7 in the Council books. There's a briefing on tribal
8 consultations on Page 117, the status of the
9 Secretarial review recommendations on 121 and the
10 briefing on the Gulf of Alaska chinook salmon bycatch
11 on Page 125. So I was going to briefly go through this
12 and see if I can answer questions. If not I will take
13 your questions and get the answers, you know, maybe
14 tomorrow if I can get the right people on the phone.

15

16 Some of this was already talked about
17 earlier in the day. The briefing on tribal
18 consultation at Page 117. This Federal Board has been
19 taking steps to formally incorporate tribal
20 consultations into the management program while still
21 being careful to maintain the established role of the
22 Councils. And this is due to the Secretaries of
23 Interior and Agriculture's renewed emphasis on
24 respectful relationships with the tribes. So in
25 January the tribes were invited to participate in a
26 Federal Board meeting, invitations were sent to all
27 Federally recognized tribes in Alaska as well as ANCSA
28 corporations. And there were two purposes for this
29 first meeting. One, the tribes and ANCSA corporations
30 were invited to provide comments on fisheries
31 regulatory proposals and we're sort of the end of the
32 process right before the Board was going to act on them
33 and so it's kind of late in the game, but they still
34 wanted to get the tribes and the ANCSA corporations to
35 weigh in with any comments they might have. And
36 secondly they wanted to discuss development of a
37 consultation protocol for the program. And so, you
38 know, this part of the meeting was mostly the Board
39 listening to the tribes and the representatives of the
40 ANCSA corporations that attended. And because they
41 realized that further work and further meetings were
42 needed to develop these, you know, consultation policy.

43

44 So after this meeting the Federal
45 Subsistence Board in their May, 2011 meeting reviewed
46 the summary of the comments from that initial meeting
47 in January and they formed a work group that was
48 comprised of a small number of Federal and tribal
49 representatives to work on these two protocols, one for
50 tribes and one for the ANCSA corporations. And the

1 work groups began meeting in, I think, June, 2011 and
2 by July, 2012 [sic] the Board had two interim protocols
3 in front of them that they were able to approve. And
4 those are in your Council books, one's on -- Page 118
5 is the interim protocol for government to government
6 consultations and then Page 120 is the interim protocol
7 for government to ANCSA corporation consultations. And
8 they're called interims because they realized that
9 there's more work to be done, but they wanted something
10 in place so that they could have these consultations
11 begin during the wildlife regulatory proposal cycle
12 which we're in right now. There was also a letter that
13 was sent out to all the tribes and corporations in
14 July. And the work group is continuing to meet and
15 working on developing final protocols and it's hoped
16 these finals will be ready in time for the Board to
17 adopt them at this May, 2012 meeting that's going to be
18 coming up this next year.

19

20 And there were -- there's a few dates
21 that were shown in this briefing paper, I think some of
22 them were mentioned by Della earlier in the meeting.
23 There's this October, 2011 consultation with ANCSA
24 corporations at the Alaska Federal -- Alaska Federation
25 of Natives meeting which I think is at the Egan Center.
26 Also there's a December 1, 2011 consultation with
27 Federally recognized tribes at the BIA Tribal Service
28 Provider's conference. And then there's a January,
29 2012 meeting and this is a Federal Subsistence Board
30 meeting in Anchorage and they're going to discuss the
31 draft protocols as part of the agenda at the Federal
32 Board meeting.

33

34 So essentially that sort of summarizes
35 where the program is with these protocols and with the
36 tribes and also the ANCSA corporations.

37

38 There's some more information -- well,
39 I don't see -- supposedly there was a letter that was
40 supposed to be in there, I don't see that, but other
41 than that I think it's fairly complete.

