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KODIAK/ALEUTIANS SUBSISTENCE REGIONAL ADVISORY COUNCIL
PUBLIC MEETING
October 4 - 5, 1994
Regal Alaskan Hotel
Anchorage, Alaska

VOLUME II

COUNCIL MEMBERS PRESENT:

- Mark E. Olsen, Chairman
- Vincent M. Tutiakoff, Sr., Vice Chairman
- Golda M. Shellikoff, Secretary
- Thomas L. Everitt, Member
- Randy Christensen, Member

- Moses L. Dirks, Coordinator

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P R O C E E D I N G S

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2 (On record)

3 CHAIRMAN OLSEN: Good morning to everybody here. At
this time, I guess, I would like to reconvene our meeting here
this morning. All right, thank you. I guess at this time we
would like to back-up and address under Old Business, B., Letter
ADF&G Unalaska Subsistence Fishing Permits. I believe at this
time we have Pete Probasco to give us his input and report on
this issue.

7 MR. PROBASCO: Do I need to come forward?

8 CHAIRMAN OLSEN: Yes, if you would come up here to the
microphone, please, Pete.

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10 MR. PROBASCO: Mr. Chairman, I believe that's the
title,

11 CHAIRMAN OLSEN: Close enough.

12 MR. PROBASCO: Close enough. I was asked by Mr. Dirks
to come to this meeting this morning to address some of the
concerns raised by this board concerning subsistence fishing in
the Unalaska area, i.e., Dutch Harbor. My report will be very
brief, it will focus on what has taken place in 1993 since that
was the concern that was addressed, as well as what has taken
place in 1994.16 Our research into these two years has indicated two
things: One, the number of subsistence permits over time has
increased. This can be directly related to the increased growth
that we are seeing in the Dutch Harbor/Unalaska area.
Consequently, we have a lot of new faces that have moved into
Dutch Harbor, which has resulted in a lot of
misunderstanding, i.e., are these residents or are these non-
residents. The department in 1993 and 1994 has issued in excess
of 130 subsistence permits. All permits were verified as being
residents of the Unalaska area or Alaskan residents. This is
done in numerous ways; i.e., driver's license, residential,
phone book, et cetera. What was noted in these was that a lot
of people were residents of one year or less in Dutch Harbor,
however, Alaskan residents. And consequently, I believe, that's
where the misunderstanding is coming, as far as people feeling
that the department is issuing permits to non-residents.

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Concerns were addressed as far as our ability to assess
salmon populations within the Unalaska area. That is a very

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legitimate concern. We have a very limited staff in the Dutch Harbor area which is strictly dedicated to shellfish. The Dutch Harbor staff is in charge of the entire Bering Sea and Gulf of Alaska, from Sand Point west, of all crab species.

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To address this problem, in 1993, as well as 1994, I have assigned a fishery biologist temporarily to the Dutch Harbor office during the period of time that salmon are present. This is hopefully going to be modified in 1995 to at least six months in the Dutch Harbor office, which right now is consequently five weeks is all that we dedicate. This person will be strictly in charge of assessing both the commercial fishery and the subsistence fishery. However, in 1993 and 1994, our aerial surveys, even though they're not as intense as we do like in Kodiak, Chignik, and the Alaska Peninsula, did indicate excellent escapements with the exception of Captain's Bay. All species, with the exception of coho, in 1993 and 1994 were adequate as far as escapement or better than adequate. 1993 we saw a very weak coho return to the -- not only to Unalaska but the entire Alaska Peninsula drainages. In 1994, concerns were raised about pink salmon. In the Unalaska district the pink salmon return was the largest on record since 1988. 1988 is the largest on record. We had a reported subsistence harvest of less than 2,000 pinks.

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Mr. Chairman, that's pretty much all I have to report concerning Unalaska area. I'd like to take some questions.

15 MR. TUTIAKOFF: Yeah, Mr. Chairman.

16 CHAIRMAN OLSEN: Certainly, Vincent.

17 MR. TUTIAKOFF: I was the one that initiated this confrontation, basically, to bring it up to issue that there was and has and will be an increase of "subsistence users." I've had discussions with Rance Morrison, I believe he's the head guy at Fish & Game in Unalaska, Dutch. After about an hour's discussion we basically came to the same understanding and came to some agreement that, yes, there is a problem, yes, there is a need for segregating or separating what we call subsistence fishing and recreational fishing. He believes, and so do I, there is a distinction.

22

There are people -- users out there that use the subsistence permit for recreational use, and basically has -- his hands are tied as to what he can do about that. And I don't have any suggestions other than we need to probably work with the advisory -- local advisory Fish & Game Boards to come up with a more definite plan or action over the next five years of

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either cutting back on the subsistence using, limiting it to the needs of the subsistence user.

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I consider a subsistence user a different person than what that office feels is a subsistence user. I know they have definitions of what a subsistence user is. That is their name as in the phone book, I guess they're a subsistence user, they come in and get a permit. There are people out there that make \$50, \$150,000 a year that are out there in their nice, big boats and putting out 100-fathom nets. Now, that's not right. I just don't feel that's subsistence; that's recreational use, that's a hobby, that's a pastime. They don't use all of the fish that they catch. You know, they give it away, they give it to friends, they pass it on to friends and associates in and out of state. I know it happens. I mean so does Rance, you know, but his hands are basically tied on how he's going to determine who gets what.

10 Okay, we did come to an agreement that after this meeting that I will get with him and we'll start by going to the local advisory board and saying, hey, we have a problem here. We'll start educating the people, the users, and tell them that there's only a limited amount of salmon to be used and we've got too many people using it. The other option is to close it. We don't want to do that 'cause it creates problems for people that have jobs out there and want to go out and want to go fishing and they want to do all these things that the area is good for. But my concern is that people that use it for -- to stay alive in winter. You know, they go out and they use it the year round. And my concern is not for the sports fisherman, the recreational user.

17 And that's basically where I stood and that's one of the reasons why I made the comment was that when I went into the office originally there was two intern workers there, and it was bad timing, it was maybe the middle of the season -- I think it was in the fall. Like you say, there were limited staff. I understand that. But I felt I wasn't getting no input back to me. So I brought it up here as a place to start. You know, it created a lot of problems, maybe a lot of heartaches, maybe just a lot of bad feelings. But I'm hoping that that's over with and that we can get to the point that the subsistence use of these streams in the bays that are left. I'd like to see them be there for my kids to use and not just wiped out like it's the boom and bust of a crab industry happened out there, and I want to see it just level out.

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So I told Rance that -- I apologized to him for making a big statement, causing all the problems that I did, but I felt

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it had to be done. I didn't know what else to do. Now basically I wasn't getting any input from the people down there. I am now; I am getting a lot of input from his office. At least it's a start. I would like to -- Mr. Chairman, to set this aside and maybe by the next meeting, with the help of Rance and the Unalaska Advisory Board, maybe I can come up with a proposal to limit the subsistence use or some kind of program locally that can be controlled, if that's the way to do it at this time.

6 CHAIRMAN OLSEN: Yes, thank you, Vince. It certainly is an issue that I can recognize as it is kind of revisited here in Dutch Harbor as Kodiak had experienced here also. First of all, I think there's a couple of questions I'd like to direct to Peter here.

9 You say that there's 130 subsistence permits applied for this year, and you say that they are one year or less. What is the residency time required? Is it six months or is it one year for

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MR. TUTIAKOFF: Thirty days.

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MR. PROBASCO: Mr. Chairman, to give you some more exact numbers, in 1994 there was 138. Of those 138 permits 42 requested a second permit, and when I said that they were one year or less, that means as far as residence within the Dutch Harbor area. In other words, what I was trying to impress upon was that we were seeing a large influx of new people into the area, which may have complicated this concern of, i.e., new people and people thinking they're non-residents. As far as how we determine residency, if a person comes in and says we're residents, we require proof of identification with an address, Alaskan driver's license or name in the phone book showing residence in Dutch Harbor, a similar type of -- voter's registration card, that type of residency. We don't say that you have to be a year resident, we just have to see that type of proof to issue a permit.

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CHAIRMAN OLSEN: I didn't quite follow you. You said you requested a second.

22 MR. PROBASCO: Yes. The state regulations allow -- for example, if you went out and like in the Kodiak area you're allowed 25 salmon per member of household, and if you had four in there you're allowed a hundred fish. You go out and you capture his fish and you determine, well, I need more; you can come in to the Kodiak office and request another permit for additional salmon.

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1 CHAIRMAN OLSEN: That's a new one on me, but I guess
 it's basically my fault for not finding out. One other question
 here. On this -- are these subsistence permits, are they for
 the fin fish or are they for the crab?

4 MR. PROBASCO: These are for salmon.

5 CHAIRMAN OLSEN: Salmon, okay. I guess here still it's
 unclear to me here. When we talk subsistence users is the
 primary gear gillnet?

7 MR. PROBASCO: That's correct.

8 CHAIRMAN OLSEN: Here again, like I say, it's -- I can
 really appreciate the concern here as Kodiak has definitely --
 now it's probably a big enough populace that it doesn't show as
 it would in Dutch Harbor area at this time, but I certainly do
 have a growing concern for our Coast Guard base that is growing;
 it's the largest in the nation. Here, again, we're facing
 similar problems that they are -- they come in and they are
 residents, even though it's not the traditional or cultural or
 any other usage, they are still equally treated to the resource.
 And as we all know, the resource only withstands so much, and
 after that regulations has to start piling on it.

14 I don't have any answers at this time, but, Vince, as
 your request to certainly address this again at the next
 meeting, I can certainly appreciate that.

16 Is there any other questions or comments here from
 either the audience or the council on this issue?

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MR. TUTIAKOFF: Mr. Chairman. Your information you
 have there, this is last summer's permits?

19 MR. PROBASCO: Excuse me?

20 MR. TUTIAKOFF: Your information you gave there, 137
 permits issued this -- was this for the last summer?

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MR. PROBASCO: Excuse me. The one I just gave to
 Mr. Olsen here was I had Arnie Sholl, our area biologist in
 Cold Bay, get with Rance, and the numbers I just gave him for
 was 1994, this year, 138 permits, of which 42 were issued again,
 a second time. Okay?

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MR. TUTIAKOFF: Okay, those are the same lists -- I did
 get a list -- the actual list of people who did apply, and of

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that list 34 were unconfirmed residents, and I -- you know, I know that -- and this is what Rance has told me, you know, that he knows that there's some faults or problems in the permit system and he's willing to work with me on this. This is just one of the reasons I think that this issue should be brought up again.

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Enforcement is a major issue with him, and it was with me initially. Of enforcement people out in Unalaska there is only -- there was one individual there last year, and there was one individual, I believe, in and out of Unalaska. He did use some of his staff whenever he could to go down there and check individuals' nets after nine o'clock, they had to be out of the water and there were some people who weren't pulling them out, and we had to go get 'em, but -- I mean 'cause they were right there in front of town, in front of the bay, the city. There would be 10 or 12 nets, and by nine o'clock they had to be out, and some individuals did not pull them out, and he did cite, I believe, two individuals six times. Basically they were just being stubborn. I told him he should just haul them in, make an example out of them because they're hurting the permit system for everybody else. And he agrees. I know that enforcement was one of 'em.

13 He's requesting through the city's program for an enforcement individual for year-round, and we are supporting him through the tribal government and also the corporation there, we are supporting that effort. We did last year, we were not funded -- that position was not funded through -- it has to do with the city's government, South SWAMPSI (ph). So we're hoping this year that it gets funded for next year. With the tribal government itself it's looking at even putting out -- you know, hiring their own enforcement person to go out and actually go -- not arrest the guy but turn him in, bring him in -- bring him home in and have some back-up, you know, to help the Fish & Game people there. We know their primary job is crab and commercial fisheries. So in order to protect our interests, which is subsistence and that livelihood, we've got to go out and do it.

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CHAIRMAN OLSEN: Thank you, Vince. As I look at this issue here upon us, only one thought here comes to mind here as it is a growing concern statewide, not just in a few areas. I don't know if anybody can help me here, but I'd kind of like to throw this out on the table. I know that the qualifications of residency for different applications differ in time; they're not all consistent. Here again, I feel it would be in our best interests to look at a -- something like a two-year resident of a community to qualify as a resident subsistence user. Can anybody here give me any feedback on -- does that sound like a

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reasonable request? (Pause) Don't everybody speak up at once.
Certainly I -- yes. Sure, Craig.

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MR. MISHLER: I guess I'd like to comment. It strikes me that there's quite possibly a loophole in the current system whereby driver's license or motor registration is the only evidence required for residency, and that can be obtained in a few days after arriving in the state. So it doesn't show that a person's even been here six months, which I think is the basic residency requirement; you're a Alaska resident after you've lived here six months. But a driver's license or voter registration can be obtained almost immediately, within probably 10 days or maybe less, and I think there may be some other way to determine legal residency besides those pieces of ID.

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MR. TUTIAKOFF: Voter registration is 30 days within the community. Driver's license, I believe, is 10 days. By law they have to go back and check their driving record. It takes 10 days. So basically -- and then to get your name in the phone book you don't even have to live in the community.

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CHAIRMAN OLSEN: I guess, like I said, I'm very aware that due to different issues the criteria for residency is not always consistent with a time period, so I really feel it is something we should look at here.

14 MR. PROBASCO: Mr. Chairman, if I may add, whatever system is adopted, whether it's state or federal, the part on the agency that issues a permit, there's going to have to be some system that is handed to the agency that determines residency. If you are coming to my office for a permit, all you have to claim is I'm a Alaska resident and here's my identification. If that has an address, I have no other form of document that says you've only been here two months or you've been here 30 years, there's no document within the state that establishes how many years you lived. So once you've met that criteria, you claim you're a resident and you give me identification that who I'm looking at is Mark Olsen, you're issued a permit.

21 CHAIRMAN OLSEN: Right. You're speaking as the status quo,

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MR. PROBASCO: Yes.

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CHAIRMAN OLSEN: right now. This is where we are basically having a problem, and that is not quite measuring up to what we feel is a primary subsistence user. So I guess is there anything else for Pete? Hearing none, thank you, Peter.

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- 1 MR. PROBASCO: Thank you, Mr. Chairman.
- 2 (Pause)
- 3 CHAIRMAN OLSEN: As I look here, once again, as to what
we have before us today
- 5 MR. TUTIAKOFF: Designated Hunters.
- 6 CHAIRMAN OLSEN: Right, we do have our Designated
Hunter to take place here, right away this morning, although I
do have a request here that it would probably be beneficial for
the council here to present a regulation developing before we
hit the Designated Hunter as it might answer a lot of -- some of
our questions that we might have on it. And is there any
objection from the council? Hearing none, I'd like to ask Mr.
Willis to bring his presentation forward.
- 10 MR. WILLIS: It won't take very long to go through the
form, and I thought it would be beneficial to go ahead and do
this first, which leads us into the proposal process and
development of proposals themselves.
- 13 The form was not changed from last year, and you'll be
at least somewhat familiar with it. I believe we have a copy on
the wall now, up here. I don't know if we have the individual
copies or not. There was one in my book. I assume there was
one in your books also.
- 16 MR. DIRKS: You're talking about this one, Robert?
- 17 MR. WILLIS: But the proposal form originated -- this
is it here, if you're wondering what it looks like in your book.
I'll wait till everybody gets one in their hands.
- 19 When we first started the program we had a lot of
problems with trying to interpret people's desires in the way of
regulations, and that's how this form evolved, was to try to get
a standardized way of having people let us know what regulations
they wanted changed, and to give us some justification for those
changes the form itself is pretty simple. It's got six
questions on there: What regulation do you want changed? How
would you like to see it changed? Why should it be changed?
What the effect will be on wildlife populations. What the
effects will be on the subsistence user. Any other information
that might be valuable.
- 25 The best way to present a regulation that you want

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changed is to write the existing regulation, give the page number, the unit number. If possible, copy it directly from the published document. That will be number one. And then number two, rewrite what you would like to see written. I believe there's an example on the second page, which is Yakutat Fish & Game Commission Proposal Submission.

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And as you see in number 1, they have written the regulation the way it is now, and number 2, they added to it in bold print the way they -- what they thought should be added, and made a season change over here. That's what we recommend people do when they're submitting a change to an existing regulation.

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Under number 3, the reason for changing the regulation. This example that we're looking at is adequate in that it says it's a request for an increased season length because the quota of bull moose allowed in the season has never been reached, and they felt that more opportunity to hunt should be offered up to the point that this quota is taken. That's certainly sufficient reason for changing the regulation.

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I personally take exception to the next, number 4 here, and this particular sample proposal I didn't pick it, and this is one of the things that we've run into problems with. To simply make a statement that the population is healthy so there won't be any affect on the population is not really sufficient justification. This is maybe one person's opinion based on very limited experience or if they personally want to hunt a certain area at a certain time of year, and the board doesn't consider that to be sufficient justification just to say, I want this. It won't cause any problem.

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And so what we like to see in the way of justification is some real information that we can use on the population that this regulation will affect. As an example in using the moose population, the information we'd like to see was: I saw a hundred cows and 20 bulls this year when I was moose hunting and every cow had a calf, and most of them were twin calves. Okay, that's good information. That tells us something about the productivity of the other herd. You might say: We've had two mild winters in a row, almost no snow, and so the herd has increased, and the hunters in my village have seen many, many more moose this year than we saw last year and the year before. On the other hand, if there's been a -- maybe a very severe winter in the area and someone wants the regulation changed to a strict harvest in some way or other, they need to present that. We had very heavy snow, we ran our trap lines and we hunted 25 dead moose in a three-mile stretch of river bottom,

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Something of this nature to give us some real information to work with, rather than just saying we don't think this will have any affect or we think it will be beneficial or something of that nature, because the Federal Subsistence Board and the Staff Committee looks for information, for data, for real justification before making these changes, rather than just a statement from an individual.