42

43 I don't know if anybody has any
44 questions, but that should complete that one briefing.

45

46 CHAIRMAN SIMEONOFF: Thank you, Steve.
47 Any questions for Steve.

48

49 (No comments)

50

1 CHAIRMAN SIMEONOFF: Hearing no --
2 there are no questions.
3
4 MR. FRIED: Well, the next there's a
5 status report.....
6
7 CHAIRMAN SIMEONOFF: One question.
8
9 MR. FRIED: Oh, there is one. I knew
10 wouldn't get through this.
11
12 MR. ROWLAND: Thank you, Steve. Thank
13 you. Mr. Chair. And this briefly talks about the
14 tribal consultation, correct, and then are you speaking
15 in regard to the government to government consultation
16 and the government to ANCSA corporations consultation
17 as well?
18
19 MR. FRIED: Well, there's two protocols
20 that are being developed. And there's one -- the
21 interim one for the government to government is on Page
22 118 and basically that's the Federal government with
23 the tribes. And then on Page 120 there's one for the --
24 you know, the government to the ANCSA corporations
25 consultations.
26
27 MR. ROWLAND: Okay. That's.....
28
29 MR. FRIED: Yeah.
30
31 MR. ROWLAND:my understanding
32 too. Also in relation to this government to ANCSA
33 corporations consultation, where is the information
34 that I could find in the Alaska Native Claims
35 Settlement Act that relates to this consultation?
36
37 MR. FRIED: That's a good question. I
38 don't have the Act in front of me. I could find out,
39 but.....
40
41 MS. TRUMBLE: Mr. Chair.
42
43 CHAIRMAN SIMEONOFF: Yes, Della.
44
45 MS. TRUMBLE: I think in response to
46 that question the -- Senator Stevens a few years back
47 had allowed ANCSA corporations to be a part of this
48 because I'm -- I'm thinking at the time it was
49 basically when they were setting up and promoting the
50 8A. So they do have some sort of status. And the

1 reason the work groups have two is because the
2 protocols are because number 1, the tribes are
3 government to government and the ANCSA corporations are
4 not classified as a government so it's government to
5 ANCSA corporations. And they will be different. We
6 are right now with the government to the tribe --
7 government to government one we are on a final -- on
8 the 23rd we will be looking at the final draft on this,
9 I think. And to go before the -- to be presented at
10 the AFN and then on to the BIA. So in the interim the
11 government to ANCSA corporations will start that
12 process. But they are two separate documents because
13 of the classifications and responsibilities on the two
14 different groups.

15

16 CHAIRMAN SIMEONOFF: Go ahead.

17

18 MR. ROWLAND: Thanks for that
19 clarification, Della. And my question again was where
20 could I find the original starting point of this
21 government to ANCSA corporation consultation so I could
22 read that and get an interpretation of that and see if
23 these guidelines are being set up along those diagrams
24 or explanations of how it should be. That's why I'm
25 asking if it's in the Alaska Native Claims Settlement
26 Act, if it's in the ANILCA or where it is exactly that
27 says government to ANCSA corporation consultation.

28

29 MS. TRUMBLE: I know that documentation
30 is somewhere, I'll get that to Tim at some point here
31 and I'll ask -- I'll talk to Crystal, but it -- I know
32 I do have it. And that'll help. It's sort of an
33 Executive Order, the President has an Executive Order
34 onto the Secretaries of Interior and Agriculture and
35 that information and that wording is in those
36 documents.

37

38 MR. ROWLAND: Yeah, I'm asking.....

39

40 MR. FRIED: Right.

41

42 MR. ROWLAND:Steve there, Della.

43

44 MR. FRIED: Yeah. And, in fact, the
45 protocols, I don't think cite ANILCA, they cite
46 Executive Orders. But I can -- I'll find out and get
47 back to you. That's -- I can't answer it for you right
48 now. It's a good question.

49

50 MS. TRUMBLE: Mr. Chair.

1 CHAIRMAN SIMEONOFF: Yes, Della.
2
3 MS. TRUMBLE: There was a bill that was
4 passed by Senator Stevens referenced ANCSA
5 corporations. And that's how this came about. So once
6 I can get that information I'll email it and then I can
7 get it to -- it can be forwarded on to the Council
8 members.
9
10 CHAIRMAN SIMEONOFF: Okay. Thank you.
11
12 MS. TRUMBLE: And I think, Mr. Chair,
13 one of the issues that also has come out and I've -- I
14 know many of us have experienced it many times over the
15 years is that the term trust responsibility. And I
16 think this whole process is a part of recognizing that
17 trust responsibility.
18
19 CHAIRMAN SIMEONOFF: Okay. Any other
20 questions for Steve.
21
22 (No comments)
23
24 CHAIRMAN SIMEONOFF: None. Please
25 continue if you have more, Steve.
26
27 MR. FRIED: Okay. Then there's a
28 briefing on the status report on Secretarial
29 recommendations to the Federal Subsistence Management
30 Program starting on Page 121. And essentially in 2009
31 the Secretaries of Interior and Agriculture announced a
32 review of the Federal Subsistence Management Program
33 and partly this was due to urging by AFN. The program
34 had been in place for quite sometime and they're
35 acknowledging that it appeared no longer to be
36 temporary and that there was value in, you know,
37 evaluating where the program was, where it should go in
38 the future and whether or not it was serving, you know,
39 rural Alaskans in, you know, supposedly under Title
40 VIII of ANILCA. So the review began in November of
41 2009, there was some preliminary recommendations that
42 came out in August, 2010 and then in December 2010 the
43 Secretary of Interior with concurrent from Secretary of
44 Agriculture announced the results of the review and
45 provided several recommendations to the Federal
46 Subsistence Board. And all of the recommendations they
47 made can be implemented by the Secretaries and they can
48 be accomplished by Secretarial directive of policy
49 rather than having them passed necessary in regulation.
50 Some of them did require some formal rulemaking