5 And I guess those are the main things that I would like to get across as far as -- as a biological end. I'll skip over a little here to the next sample proposal from Wiseman Village. And under Additional Information -- I guess, it's two pages over, this proposal went through all the proper sequence. They gave the existing regulation, how they'd like to see it changed, reason for changing. Again, they didn't give us any information at all on the effect on fish and wildlife, and that's something that's missing in this. But they give a very good description of their additional information about how the law is causing problems with the customary and traditional use of an area.

11 And this kind of brings me to the question number 5 in these proposals, which is the effect on subsistence users and uses. And at this time I'd like to introduce a new member of our team. Some of you may know her, Rachel Mason. She's a cultural anthropologist who has joined the staff of the Fish & Wildlife Service Office of Subsistence Management, and she's lived in Kodiak for quite a few years, and I'm going to let Rachel come up and talk a little bit about what she would like to see in the way of information on how changes in regulations will affect the subsistence user.

16

MS. MASON: Hi. I've met most of you in my travels around Kodiak Island, and a little bit in the Aleutians. In the past several years I worked several studies of subsistence harvests, and mostly in the Kodiak area. In fact yesterday when Tom was asking Craig Mishler about the sample, I had to really hold my tongue because I worked on most of those studies, and so I was

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CHAIRMAN OLSEN: Excuse me, Rachel. Can you hear her back there? You might hold your microphone a little closer.

22 MS. MASON: Sure. In regard to the proposal form, the question that I'm most interested in is number 5, How will the proposal affect subsistence users? I'm going to be involved in some of the research of justifying these proposals, and I'm interested in the social cultural considerations.

25 It will be helpful if the proposal forms are very

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specific in answer to that question, number 5. What we would need to know is: How necessary or important is this wild food? How many hunters are there? How many attempt to get that food? How many are successful at it? How is it hunted? When is it hunted? What are the seasons for it? How is it distributed to people? And how is it used? Is it something that you'd store for the winter or preserve? Are there uses other than food? Are there any special occasions that it's used for? And how does it relate to other subsistence foods?

6 And some of this, I think, would run over to number 6: Additional information to support the proposal. But if you have information about the history of the use, the traditions of this particular wild food, that's also something that needs to go into the proposal. So that -- again, as Robert has been pointing out, it needs to be very specific, and the more complete information that can go into the proposals, the better.

10 CHAIRMAN OLSEN: Rachel, is this my understanding then that when we come between a rock and a hard place we might be able to utilize your knowledge and resources in some of these proposals?

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MS. MASON: I hope so, and I hope also to utilize your knowledge and experience in -- hopefully it will be a conversation or give and take. As I'm trying to research the proposal, I will want to speak with people who have experience and knowledge of these areas. So I will be consulting you as well.

16 CHAIRMAN OLSEN: Well, I certainly appreciate that. The more input and more resource we have I feel we have a better chance of our goals being met. Appreciate that.

18 MS. MASON: Thank you. Are there any questions about the proposal forms or the process of it?

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CHAIRMAN OLSEN: Not at this time that I can see, although I do have one small question here on number 4. When we look at this effective change on fish and wildlife populations you have mentioned that this isn't really a good, substantiated reason, if you will. As I look at it and the only thing I could mention on this behalf is that it is deemed by the department that 25 -- this unit will allow 25 animals to be taken without adversely affecting the wildlife in this region. I mean isn't that a statement that would reflect on not only the department's reasoning but the subsistence users?

25 MR. WILLIS: This particular proposal I was separating

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number 4 to -- in order to speak generally that saying -- just making a statement that population is healthy and a change won't affect it is not generally sufficient. We have to then try to contact people in the area and get more information. This particular one is not one where you require an enormous amount of information. Obviously there's a quota already established, and your point is well taken, Mark, that in this particular instance a quota is already established. And the only -- as I look at that, the only question I might have about that is, well, the season runs till January 31, it's bull only. There's a period of time where the bulls are not fit to eat and, you know, I might have to get some more information on when the antler drop is in this area and when people can consider the bulls again edible and so forth. So the lack of information that I was referring to in number 4 is kind of a general thing.

It's not so much this particular permit but I felt they could have found a better example to use, you know, in this book, and the same happened last year, and apparently I didn't make my concerns known well enough in our office because we got a similar or the maybe the same example again this year.

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CHAIRMAN OLSEN: But also in my process and thought here when I look at a question like that, it makes me really wonder, well, what are they really asking when bag limits for the unit have already been set. It's quite confusing to me that they will set a bag limit for an area but then close it when it hasn't percentage wise even come close. I will use the elk in the northeast section of Afognak as a big example. I know in the past years it has produced in the neighborhood of 40 to 50 elk in the previous years. But I would say from '92 was the first year I was aware that that whole area was closed when only two animals were taken. And this certainly has frustrated the hell out of me. That was an area that we have always traditionally hunted in. We have always waited until the first snow, as it is a way that we are able to insure our meat is not going to be spoiled, in other words, by cooling the animal immediately after downing it.

20 So these kind of instant regulations have brought some hardship on a lot of people that traditionally utilize weather as a means of not losing their meat to spoilage, for one example. So I do see what you're targeting, but I hope that I might have shed a little light on what I see also in the same scenario.

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MR. WILLIS: In looking at this regulation, you know, you need to remember, too, that a lot of the regulations are still the same as when the federal program began in 1990 when the federal program simply adopted the existing state

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regulations at that time, and sometimes it takes a proposal coming from a user to point out that the situation has changed now though and there is no reason for this. This could well be a good example of that. As I look at that particular one you have a season closing November 15, obviously that's after the rut, so you're not trying to protect bulls during the rut with that type of a season. Maybe when the 25 quota was set there it was someone's estimate that this would be sufficient time to harvest those animals. Well, over a few years the people found out that that wasn't sufficient time, it didn't work out, so they've asked for a change. You know, it may be that the change is certainly needed.

7 So the fact that an existing regulation is in place may be because it was simply there, it was adopted when the program began, and no one has complained of it until this time. And that's why it hasn't been changed.

9

CHAIRMAN OLSEN: Right. I can certainly appreciate that, and I think a lot of people are intimidated and think that because it is the law that it cannot be changed upon sufficient justifications. It does certainly empower me to really want to look at the regulations and how it is utilized and how it affects their resource and the people that use it. So I certainly do appreciate you going over this with us.

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Is there any question or comment from the council or the audience on this here? Hearing none -- oh, excuse me, I've got Robert Stovall.

15

MR. STOVALL: Will this format be good enough to allow the designated hunter process to work through in the book, or is this form to be used for that or

17

MR. WILLIS: I think it's sufficient, Robert, yeah. You know, there's been so much work put into the designated hunter proposals that it may not be necessary to go through these exact steps. If I were submitting it again, as we'll probably do, you may want to use this thing, but we have so much more information that, you know, our additional information section may be this long. So, yeah, but certainly you could utilize this form to submit it. It's mostly for people who do not know exactly how to submit one and how to make a change. And we're trying to make it as easy as possible to the person out in the village who would like to see a change but don't know exactly how to go about it to do so. Obviously this council has a great deal more knowledge than the average person does about how to put together a proposal.

25 CHAIRMAN OLSEN: And we still fail. Well, I thank you,

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Rachel and Mr. Willis. I certainly can see that in the future maybe we will try to formulate something here to address the designated hunter in hopes that we do get a Designated Hunter Program within our area this coming year, but that's yet to be seen.

4 Well, I see everybody's eyes just rolling around, wanting to get on with this Designated Hunter system. As we looked at the proposals that were basically drafted by the Designated Hunter Task Force in August, I believe it was. Let me just find mine here. So I guess at this time here we would like to take the issue of Designated Hunter before the table here this morning.

8 Who would like to open the can?

9 MR. EVERITT: I would, Mr. Chairman. I would like to know from somebody in the audience to make this quicker and easier for us to do; in going along with one of the proposals that was done by the Task Force how we can quickly put a motion that just ties us to one of -- to this Designated Hunter and makes it easiest for us so we don't sit up here and try to figure out, if somebody could give us some clear direction of what you need to do to tie your motion to the Designated Hunter that the task force came up with.

14 CHAIRMAN OLSEN: Yeah, I kind of see what you're shooting at here, but then I think that's why we have a council here. I certainly know we can use all the help that we can, and in the past it turned out to be not quite verbatim as to what we had requested in the past. Whether that's a concern at this time or not, I'm not sure what you're specifically looking for.

17

MR. EVERITT: I was looking for the verbiage that they wanted to use to say that we go along with what the task force did on one of these. We've just come forward with our same proposed regulation and then put on that we concur with what they picked in the Designated Hunter. I want to know the clear way that we can tie all the work that they've done this summer to our regulation. Are we just -- we just need to put in the proposed regulation and drop it at that?

22 CHAIRMAN OLSEN: Yes, Taylor.

23 MR. BRELSFORD: Mr. Chairman, I think the way to start would be to -- I should know better by now. Thank you. It's Taylor Brelsford. I think the way to start would be to use the proposal from last year as your beginning point, and if there are any changes -- for example, the Designated Hunter report has

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Some details about how to sign over a harvest ticket from one person to another. Now you might say that's a good idea, we didn't know about that last year, but we think that's a nice idea, we're going to bring it in. That would be a way to use your last year's proposal as a beginning point and modify it based on the ideas in the report.

4

You may decide that for some villages community harvest limits is a better way to go. That wasn't a proposal last year, you may say, hey, we're benefitting from the thinking of the task force; we think for some villages that's the way to go. That would be a way to make specific proposals drawing on what you guys did last year and maybe any new ideas that you like in the report.

8

CHAIRMAN OLSEN: Right. I guess as I look at it I would like to -- I'm not quite clear as to why it was not given consideration for passage. I guess it would be one way to kind of clean or make any changes necessary to be accepted, although it wasn't a -- I felt at this time was kind of a clear proposed regulation, but for whatever reason the board deemed it not to be. So I think it would be wise to look at what was unacceptable about the proposal and add the verbiage that would be acceptable.

13 MR. TUTIAKOFF: Mr. Chairman.

14 CHAIRMAN OLSEN: Yes, Vince.

15 MR. TUTIAKOFF: In looking at these proposals and reading them through a little bit and trying to understand what was trying to come out of it, I get the feeling that the State Fish & Game and possibly the Fish & Wildlife Service are trying to get every regional council to agree on one option, or basically come to agreement on what is the option of the area. Is that right or wrong? You know, these four that came out, these are the best four? But in some areas, area specific, like say Kodiak city proper, maybe the community type option is not as good for them as it would be say for Karluk or Aniak or Unalaska or Atka or Nikolski, or the tribal type of option may be good for Atka or Nikolski and may not be good for another area. So we're talking about if we submit a proposal here, we're making it binding on all the communities. I think what we need to do is combine these so that like -- I believe somebody mentioned here, bring these -- Taylor mentioned bringing in all these options and making it part of one big harvest.

24 CHAIRMAN OLSEN: It certainly is a very valid point there, Vince, especially in the Kodiak area where basically Kodiak itself is on the borderline of urban or rural, as we all

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are aware of, versus the surrounding villages of the island, so it would not be in our best interests to make one that fits one or the other, but also we must realize that we are only proposing regulations for the Kodiak Aleutian Region. That is all we are here for, and not as a blanket regulation.

4 MR. MORRISON: Mr. Chairman.

5 CHAIRMAN OLSEN: Yes, Mr. Morrison.

6 MR. MORRISON: I'd like to make some comments about the state's perspective in this, if it would be useful.

7 CHAIRMAN OLSEN: Certainly we welcome all information that's available.

9 MR. MORRISON: We've been involved in work of this task force, primarily from our own interest in order to try to get as similar a Designated Hunter Regulation as possible between both the federal and state interests. As you know, the state has had one year of operation now with its, what we call, proxy hunt opportunity. We've analyzed the results of it, find that there are probably several areas that provide great room for improvement. And one of the questions that has come up, and we're really seriously concerned about is what Mr. Tutiakoff pointed out, was the question of one regulation setting the entire state insofar as providing the needs of the different types of communities.

15

Some of the interesting results that came out of the first year of this operation in this, there were right at 400 of these proxy permits issued. By the time that we'd gotten 281 of them back, an analysis was made of where these issues -- these permits were issued. We found that in Southeast Alaska about 18% of that 281 -- I'm sorry, about 8% of the 281 went to Southeast; in the Kenai Peninsula area, mainly Soldotna and Homer, about 12%; in the Anchorage/Palmer area, about 54% of those 281 permits; Fairbanks about 11%. All told those major communities, Fairbanks, Anchorage, Palmer and the Kenai accounted for 77% of the permits. And we would assume that that carried on through from that 281 to the full 400 that were reported. The rest of the state only got about 15% of those permits.

23 Now that disturbs us inasmuch as it seems to indicate that the people who need them the most aren't getting them, and we wonder why that's true, and it seems to be that the people in the urban communities are more aware of the opportunity, and are able to go through the hoops that are required in getting

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the permit. It's not very easy for most people in the rural communities to do things that are necessary. So that's one of the questions that we're looking at.

3 As I mentioned, we would like to see something come out from the federal program that is fairly comparable to what the state would like to do, but at the present time we're not real sure about what the state program might ultimately look like, so in participating in this task force and these meetings, we're hoping to learn some things that might be useful when -- and if we go before the Board of Game to see about modifying the state's proxy system to be more useful.

7 We want to see these permits going to the right people, and we want it to be convenient for application, and that's got to be free of fraud, and it's also got to work with the management of the resources, the wildlife populations have to be protected of course, and we would not want to see this opportunity be taken advantage of, for somebody to over-harvest where they don't really need the meat as much as someone else might.

12 As I mentioned, too, we're debating whether or not this one regulation would fit the entire state, and this becomes particularly acute in the fact that our Fisheries Division is coming out with a proxy fishing regulation. At the moment the language is very similar to the wildlife proxy, the hunting proxy permit. That may have to be ultimately modified also. But in the four options that were developed by the task force, when we developed those the task force was divided up into work groups, each one to work on one of those options. I was assigned to work on the one that's specifically titled Designated Hunter. And the statement that finally was produced by the group seemed to me, and to those of us in the state looked at it, it really didn't fit the full picture of being designated hunter in the sense of how the state's been looking at it.

20 And if you note in the back of that document, I had a minority report, as we're looking at it, that pointed out that what was produced there is really an application going to be a version of a community type harvest so that what was stated there was not a criticism either of the idea of having designated hunters or a criticism of any of the options there, it was just pointed out that to be fully functional in the sense that we would expect, that designated hunter option needs to be modified so that there's somewhat more control on who is the beneficiary, who is the proxy hunter. And above all, in any one of these opportunities, we would emphasize greatly the need for

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good harvest information, regardless of who is in control of management the source deserves the best possible information available on which to make any kind of management decision.

3 So we would like to see that whatever program the board
-- the Federal Subsistence Board adopts does include an adequate
provision in there for good recording and reporting of what
harvest is made. Thank you.

5

CHAIRMAN OLSEN: John, stay there for a moment, if you
will.

7

MR. MORRISON: Yes.

8 CHAIRMAN OLSEN: I think here it certainly has kind of
blown all my thoughts here on how this might be addressed. It
certainly does more than raise my eyebrows as to some of the
stats you have just presented us, and I see it as certainly
alarming.

11 I just have a couple questions you might be able to
answer for me. Does this proxy hunting, does that just pertain
to subsistence or is it a proxy hunt for whatever use?

13 MR. MORRISON: It's available for anybody in the state;
it's not specifically designated as subsistence hunting.
According to state law every resident, of course, qualifies for
subsistence. What this aims at is part of the public that can't
get out for themselves, regardless of where they live or who
they are; people who are unable to do the hunting.

16

CHAIRMAN OLSEN: I guess my point is I'm trying to
separate subsistence from sport hunting or whatever you deem it
here. So when I look at these percentages, especially the 54%
from Anchorage, is there any specific proxy of a type of game,
was it the moose, was it caribou?

19

MR. MORRISON: Moose, caribou and deer.

20

CHAIRMAN OLSEN: Moose, caribou and deer.

21

MR. MORRISON: Those are the only three species that
are currently available.

23 CHAIRMAN OLSEN: In the Anchorage unit or does it have
to be

24

MR. MORRISON: Statewide.

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1 CHAIRMAN OLSEN: Statewide, so this is not pertaining
to just one unit together where our subsistence is basically
trying to be tied to a unit. So

3 MR. MORRISON: These are the species that are
ordinarily looked on as being most important for meat supply,
and so when the regulation was passed by the Board of Game,
those were the species that were included. There's a good
question as to why it should be limited to that if some
communities are relying on something else more heavily; birds,
for example. So that's something if there are people in the
state that feel other species ought to be included, that's
something they would need to bring before the Board of Game to
seek a revision.

8

CHAIRMAN OLSEN: I guess another thing it brings to me,
too, the alarming situation is that big 54% out of Anchorage
versus the rural areas that are -- seem to be very low. Either
the proxy hunting is not taking place or is not being
documented. I mean it gives me two indications, and I can only
say from the past that the rural subsistence users have not in
the past really gotten down to going in and signing up for who
they're hunting for, whatever, it's been the traditional way
that, you know, your word given to me to hunt for you was always
a basic contract, if you will.

14 I'm trying to look at these here, and this is certainly
what the statistics show me, that the proxy system is being
taken advantage of in our populace areas and not so much in the
rural areas as to what we're trying to target at.