1 regulatory changes though. And the Federal Board
2 prioritized the recommendations and began working on a
3 subset in December, 2010.

4
5 And currently there has actually been a
6 regulation that has been completed and is now in a
7 codified form and this is -- has to do with placing two
8 public members that represent Alaska subsistence users
9 on the Federal Board. And so that rulemaking is done
10 and currently the Secretaries have begun the
11 application nomination process and they're hoping to
12 have these two members on the Board by the January,
13 2012 meeting. So we'll see if that occurs, that's the
14 goal.

15
16 Secondly, the Secretaries wanted to
17 expand deference to appropriate Council recommendations
18 in addition to the taking decisions. Right now the
19 Board was -- had deference to Council recommendations
20 mostly on taking decisions. And now they're looking at
21 whether or not -- how they can expand that. And the
22 Board's generally supportive of expanding deference to
23 Councils on customary and traditional findings, they're
24 still trying to figure out whether or not it's
25 sufficient to reflect this in policy or if they need to
26 actually have a regulation in place to do this.
27 They're looking at deference on in-season management
28 decisions. And the only thing is the Board understands
29 that because it's done in-season, they also often have
30 to be made quickly in response to the information in-
31 season and in response to the fisheries or wildlife
32 hunting seasons that deferences to the Council can only
33 occur when time and conservation allows so to the best
34 of their ability they were looking into how to do that.

35
36 Number 3 was to review with input from
37 the Council the December, 2008 Memorandum of
38 Understanding with the State to determine either the
39 need for having this MOU in place or if needed to be --
40 changes or, you know, clarifications were needed. And
41 the Councils were all provided copies of the MOU during
42 the winter, 2011 cycle. And the comments were
43 summarized, they were reviewed by the Board in the
44 summer of 2011 and the Board directed that the changes
45 recommended by the Councils now be examined by a work
46 group comprised of Federal and State members. And
47 they're supposed to report back to the Board and the
48 Board is going to take final action on these proposed
49 changes by December of this year.

50

1 The fourth item was to review with
2 Council input the customary and traditional use
3 determination process and present recommendations for
4 changes to these regulations. All the Councils were
5 asked for their perspectives on this during the winter
6 of 2011 meeting cycle and as before the comments were
7 summarized, reviewed by the Board in May, 2011. Most
8 of the comments were actually supportive of the
9 existing process and so the Board decided to focus its
10 energies on other of the action items at this time.
11 This one seemed to be okay basically the way it is more
12 or less.

13
14 Fifth, another review with Council
15 input of rural/nonrural determination process. And
16 present recommendations for regulatory changes. The
17 Board held a work session in April to learn more about
18 the rural process and it's a fairly intricate process
19 the Board is still learning. And the Board is
20 exploring whether or not it can delay the
21 implementation date for the communities or area which
22 are rural and were determined to be nonrural during the
23 2000 review process and it's evaluating how to best
24 proceed in conducting the 2010 rural determinations.

25
26 Number 6 was the Secretaries asked the
27 Board to review its policy on executive sessions and
28 also to minimize the use of executive sessions to those
29 case in which it was specifically prescribed. And the
30 Board has taken this to heart, they revised its
31 executive session policy to reflect that it intends to
32 keep its business transparent and it will provide a
33 summary of executive sessions as and when they occur.
34 And this policy was adopted by the Board at the May,
35 2011 meeting.

36
37 Number 7, the Secretaries asked for --
38 that the -- let's see, consideration of the annual
39 budget under direction -- okay, there was a focus. So
40 there are some things that the Secretaries recommended
41 that are pending because they need additional funding
42 to carry these recommendations out. And on Page 123
43 there's A through F of these items. One is holding
44 Federal Subsistence Board meetings in rural areas,
45 increasing training and support to Regional Advisory
46 Councils, implementing wildlife monitoring studies,
47 increasing tribal consultations which is actually in
48 progress, we just went over the briefings, increase the
49 capacity within the Office of Subsistence Management
50 for research implementation and reinstate the annual

1 regulatory cycle. For most of these it kinds of
2 pending additional funding except tribal consultation
3 is ongoing. As far as reinstating the annual
4 regulatory cycle the Board indicated that it sees the
5 value of an every other year cycle that we have now,
6 but they're open to reinstating the annual cycle if
7 funding allows. So they're still exploring that.

8
9 The Board also has not begun work on
10 some of the directives from the Secretaries and there
11 are three of these they haven't worked on yet. One is
12 to review with Council input present recommendations
13 for changes to the Federal Subsistence Board procedural
14 and structural regulations. These were adopted from
15 the State in order to ensure Federal authorities are
16 fully reflected and in accord with subsistence
17 priorities provided for in Title VIII. The second is
18 to ensure the Secretaries are informed when non-
19 departmental rulemaking entities develop regulations
20 that may adversely affect subsistence users. And the
21 third is to the extent practical utilize contracting
22 and use of ANILCA Section 809, cooperative agreements
23 with local tribes and other entities in the Board's
24 review and approval of proposals for fulfilling
25 subsistence program elements.

26
27 So essentially that's the status of
28 where the Secretarial review is right now. There's
29 some things are either just about completed or in the
30 hopper, there's others that are, you know, awaiting
31 funding or just starting and then there's three others
32 that the Board hasn't really worked on yet. And some
33 of these as I mentioned depend on what the Federal
34 budget looks like. And from what I understand the
35 funding in 2012 and beyond is either going to be at the
36 level we currently have or there's a good probability
37 it'll be reduced by some amount. So I guess we'll have
38 to see what happens.

39
40 CHAIRMAN SIMEONOFF: Thank you, Steve.
41 Before we continue through that, we have a new person
42 that came in. I'd like to let you know that there's
43 information in the back table back here and if you
44 could please introduce yourself.

45
46 MR. POLUM: My name is Tyler Polum, I'm
47 with Fish and Game in Sport Fish in Kodiak. I meant to
48 be here at 1:30, but you guys know how that goes. And
49 so I just can give you guys an update about at some
50 point about the Buskin River OSM projects that we have

1 going there.

2

3 CHAIRMAN SIMEONOFF: All right. Thank
4 you. Is there any questions for Steve. Pat.

5

6 MR. HOLMES: Two brief questions. On
7 Page 122 I wonder if you could clarify for me number 2,
8 it says recommendations on -- in addition to takings
9 decisions on the Board. What does taking mean?

10

11 MR. FRIED: I think it's harvest.

12

13 MR. HOLMES: Oh, okay.

14

15 MR. FRIED: So that when there's a
16 regulation that is -- has to do with harvesting, you
17 know, takings of fish and wildlife, the Board always
18 gives, you know, deference to the Council whereas in,
19 you know, C&T findings, I don't know if that's, you
20 know, always been the case. So they're looking to
21 expand the deference to other areas other than just
22 takings regulations.

23

24 MR. HOLMES: Harvest is easier to
25 understand.

26

27 MR. FRIED: Yeah.

28

29 MR. HOLMES: I have another question.

30

31 MR. FRIED: It's Federal.....

32

33 MR. HOLMES: Go ahead.

34

35 MR. FRIED: It's Federal liaison.

36

37 MR. HOLMES: Yeah. And then on Page
38 123, number 9, it says ensure Secretaries are informed
39 when nondepartmental rulemaking entities develop
40 regulations that may adversely affect subsistence
41 users. What does that mean? I mean, probably what it
42 says, but.....