16

MR. MORRISON: It was pointed out the reason for this
is mostly likely because the rural people are most aware of the
opportunity, and are apparently more willing to go through the
procedures for getting the permits, whereby a lot of the rural
people find it difficult to be able to do that.

19

CHAIRMAN OLSEN: Here again is there any statistics
showing -- we say 54% out of Anchorage, something that kind of
alarmed me as -- I know it was a different unit, but also has
been identified that 75% of the deer taken out of Kodiak were
not Kodiak residents. Is there anything -- documents that show
that the proxy system application from Anchorage as to where the
actual game was taken?

23

MR. MORRISON: I don't think that an analysis of that
has been made. If so, if it's been worked on, it's not complete
yet. But when it is, we can certainly produce those numbers.
But I'm not sure at this point whether the location of kill

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taken by proxy hunters has been worked out and tabulated.

2 CHAIRMAN OLSEN: Yes, at this time, if it's possible, I would certainly love to see what the analysis shows, since we have identified, like I say, the 54% approximately out of Anchorage and 75 non-Kodiak residents. I think it's really putting us at a disadvantage in future years as the subsistence users grow and the resource basically stays the same. So

5 MR. WILLIS: I think we would be more concerned about the harvest of moose and caribou with this system than we would with Kodiak deer, for example, where we've seen that hunting pressure so far is not really much of a control on the deer population down there. The question is how much would this proxy hunting pressure be taking deer away from subsistence users in Kodiak, and that's something we couldn't answer at this point.

10 CHAIRMAN OLSEN: Right, that's the basic that I was getting at. I also look at it then, how does that affect me? We do not have moose on the island. I should be eligible to get a proxy and come up to the mainland and take the moose -- I mean, you know, tit for tat, butter for fat, you know, you kick my dog, I'll kick your cat scenario.

13 MR. WILLIS: That's a question we hope can be finally worked out by the rest of the task force.

15 CHAIRMAN OLSEN: Is there any other -- I think there are a few other questions here, John. Gilda, please.

16 MS. SHELLIKOFF: I was looking at the rest of the State, 15%. I think that might be misleading in a way because I think out in the villages where there's, you know, traditional subsistence hunting, there's a lot of sharing going on, people giving part of their catch to their extended family and to the elders, that's not being recorded; they're not going through the paperwork but they're doing it, so, you know.

20 MR. MORRISON: That's true. Very true.

21 MS. SHELLIKOFF: It's misleading.

22 MR. MORRISON: Yes, the records are only based on the State proxy permits that were issued and reports came back on them.

24 CHAIRMAN OLSEN: Tom, do you have something?

25

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1 MR. EVERITT: Last year I applied for a proxy hunt to
hunt for somebody, and I couldn't believe the number of trips
and the paperwork, it was not simple. I had three trips to Fish
& Game, and I was able to get to them. Now if somebody was in
the village they wouldn't come in. I don't know if they had
someone in the village that could sign off on these proxy hunts
or if they had to come to Kodiak to the Fish & Game office there
and get those proxies. But I found it quite cumbersome, by the
time you got the papers and then had the elderly people sign the
paperwork bring it back in and have triple copies; one stayed
with them, one was with the person you were hunting for, and
then you had to carry this portfolio of papers out in the field
with you. And -- you know, keep it simple.

8 MR. MORRISON: It's been suggested using a fax to do
that, but how many people out in -- way out in the boonies have
a fax machine.

10 MR. EVERITT: Right, or a laptop.

11 MR. CHRISTENSEN: Mr. Chairman.

12 CHAIRMAN OLSEN: Yes.

13 MR. CHRISTENSEN: Well, I have a couple of items here.
First of all, I was wondering if somebody in the
representatives from Fish & Wildlife could specifically mention
something in this Proposal #27, if there's anything in there
that they see specifically that was the cause for the rejection
of the proposal that we can probably get started working on --
excuse me, if I may -- well, I have a couple of items.

17 And also on this -- on Mr. Morrison's appendix there, I
realize his concern for party hunting, and I believe that's a
very good concern, and would that be very helpful to pass this
next proposal if we were to figure out a way so that -- so we
can specifically make the -- that the harvest goes to disabled
or elderly. I'm just -- I would just like to see if we can get
this proposal -- the new proposal going here. And I'm just
looking for a good spot to start maybe with the old proposal,
just as a -- Mark was mentioning earlier, I thought that would
be a good place to start.

22

MR. WILLIS: If I could borrow the microphone for a
minute, I'll

24 CHAIRMAN OLSEN: Certainly. You might want to sit
right next to him

25

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1 MR. MORRISON: I'll share.

2 MR. WILLIS: This is an example of

3 CHAIRMAN OLSEN: Getting together.

4 MR. WILLIS:inter-departmental cooperation here.
Take note because it doesn't happen very often.

5

MR. EVERITT: Will you hold hands?

6

MR. WILLIS: I think we'll dispense with holding hands and speak a little bit about what was said about the state proxy system. We looked at it also and found the same problems that Tom spoke to. People who were physically disabled or blind were expected to somehow get to an area where they could sign a permit and there was a lot of running back and forth, and the permits were not available in the remote communities but only in the areas where there were offices to go to to get these things. That was one of the reasons that such a high percentage showed up in some of the urban areas, because that's the only place people could go to get a permit.

12

Speaking to the Federal Subsistence Board's decision to defer this Proposal #27, it had nothing to do with the quality of the proposal, Randy, it was just that there were several proposals from different areas that came in, and they were all worded differently, and they were specific to different areas, and because of the interest in this issue statewide it was decided to form this task force and take a look at all the options before a specific proposal was accepted. This was an excellent proposal, and having looked at it again, I don't have any problem with the way it's worded at all. I think it could be resubmitted exactly as it is, if the council decided that's the way it wants to go for next year, or for all of Kodiak, for all of Region 8 or for all of, I should say, Kodiak/Aleutians, which is Region 3. There's no problem at all with this proposal the way it's worded, and the board did not find any problem with the way it was worded; it was simply that there were a number of proposals, there were a lot of interest in the regions, and they wanted to be sure that all the regions had the opportunity to look at what was being done in this region and in Southeast where the other proposals came from, and decide if they also wanted to submit some proposals along this line.

23

I guess what you need to decide at this point is just if you want to resubmit this same proposal or if you think some of the communities on Kodiak and in the Aleutians will be better served by another system which might be a community harvest, and

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Which would require a separate proposal for that community. The board has kind of said that that's how they want to deal with this thing is on a case by case basis, and if this proposal submitted last year, which I consider to be an excellent proposal, is satisfactory to you, then all you need to do is resubmit it this year. If you want to make some changes in it based on what you learn from the task force report that you read last night, then this is your opportunity to do so.

5

MR. MORRISON: I might add to that, before you take off again, the only problem we had -- the state had with that proposal was that we felt it didn't go into enough detail about how it would work, how it would be operated. And in going back to what Mr. Willis was saying earlier about the new proposal and the need for more detail, it would be a big help in a proposal like this to be more specific about how you would see it working, being managed, administrated.

10 MR. WILLIS: I've got it back now. I guess our approach to that is to use the permit -- federal permit to spell out the details, and the example that I gave you yesterday evening, just before we broke, was my attempt to come up with a permit which would serve that purpose, and that's -- that was my charge from my supervisor was to develop a permit specifically for deer for a Designated Hunter System, and that's what I did, and it hasn't been blessed by the Federal Subsistence Board or even by the Fish & Wildlife Service, it was just my attempt to come up with something that was simple and workable, and based on our existing permit system. And so that would -- you know, the detail part of it would be handled through the conditions of the permit rather than try to spell everything out in the proposal. Whether or not that's the best system, I don't know, but that was my thinking at the time, and that's why I say I think your proposal as written is sufficient.

18

CHAIRMAN OLSEN: Excuse me. As we discuss these situations it certainly does, as we talk about it more, it does bring more question and answer. So I guess, as I think about it, I have one question here: Does the state recognize the boundaries that are set before us within our regions as prescribed or designated by the 10 regional councils? What I see right now, there's not a hell of a lot of merit to it if the state doesn't recognize the areas as a specific area. As I addressed that in regard to -- here we are making regulations or proposal subsistence regulations for the Kodiak/Aleutians Regional from one side but it doesn't do us a whole lot of good if it's not recognized by the state as a region.

25 MR. MORRISON: You are correct, the state does not

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recognize these regions. In fact the state does not recognize the federal program as being valid, and of course the basis of the state's lawsuit against the federal government. But getting back to an earlier statement, we do realize that the state's proxy program during its first year of operation shows that maybe there might be virtue in putting more flexibility in it to fit different parts of the state, not necessarily following the boundary lines of these 10 regions, but at least recognizing the differences in the way different communities want to do their proxy hunting, as we're calling it.

6

CHAIRMAN OLSEN: Doesn't that give the council a whole lot of encouragement?

8 MR. CHRISTENSEN: I'd like to direct this to Mr. Morrison. Am I correct in that the board will allow different types of hunting in different regions?