43

44 MR. FRIED: Yeah, probably.....

45

46 MR. HOLMES:but could be a
47 transla.....

48

49 MR. FRIED:what it says. Maybe
50 that's why the Board hasn't begun working on it yet.

1 But I think it's just being more, you know, inclusive
2 as to other things that are going on that might affect
3 subsistence users that they might not be aware of. And
4 then we're.....

5
6 MR. HOLMES: So does that.....

7
8 MR. FRIED:the Federal
9 government, you know, the Feds are working pretty
10 closely with the State, you know, managers and the five
11 Federal organizations that are under the umbrella of
12 Federal subsistence management usually have pretty good
13 communications on things that might affect Federal
14 users. But there might be other programs, other
15 agencies, that might, you know, actually make laws or
16 regulations that might affect users that you might not
17 necessarily hear about, you know, until either it
18 happens or so they just are, I think, saying that
19 they'd like to try to be more informed about things
20 like that. I mean, as we go on -- I mean, we've -- the
21 next topic has to do with North Pacific Fisheries
22 Management Council, so that's maybe one of those
23 nondepartment rulemaking entities.

24
25 MR. HOLMES: Oh, okay.

26
27 MR. FRIED: I don't know if that would
28 fall under that either, but.....

29
30 MR. HOLMES: So red flagging potential
31 problems for subsistence users then.

32
33 MR. FRIED: Okay. Thank you. And I
34 don't know if there's -- I know this wasn't in the
35 book, but I don't know if you got this in your handout,
36 but this is the letter where the Secretary seeks two
37 public members to join the Federal Subsistence Board.
38 I can provide all the Council members with a copy of
39 this too. So they are move -- like I said, they are
40 moving along with that one.

41
42 MR. HOLMES: Oh, okay. Yeah, Page 126.

43
44 MR. FRIED: No, I don't know if this
45 one made it in the book. This has to do with the two
46 public members on the Federal Board.

47
48 MR. KOSO: Yeah, it's not in the book.

49
50 MR. FRIED: I'll provide that to you.

1 CHAIRMAN SIMEONOFF: Any further
2 questions.

3
4 (No comments)

5
6 CHAIRMAN SIMEONOFF: No.

7
8 MR. FRIED: And the last one, this will
9 be a quicker one. It's a briefing on the Gulf of
10 Alaska chinook salmon bycatch, it's on Page 125. And
11 it's just a short couple of paragraphs in here.

12
13 We've had people from OSM and other
14 parts of Fish and Wildlife Service attending some of
15 the North Pacific Fisheries Management Council meetings
16 in regards to chinook bycatch. In 2010 the amount of
17 chinook bycatch was over 51,000 in the Gulf of Alaska
18 groundfish fishery, mostly in the pollack fishery. The
19 North Pacific Fisheries Management Council manages
20 those fisheries and they expedited looking at this
21 issue no later than the start of the 2012 fishing
22 season. And they had an April, 2011 meeting in
23 Anchorage and they adopted a preliminary preferred
24 alternative with a hard cap of 22,500 chinook salmon
25 which was actually higher than the average 2003-2010
26 bycatch which was only 19,000 chinook salmon. In May
27 the Federal Subsistence Board then sent a letter to the
28 North Pacific Management Council recommending a hard
29 cap of 15,000 chinook salmon for the Gulf of Alaska
30 groundfish fishery. And this was actually the lowest
31 hard cap amount that was in a range of alternatives
32 that were being considered by the North Pacific
33 Fisheries Management Council. So if the Council -- if
34 the Board's recommendation was adopted by the North
35 Pacific Council it would probably lead to a reduction
36 in chinook salmon bycatch in the Gulf, they have to do
37 something to change that fishery because it was lower
38 than the average over that span of years before that.
39 The Board recommended a cap because they were very
40 concerned about chinook salmon runs on Kodiak Island in
41 particular and these have had escapement goal
42 shortfalls and subsistence harvest restrictions in
43 recent years.

44
45 At it's June, 2011 meeting in Nome the
46 North Pacific Fisheries Management Council took final
47 action on the issue and they selected a hard cap of
48 25,000 chinook salmon for the commercial pollack
49 fishery. And there's a website that you can look at
50 for the Council's full motion, but obviously they

1 didn't -- they considered the Board's request, but
2 didn't follow it. And on Pages 126 and 127 there's a
3 letter that the Federal Subsistence Board through its
4 Chairman sent to the Chair of the North Pacific
5 Management Council for informational purposes. So
6 that's basically where that process is at. They've got
7 a cap of 25,000 chinook salmon in the Gulf of Alaska
8 groundfish fishery now.