10 MR. MORRISON: I'd have to defer to Mr. Willis.

11 MR. CHRISTENSEN: Mr. Willis, rather, yeah. I'm sorry.

12 MR. WILLIS: Yeah. Yeah, that's correct, Randy. We looked at this mostly as a deer issue because, you know, the deer and the caribou are the two species that are most common and most readily available and less likely to be harmed if we make a mistake and you have a lot of people who abuse the system. And, you know, in Kodiak you have deer, and that's about it, and so it was specifically limited to deer there. And we kind of look at this as a test case to see how it's going to work and how effective it is before you start pulling other species into it. And as far as whether or not the state recognizes the federal regulation, you know, we've gone into this repeatedly. We had two proposals that dealt with at the August meeting we had this same situation that the local people had requested a change in the federal regulation and the federal board agreed with that change and made the change, and the state says, well, that's fine, but you'll have to eat that animal before you come off federal land with it because you'll be in violation of state law. And that's an unfortunate situation, and it's not something we can deal with down at this level.

22 MR. CHRISTENSEN: Well, I'm just -- I guess -- well, my question, I guess, was just that each region will have its own specific whatever the makeup on the proposal is, that they could be different for all regions?

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MR. WILLIS: That's correct.

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1 MR. CHRISTENSEN: That's correct, okay.

2 MR. WILLIS: Yeah, the idea, as John said earlier, is
not to try to cram everyone's situation into the one regulation
Because it may not fit. You know, we're trying to let the
communities decide what works best for them within the scope of
the regulations, you know, what the law allows us to do, and
within reason, too. It would be difficult to have a different
regulation for every community in Alaska, obviously. And so you
try to keep 'em as similar as possible, recognizing that
different communities may have different needs. One community -
- a community harvest may work fine for a community of 50 or 100
people, but it would be impossible for a community of 5,000
people, you know. It just wouldn't work. And so there are
differences that have to be recognized.

9 MR. CHRISTENSEN: Okay, well, while I have the floor
I'd just like to mention, after reading this I believe for our
region that Designated Hunter, I think, would be best for us, as
far as Kodiak Island -- I'd like to hear some more from the
other members, but as far as the region that I'm most familiar
with or the area of our region as Kodiak, I guess, Kodiak being
quite a bit -- I guess they call it heterogeneous rather than
homogeneous as a lot of the smaller villages. So I don't
believe that the tribal option would be very good. As far as
the community option, with the hunters, the villages as close
and equally close to Kodiak, with the hunting being intertwined,
if the community -- if you have the community option, they may
have different rules that may not work with each other. So
that's one reason I don't care for the community option.

16

Let's see, what was the other one.

17

MR. TUTIAKOFF: Tribal.

18

MR. CHRISTENSEN: Well, let's see, there was
tribal,

20

MR. TUTIAKOFF: Community.

21

MR. CHRISTENSEN: community,

22

MR. TUTIAKOFF: Local.

23

MR. WILLIS: Local government as opposed to tribal.

24

MR. CHRISTENSEN: And local government -- well, that's
going to go -- the same thing as far as community. Go ahead.

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1 MR. MORRISON: The local government option was primarily promoted by the North Slope Borough because they -- their rationale was that they've already got the system established of government functions to be able to handle something like this very efficiently.

4 MR. CHRISTENSEN: Okay. So, well, in any case, I felt that designated hunter option would be best for us, in my opinion, so I'd just like to get more comment from the rest of the council in whatever they think. I think we ought to decide on which -- what I believe is designated hunter, and maybe start deciding on either resubmitting the proposal as written or changing it.

8 I know the one thing that I know -- I'm pretty sure that the board, they may possibly feel uncomfortable is that party hunting can be allowed with designated hunter as some of the task force, the information there shows. One is unidentified designated hunters, and the ability for one designated hunter to hunt for quite a few different people. I can see where the concern is for a chance for a lot of meat to be taken other than for disabled or for the elderly.

12

So that is just one thing I know. You have to look at the issue from both standpoints in order to figure out if there's a possibility of it being accepted or not. So I just feel we might want to look at that. You know, you can't just ask for everything and expect to get it. You know, you've got to be able to give and take, as I see it. So -- but I'd still like to offer the -- either resubmitting it with very little changes or as it is. That's my view.

17 CHAIRMAN OLSEN: Yes. Here at this time I hate to call for this break right now when we've got two cooperative people here, sitting at the same table. I would hope that we could resume this here, but at this time I would like to call for a break.

20 COURT REPORTER: Off record.

21 (Off record)
(On record)

22

CHAIRMAN OLSEN: Who was it that made the recommendation that we carry the meeting over another day? No. At this time I would like to call the meeting back to order, please.

25 MR. WILLIS: The spirit of cooperation didn't last

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long. My state colleague deserted me already.

2 MR. MORRISON: You want me back on the grill?

3 MR. WILLIS: I don't know, John. If, you know,
something comes up, feel free to come on up and join the group
Here.

5 CHAIRMAN OLSEN: I think we should have a camera here
to put it in the front page here.

6
MR. WILLIS: Actually at this level we work together
real well, it's just when you get higher up that you tend to run
into turf wars. (Pause) Okay, if we're back, live on the air
Here, I guess I should probably point out for those who haven't
gotten the message yet that the proposal -- copy of Proposal #27
was passed out to you along with the proposals from Southeast
was incorrect in that it was the original version before it was
modified by this council, to eliminate the restrictions to
blind, physically disabled, 65 years of age and so on. The
secretary that copied these yesterday didn't realize that and I
didn't look at them this morning before I came over here, so for
those who still have a copy of that, the correct proposal would
simply have a -- put a period after the word "license" where it
says "...who possesses a valid hunting license." And scratch
out the part that says "...and who is blind, physically
disabled, 65 years of age or over, or otherwise cannot harvest
or hunt for themselves."

15

CHAIRMAN OLSEN: I think the intent was to not put a
generic limit as to what this is interpreted to be, if I am
correct, that it just doesn't limit to those situations.

17

MR. EVERITT: Mr. Chairman.

18

CHAIRMAN OLSEN: Yes, Tom.

19

MR. EVERITT: I'd like to make a motion that we propose
that a qualified rural resident of Unit 8 in possession of a
valid hunting license may take deer for another qualified rural
resident of the Unit 8 who possesses a valid hunting license.

22 CHAIRMAN OLSEN: We have a motion on the floor. Do we
have a second on the motion?

23

MR. TUTIAKOFF: I'll second it for discussion.

24

MR. CHRISTENSEN: Mr. Chairman, the only thing I --
Willis was just mentioning, now is this the original

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proposal -- is this the original proposal that was presented before the board and the one that we received here with all the rest of it -- no, that was not in the proposal that went before the board.

3

CHAIRMAN OLSEN: I think that's just a matter of point of order right here at this time, Randy, that we have a motion and a second on the floor here, and, yes, that would be proper under discussion.

6

MR. TUTIAKOFF: Mr. Chairman, I would like to read the actual proposal as it was presented to the Federal Subsistence Board that we adopted, and it reads: A qualified rural resident hunter of Unit 8 in possession of a valid hunting license may take deer for another qualified, rural resident with a license who other wise cannot harvest or hunt for themselves in a customary and for traditional uses.

10 On the motion that is on the floor right now the last sentence, who other wise cannot harvest or hunt for themselves in a customary and for traditional uses is not in the motion. I would like to see that stay in there and make an amendment to the motion, unless Tom would agree that no amendment is needed. What we're trying to get to is the original proposal that was presented to the Federal Subsistence Board back in February, then this is the one that was presented.

14

MR. EVERITT: How do we pull back our motion? I would put that motion in as we presented it as a board to the Subsistence Board. I

16

MR. TUTIAKOFF: Mr. Chairman, point of order here.

17

CHAIRMAN OLSEN: This motion can be withdrawn or amended.

19 MR. TUTIAKOFF: Mr. Chairman, I withdraw my second and therefore ask for qualifying answer that the motion died for lack of second and we re-motion it. I withdraw my second.

21 CHAIRMAN OLSEN: Okay, seeing as the second is withdrawn, I ask is there any other second to the motion? If not the motion fails for lack of a second.

23 MR. EVERITT: Are we talking my motion or Vincent's?

24 MR. TUTIAKOFF: Yours.

25 CHAIRMAN OLSEN: We are talking of the main motion,

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Which was presented by Tom Everitt. Seeing as

2 MR. CHRISTENSEN: Mr. Chairman, can Vince read that -- the original? I'm looking for the wording on the motion that was presented before the board, as we don't have it

4 CHAIRMAN OLSEN: Excuse me. Do we have somebody that might be able to help us out here and put this on the board in front of us, that we all might be able to see it?

6 MR. TUTIAKOFF: Mr. Chairman, it's in the minutes of -- our last minutes. It's part of our action in the last minutes, and that's where I got this from here.