9
10 CHAIRMAN SIMEONOFF: Thank you, Steve.
11 Questions. Pat.

12
13 MR. HOLMES: Mr. Chairman. As a
14 follow-up on this I have drafted a very quick, rough
15 letter to the National Marine -- National Pacific
16 Fisheries Marine Council and I would like to sometime
17 discuss that.

18
19 MR. CRATTY: Tomorrow.

20
21 MR. HOLMES: That be okay?

22
23 CHAIRMAN SIMEONOFF: Yeah. Is that an
24 agenda item we added this morning?

25
26 MR. HOLMES: Yeah, that was one we
27 added.

28
29 CHAIRMAN SIMEONOFF: Okay.

30
31 MR. HOLMES: Basically it would be to
32 North Pacific Fisheries Management Council from our
33 Advisory Council. The Kodiak/Aleutians Regional
34 Subsistence Advisory Council is concerned about the
35 decline of halibut populations in the Gulf of Alaska.
36 And we would support decreasing the incidental harvest
37 of halibut. And I don't know which group we'd want to
38 choose or just not even specify a group, but to reduce
39 that for a total hard cap of 15,000 chinook salmon or
40 less. And the trawlers are the group that's taking
41 most of those fish and really their cap really hasn't
42 been reduced in what, 15 years.

43
44 MR. FRIED: For the Gulf
45 groundfish.....

46
47 MR. HOLMES: Yeah.

48
49 MR. FRIED:chinook bycatch.
50 Yeah, I mean, the average catch in 2003 to 2010 was

1 about 19,000. So if you then set a cap at 25,000, I
2 mean, it's pretty -- it seems pretty obvious that the
3 fishery's going to operate at least the way it's been
4 operated and they actually have a little bit of leeway
5 because the cap's higher than that past average.

6

7 MR. HOLMES: Anyway I'd like to submit
8 that to the Council for their consideration. And I can
9 get it typed up so you can read it.

10

11 CHAIRMAN SIMEONOFF: Other questions
12 for Steve. Rick Koso.

13

14 MR. KOSO: You know, it may be just a
15 little bit late on that letter. I think if they
16 already acted on it and then it's going to go into law
17 now, I think now we have to go through probably another
18 process and catch them on the next meeting and maybe
19 try to bring it back to the table. I don't know how we
20 would go about doing that, but if you present them a
21 letter now, this is after the fact so I don't know if
22 it'll do any good or not.

23

24 MR. HOLMES: I think they're having a
25 meeting on it at the end of the -- Mr. Chairman. Pat
26 Holmes. I believe that they're -- at least from what
27 they had in that Kodiak paper when I left on Friday was
28 that they were going to be considering that the end of
29 this week at Dutch Harbor, at that meeting. At least
30 that's what Mr. Cotten was saying when I was talking to
31 him. And he had a concept, you know, and I can't speak
32 for him, but he had a concept of asking for
33 consideration of maybe breaking it up for the -- what
34 area 3A and 3B versus the other areas in order to get a
35 better allocation and a return of chinook to the
36 Kodiak, Chignik and the peninsula. And then the area
37 where there's less chinook harvest taking place for the
38 trawlers to have a separate place. But I think that if
39 we -- if you wanted to go with this letter we could
40 probably get it typed up and fax it out there to the
41 Council at -- I don't know where we'd send it, but we
42 can find out in a hurry. But I think they're still
43 taking that information through the 23rd, I heard which
44 is what, tomorrow.

45

46 CHAIRMAN SIMEONOFF: 20th now.

47

48 MR. HOLMES: Yeah. Oh, okay. So we
49 still -- so it's pretty sweet and simple, drop the cap
50 to 15,000.

1 CHAIRMAN SIMEONOFF: That requires a
2 motion from the Board to -- that would require a motion
3 from this Board to have that letter written up and
4 faxed over to.....

5
6 MR. HOLMES: Okay. Mr. Chairman. I'd
7 like to make a motion that our Council forward a letter
8 to the North Pacific Fisheries Management Council
9 stating that we'd like -- we're concerned about the
10 decline of the halibut population in the Gulf of Alaska
11 and that we support decreasing the incidental harvest
12 of halibut to a total hard cap of 15,000 chinook or
13 less.

14
15 MR. KOSO: I thought you were talking
16 halibut and chinook, you're mixed up here.

17
18 MR. HOLMES: Oh, I'm sorry. I'm sorry.
19 What the heck are we talking about.

20
21 MR. FRIED: Yeah, halibut or chinook.

22
23 MR. HOLMES: Chinook. Chinook, decline
24 of chinook. Yeah, thank you, my great grandson.

25
26 (Laughter)

27
28 CHAIRMAN SIMEONOFF: Okay. Restate
29 your motion, please.

30
31 MR. HOLMES: Okay. Restate the motion.
32 Kodiak/Aleutian Regional -- anyway the KRAC is
33 concerned about the decline of chinook and chinook
34 populations in the Gulf of Alaska. We support
35 decreasing the incidental harvest of chinook to a total
36 hard cap of 15,000 or less.

37
38 CHAIRMAN SIMEONOFF: Do I hear a
39 second.

40
41 MR. SHELIKOFF: I second.

42
43 CHAIRMAN SIMEONOFF: Moved and
44 seconded. Discussion. Rowland.

45
46 MR. ROWLAND: Rick Rowland. My thought
47 about this is that there's a number of different
48 factors connecting to the decline of the chinook
49 population. So it makes me wonder if this is just a
50 band-aid on the gushing artery. So that makes me

1 wonder is -- would it make more sense to create a
2 system that has an escapement count into the rivers
3 that will allow for subsistence use and until that
4 escapement occurs in the region there should not be any
5 commercial fishing. That's way out different from just
6 writing a letter, but if we're going to make
7 subsistence a priority here then I would like to see
8 where the population of the chinook salmon are truly
9 returning. So that's my comment in regard to this.

10

11 MR. KOSO: Mr. Chair.

12

13 CHAIRMAN SIMEONOFF: Yes, Rick.

14

15 MR. KOSO: Yeah, I oppose this proposal
16 and the reason I oppose it is that in our region in the
17 Aleutians, not Kodiak, I know we don't have any of the
18 coho streams that are in our region. And the people --
19 the chinook, excuse me, people that are fishing are
20 local fishermen out of King Cove and Sand Point and
21 False Pass. And to restrict them further I think I'd
22 be doing them a disservice. I don't know what the
23 facts are as far as what Fish and Wildlife comes up
24 with or North Pacific Council, but I'm going to go with
25 the recommendation of the North Pacific Council right
26 now and what they recommended. So I'll be voting no on
27 this.

28

29 Thank you.

30

31 MR. CRATTY: Mr. Chair.

32

33 CHAIRMAN SIMEONOFF: Al.

34

35 MR. CRATTY: I also feel the same way.
36 I think there's too many chinook that come around
37 Kodiak that are going everywhere throughout the State
38 and Canada and the west coast. So I don't see no way
39 of doing that.

40

41 CHAIRMAN SIMEONOFF: Any further
42 discussion.

43

44 (No comments)

45

46 CHAIRMAN SIMEONOFF: Hearing no further
47 discussion, with the comments just heard, can I have a
48 roll call vote, please.

49

50 MR. CRATTY: Mr. Chair, did -- is Rick

1 changing the motion that he had made? Was that -- is
2 that what your intention was, Rick, to.....

3

4 MR. KOSO: No.

5

6 MR. CRATTY: Oh, okay. Could he
7 restate his motion, please.

8

9 MR. HOLMES: My motion is the KRAC is
10 concerned about the decline of chinook populations in
11 the Gulf of Alaska. We support decreasing the
12 incidental harvest of chinook to a total hard cap of
13 15,000 or less. That's basically the same thing as the
14 Federal Board is doing.