8 CHAIRMAN OLSEN: Okay. Okay, if we can just bear with it a minute, I think they'll draft it on -- here in front of us, and maybe we can have a clearer vision of what we are trying to resolve.

10

MR. EVERITT: Mr. Chairman.

11

CHAIRMAN OLSEN: Yes, Tom.

12

MR. EVERITT: I would like to make the motion towards the proposal: A qualified rural resident hunter of Unit 8 in possession of a valid hunting license may take deer for another qualified rural resident with a license who otherwise cannot harvest or hunt for themselves in customary and for traditional uses.

16 MR. TUTIAKOFF: Mr. Chairman, I would second that motion.

17

CHAIRMAN OLSEN: It's moved and seconded. (Pause) At this time I'd -- one moment here. I'm trying to

19 MR. DIRKS: Mr. Chairman.

20 CHAIRMAN OLSEN: Yes.

21 MR. DIRKS: Can you wait till Jeff gets done, and then you can look at it, see if the wordage is correct, and then we'll go from there.

23 CHAIRMAN OLSEN: That's what my hopes were at the Genesis here, but we did move on our motion and second it. Maybe we can hold that as far as the discussion.

25 MR. TUTIAKOFF: Taylor, did you make copies of that

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One?

MR. BRELSFORD: The amendment to the February meeting? Yeah, we've got copies of the Minutes back here if anybody doesn't have it.

3

MR. EVERITT: Thanks.

4

MR. BRELSFORD: Page 4 in the February Minutes. It's literally the same.

MR. MORRISON: Mr. Chairman, while we're contemplating the language there, I would like to point out a correct needed in the grammar.

CHAIRMAN OLSEN: Certainly, Mr. Morrison.

MR. MORRISON: Talking about another qualified rural resident, then we say themselves which is plural; it would have to be himself or herself to match the singular.

CHAIRMAN OLSEN: Another option would be qualified rural residents would be making the shoe fit the foot instead of the foot fitting the shoe, wouldn't it?

MR. MORRISON: You'd have to take out -- just say other and make residents plural in order to match up themselves. I hate to be a nit-picker.

CHAIRMAN OLSEN: Certainly, that's another issue that would be put before us at a future meeting, if not by yourself but somebody else. So I appreciate that, John.

MR. EVERITT: Let me just correct what he's talking about there, and we can go with that as the motion.

18

MR. WILLIS: Yeah, would you like to make that change?

19

CHAIRMAN OLSEN: I would like to, yes, recognizing that issue there. I think the changes could be made in two different ways, whichever one is acceptable.

21

MR. WILLIS: I think that will do it.

22

MR. CHRISTENSEN: Might as well put an A in there, too, between "of" and "valid" while you're at it.

CHAIRMAN OLSEN: How about then does resident need to be plural also?

25

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1 MS. SHELLIKOFF: He put an S in there.

2 MR. TUTIAKOFF: It looks like a comma, but it's there,
residents.

3

CHAIRMAN OLSEN: Oh, excuse me. Oh, yeah.

4

MR. WILLIS: I'm not sure myself what's meant by "in
customary and for traditional uses." Is that a deliberate use
of language or does there need to be

6

MR. TUTIAKOFF: Yes. For qualifying that phrase, I
felt -- I think I was the one that brought that up, that we
wanted to include customary and traditional uses as part of our
proposals in trying to determine customary and traditional use
as a proposals -- in all of our proposals, I think, it should be
included, and we had a discussion of that. That's why the
language was put in there.

10

MR. WILLIS: I guess my question, Vince, was if it
needs to say in a customary manner and for traditional uses.

12 MR. TUTIAKOFF: If it's a grammar change, that's fine,
as long as it

13

MR. WILLIS: Saying in customary, you know, that's
grammatically incorrect, but if there was some reason that you
had had for spelling it out that way, that's what I was
wondering.

16 CHAIRMAN OLSEN: Then, too, I must put in here, we must
look at what is the intent there, if it's for customary and
traditional uses. It's certainly not customary and traditional
for our rural people to have to mail or fly to Kodiak or fax to
Kodiak and get the proper paperwork in place to meet the
requirement. So, you know, here again I have to say, what is
the intent?

20 MR. CHRISTENSEN: So what -- are

21 CHAIRMAN OLSEN: Go ahead.

22 MR. CHRISTENSEN: I'm sorry.

23 MR. EVERITT: Mr. Chairman.

24 CHAIRMAN OLSEN: Yes, Tom.

25 MR. EVERITT: There needs to be another change. Let's

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make the last change and then vote on this. What did you

2 MR. CHRISTENSEN: In a customary manner and for
traditional uses is right.

3

MR. EVERITT: Okay.

4

MR. CARTER: Manner?

5

MR. EVERITT: Yes.

6

MR. WILLIS: Does that still say what you wanted it to
say, Vince?

8 MR. TUTIAKOFF: Yes, that's fine.

9 MR. WILLIS: As far as getting these permits out to
people who need them, we're going to have to come up with a way
to distribute them better than the state proxy system allows
for. You know, where there's pretty limited areas where you can
get these. That's something we can work out certainly as to how
to get the permits into the remoter villages, in the hands of
the right people.

13 MR. MISHLER: Mr. Chairman.

14 CHAIRMAN OLSEN: Yes, Craig.

15 MR. MISHLER: Yes, just as a point of discussion, I
noticed that the motion does not mention permitting at all, and
all it mentions is license, and I'm wondered if the intent of
the motion was to

17

CHAIRMAN OLSEN: Bypass the

18

MR. MISHLER: being able to hunt without a permit
but only a license.

20 CHAIRMAN OLSEN: I don't know. I kind of, in my own
mind, think that the license is your basic permit. I don't see
where we would have to -- it would be redundant to get a license
when we are -- as that point I

22

MR. WILLIS: Well, from our standpoint we're trying to
get some information on how many people are interested in this,
how many deer they're harvesting for their own use and for other
people. It's possible that in the future that it won't be
necessary to go through this, but that permit that I passed
around for everybody to look at is an information gathering tool

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only, and, you know, it allows us to find out who is using deer, how many deer they're using and so on, and without that information it's really difficult to pass good regulations, and with the increased pressure on the resource, as mentioned earlier, Alaska has just about doubled or tripled the population in the last few years. The same thing is going on in a lot of other places. You know, we need to be aware of what people are using and how much they're using in order to make good regulations, otherwise we're just guessing. And that's -- I don't like paperwork anymore than the next person does. I'm one of the people that has to put all this together, you know, when 2,000 of 'em come in. So I'm not a paperwork fan, but we do desperately need the information on what's being harvested and where.

8

CHAIRMAN OLSEN: Unfortunately the job isn't finished until the paperwork is done, but

10 MR. CHRISTENSEN: Mr. Chairman, I don't feel that it would hurt the proposal any just to add permits right behind license. I don't think it would hurt the proposal at all

12 CHAIRMAN OLSEN: Is there

13 MR. CHRISTENSEN: in light of the fact that it's just for -- it's just for the count, you know, good count of the harvest -- the total harvest so that regulations can be made not only for -- not only for subsistence but also the total harvest, the sport hunting. In fact that may even be helpful because we may even cut down on the sport hunting, which I'm not sure is good or bad, but it seems, you know, that there's a lot of outside hunters.

17

CHAIRMAN OLSEN: I guess I -- in that light I would have to question is there a permitting system?

19 MR. CHRISTENSEN: For Unit 8 deer, there is. You need permits for tags -- or tags, I guess.

20

MR. WILLIS: There would be no additional federal permit and no additional state permit. Our thought was that

.....

22

MR. CHRISTENSEN: Tags, I guess

23

MR. WILLIS: a person with a -- you know, if you're going to hunt as a designated hunter for someone else then you need to have their license and deer tags with you in case you're checked in the field, and, you know, you can take

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your limit of deer and their limit of deer for them or however many they want, and the only thing that -- you would do that using the state tags and license. The only other thing you would need would be one federal permit, which is an information gathering tool for us.

4 And I've got one of those here. This is a standard three-part federal subsistence permit form. We just modify it for different areas and different species. This little strip on the side is torn off, and that's all you have to have with you. 6 You fill this out so we know who you are and where you're from and so forth. It has a date on it, and this bottom part is a report card, it's post-dated, all you've got to do is at the end of the season if you hunted for four other people and shot 20 deer and, you know, 12 of them were bucks and eight of them were does, there's a place to put that in there, and you just write it in and drop it in the mail. That's all you have to do. You do that once at the end of the year. That was my idea on the permit process anyway. I ran this by Robert down at the refuge and he didn't have any problems with it. My supervisor thought it was workable also.