15

16 CHAIRMAN SIMEONOFF: We're in
17 discussion. You're clear, you understand what we're
18 doing now?

19

20 MR. CRATTY: Uh-huh.

21

22 CHAIRMAN SIMEONOFF: Okay. The RAC
23 calls for a roll call vote.

24

25 MS. BROWN: Roll call vote then.
26 Member Cratty.

27

28 MR. CRATTY: I'm neutral.

29

30 MS. BROWN: Member Koso.

31

32 MR. KOSO: No.

33

34 MS. BROWN: Member Rowland.

35

36 MR. ROWLAND: I support.

37

38 MS. BROWN: Chairman Simeonoff.

39

40 CHAIRMAN SIMEONOFF: Yes.

41

42 MS. BROWN: Member Holmes.

43

44 MR. HOLMES: Yes.

45

46 MS. BROWN: Member Shelikoff.

47

48 MR. SHELIKOFF: Yes.

49

50 MS. BROWN: Member Trumble.

1 MS. TRUMBLE: No.
2
3 MS. BROWN: Four in support, three
4 against, one neutral -- two against, one neutral.
5
6 MR. HOLMES: What was it?
7
8 MS. BROWN: Three in support, two
9 against, one neutral. So it passes to write a letter.
10 Four in support, two against and one neutral to write a
11 letter.
12
13 CHAIRMAN SIMEONOFF: So that's five for
14 it and two against. Okay. So the motion passes.
15
16 MS. BROWN: Uh-huh. Motion passes.
17
18 CHAIRMAN SIMEONOFF: You've got a
19 questioning look in your face.
20
21 MR. FRIED: Yeah. No, I wanted to make
22 sure that -- you know, according to the brief, you
23 know, that was a final action, but you -- Pat indicated
24 that there's another meeting coming up. Is that how
25 they apportion this cap among areas or.....
26
27 MR. HOLMES: I could be wrong, but I
28 thought that it was still going.
29
30 MR. FRIED: No, I don't think so. But
31 that -- that was the only thing I was wondering about,
32 but we can make sure and see what the topic is of the
33 next meeting and work with you to see if we can write a
34 letter.
35
36 MR. HOLMES: I say I'm -- I had the
37 opinion that it was still coming. So that -- if you
38 could check and see if it's still on the table then
39 we'll.....
40
41 MR. FRIED: Right.
42
43 MR. HOLMES:send this and if not
44 then it's my mistake and everybody can kick me around
45 the building.
46
47 MR. FRIED: Well, I mean, there's still
48 -- I suppose there's still a possibility of sending
49 them a letter, you know, expressing your disappointment
50 in their not passing a lower cap. And at some point

1 their regulations are modified. So there's some
2 possibility in the future to address it. I mean, I
3 just don't know. I mean, this is -- supposedly June
4 was the final action on the cap itself.

5
6 MR. HOLMES: Oh, okay.

7
8 MR. FRIED: So I don't know what the
9 next meeting is, maybe they're still working on how to
10 apportion the cap along statistical areas. I don't
11 know, I can find out and we can work together to see if
12 a letter is going to be of use.

13
14 MR. HOLMES: Yeah, I could be totally
15 all wet here.

16
17 CHAIRMAN SIMEONOFF: Yeah, that raises
18 a question in my head, if they finalized it already why
19 are they going to bring it up again. I would think
20 when you get more information, if it's going to be
21 discussed at their meeting we'll forward that letter.

22
23 MR. FRIED: Right.

24
25 CHAIRMAN SIMEONOFF: If it's not going
26 to come up then disregard that -- this action. We
27 good?

28
29 MS. BROWN: Yeah.

30
31 MR. FRIED: Yeah.

32
33 CHAIRMAN SIMEONOFF: Okay. All right.
34 It's 5:30. I think we should probably recess and come
35 back at 3:30 in the morning.

36
37 (Laughter)

38
39 (Off record)

40
41 (PROCEEDINGS TO BE CONTINUED)

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C E R T I F I C A T E

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

I, Salena A. Hile, Notary Public in and for the state of Alaska and reporter of Computer Matrix Court Reporters, LLC, do hereby certify:

THAT the foregoing pages numbered 02 through 191 contain a full, true and correct Transcript of the KODIAK/ALEUTIANS FEDERAL SUBSISTENCE REGIONAL ADVISORY COUNCIL MEETING, VOLUME I taken electronically by our firm on the 20th day of September 2011, in Cold Bay, Alaska;

THAT the transcript is a true and correct transcript requested to be transcribed and thereafter transcribed by under my direction and reduced to print to the best of our knowledge and ability;

THAT I am not an employee, attorney, or party interested in any way in this action.

DATED at Anchorage, Alaska, this 7th day of October 2011.

Salena A. Hile
Notary Public, State of Alaska
My Commission Expires: 09/16/14