12 As I said, it hasn't been blessed by the Federal Board of the Fish & Wildlife Service either, for that matter, and, you know, if it's acceptable to this council then, you know, you can make that known. I would suggest a little wording change there, and taking Randy's suggestion, say: A qualified rural resident hunter of Unit 8 in possession of a federal permit and a valid state hunting license

16 MR. CHRISTENSEN: With tags -- or and tags.

17 MR. WILLIS: You get the tags with the license.

18 MR. CHRISTENSEN: Right, okay.

19 MR. WILLIS: So you don't have to put that in there. That would cover

20

MR. CHRISTENSEN: We don't need to have it rejected just because of wording

22 MR. WILLIS: Yeah, you sure would after all this.

23 CHAIRMAN OLSEN: I would assume then that these permittings that you have in possession now would be made available to the various communities that they affect then?

25 MR. WILLIS: Yes.

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1 CHAIRMAN OLSEN: Without having to

2 MR. WILLIS: Like I said earlier, yeah, we'll have to figure out some way to get these around to the communities. Obviously they'll be available at the refuge office, and I don't know what your -- you know, what your set-up is as far as mail plane visits or federal personnel visits to villages on Kodiak or other areas in that region. So I'll have to get a hold of some people who know more about it than I do. But obviously we need to find a way to get these permits into the villages. There's probably some government entity or tribal entity that can do that for us, I would think, Mark.

8 MR. EVERITT: Does the rest of the group want to add that verbiage that he talked about?

9 MR. WILLIS: Yeah, would

10 (Indiscernible - simultaneous speech)

11 MR. WILLIS: in possession of a federal permit and a valid state hunting license, and I think that will do it.

13 MR. CHRISTENSEN: Valid federal permit?

14 MR. WILLIS: There are no other kind.

15 CHAIRMAN OLSEN: Okay, I see our motion under discussion here has been kind of nipped away at, and it is not basically the same motion. I think the maker of the motion needs to -- we need to look at this. Is this going to be acceptable by the main motion or -- I feel at this time it would be accepted as amended.

18 MR. TUTIAKOFF: Mr. Chairman, I'd move to adopt the amendments to the original motion.

20 CHAIRMAN OLSEN: Yes, I feel then for the record we need to read this motion so it is clear.

21 MR. TUTIAKOFF: After the amendments, Mr. Chairman. After the amendments, and then we can read the main one into the record.

23 CHAIRMAN OLSEN: Okay.

24 MR. TUTIAKOFF: That way we don't have to read it twice
25 what I'm trying to say, into the record.

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1 CHAIRMAN OLSEN: We're under discussion of the main
motion. I'm trying to find my way out here, if you will. We
have an amendment to the main motion then, seconded.

3 MR. TUTIAKOFF: Question on the amendment.

4 CHAIRMAN OLSEN: Question's been called then. All
those in favor of the amendment, signify by aye.

6 IN UNISON: Aye.

7 CHAIRMAN OLSEN: Those opposed?

8 (No opposing responses)

9 CHAIRMAN OLSEN: I think we need to carry back to the
main motion now.

10 MR. TUTIAKOFF: I would like, Mr. Chairman, the
recorder to read the -- for the record, the motion as it's
written here so that we all are aware of what we are doing, or
would you like me to read it?

13 CHAIRMAN OLSEN: I think I would like to see the person
making the motion read it as to be clear.

14 MR. EVERITT: Mr. Chairman, the motion as we're going
to vote on it now is: A qualified rural resident hunter of Unit
8 in possession of a federal permit and a valid state hunting
license may take deer for other qualified rural residents with a
license who otherwise cannot harvest or hunt for themselves in a
customary manner and for traditional uses.

18 MR. TUTIAKOFF: Question on the main motion.

19 CHAIRMAN OLSEN: Question's been called. Those in
favor signify by aye.

20 IN UNISON: Aye.

21 CHAIRMAN OLSEN: Those opposed?

22 (No opposing responses)

23 CHAIRMAN OLSEN: Sounds like we've made some headway
and the motion is passed. Thank you for your input in it.

25 MR. TUTIAKOFF: Thanks very much.

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1 MR. EVERITT: Mr. Chairman.

2 CHAIRMAN OLSEN: Yes, Tom.

3 MR. EVERITT: In filling out the proposal form I would like to see if we could have you and maybe get together with Robert Stovall at the refuge, and Moses, and take everything that the committee did this summer and the surveys that we have and fill out this form, how staff would want it filled out, and have that presented by the deadline of November -- is it when it's got to be turned in?

7 CHAIRMAN OLSEN: November 11, I believe.

8 MR. EVERITT: We can't answer all these questions here without pulling data and such. Somebody has to sit down and put it together, and I don't think here is the place to do it.

10 CHAIRMAN OLSEN: Right. I think that certainly is a position that a coordinator fills in a lot. I certainly will be willing to work with him and do anything that is required by my position.

13 I guess then that kind of addresses our Designated Hunter issue. Is there anything before the audience or committee that would like to be addressed on Designated Hunter at this time? Well, I guess everybody just took a deep sigh. That must mean we're ready to move on. Let me find out where we're at first, please.

16 (Off record comments)

17 COURT REPORTER: Off record.

18 (Off record)

19 (On record)

20 COURT REPORTER: On record.

CHAIRMAN OLSEN: Thank you for your patience. There were some issues we needed to address as to who is going to be available to address our upcoming concerns here.

22 As we follow down the agenda I think we are on New Business, 8. H., and this is in refernece to the Federal Subsistence King Crab Fishing Regulations for the Kodiak area, I believe, on the public lands. Who do we have here, Moses, to address that? Mr. Willis.

25

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1 MR. WILLIS: Give me just a second to shift my mental gears here and get my written material together. I'm filling in for Dick Marshall on this issue, and Dick is our fisheries expert and I'm not, and I'm going to wind up asking for some input from the council on this issue.

4 The state has requested a change in the subsistence regulation which would institute a size limit for king crab in the Kodiak area, which would limit the take of crabs to male crabs 7" in diameter or greater. And the reasons given are that the Kodiak red king crab stocks have declined drastically from past levels. The commercial fishery has been closed since 1983, and the state has imposed a minimum size limit of 7" on carapace with -- for state waters and state regulations and requests the federal board to do the same for federal waters. That basically is the proposal, and we were able to come up with limited information, and I'm hoping that the council can shed some light on the effect that this will have on the subsistence user.

10

I have some maps here of the areas which show federal waters. I'm going to pass those out at this time. (Pause) Currently, only residents of the Kodiak Island Borough, with the exception of the Coast Guard base, have customary and traditional use of king crab in Womans Bay and Gibson's Bay, which are the main areas affected. I've passed these maps out so I can get some input from you on whether or not the other areas, the area around the mouth of the Karluk River and the area around Afognak, shown on two of the maps. I'm not sure if there's any crabbing done in any of those areas or any king crabs caught in those areas, and maybe you could help me with that. We don't have any data available on the current size composition of either the population of crabs in the area or the harvest, and so we don't have any way to estimate the percent of the harvest that would be released under the 7" limit, and that's something that I hope to get from you.

19 We questioned some of the state biologists and the refuge people, and the consensus seems to be that the mortality of released crabs is fairly low except when the crabs are molting. There's some question as to whether or not the fishing is having -- the subsistence fishery would be having an affect on the crabs in the area or whether or not these population decline is because of over-harvest commercially years ago or possibly water temperature changes.

23

There's a also a question I'd like to throw out to you whether or not king crabs are targeted with crab pots or whether or not they're just set for tanner and dungeness crabs as well as kings and, you know, you take whatever comes along.

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1 At this point, Mark, I guess I'd throw it open for
discussion.

2

CHAIRMAN OLSEN: Thank you. It certainly does -- here
again I look at the overall picture as I've been not only
involved as a commercial harvester in the early years of what we
call the king crab glory years. I first would like to make a
comment here on the first map of Womans Bay and look at the
legend here, as it says: State selected land conflicting with
Native sections. I don't know if that's correct verbiage or not
or is that native lands selected with conflicting state lands.
I see that -- I don't know if the state selected lands or the
state just took over, but I know that the Native corporations
did select their lands, and I just question the legend as is
there.

9 However, I will testify, yes, I have been a permit
holder for shellfish ever since I can remember statehood and
when we were required to have the different permits. I know I
am very somewhat confused as to ever since statehood were
subsistence permits -- as required. I know that when it went to
the commercial entity this criteria was a major part of whether
we were able to become entitled to a commercial permit, yet when
it comes to the subsistence issue this permitting system and
those that complied with the subsistence permitting system was
never acknowledged as even a tool to measure who might be
qualified. It really makes me wonder where all this information
is going to be used.

15

To get into it further here as to, yes, I will have to
say, even though there is no scientific justification that the
over-harvest of the crab has, I'm sure, been recognized by all
those involved, in one way or the other with it, to watch the
crab stocks decline to such a rate and still declining today
that I don't think we need scientific reasoning. But when you
harvest the prime male species of any animal, fish or otherwise,
I don't see how they can possibly think it is going to reproduce
at a rate that's going to be in harmony with the harvesting
rate. Therefore, I look at imposing a 7" minimum is going to
not, number one, the subsistence users only are about, what, 1%
of the resource? If even that.

22 Second of all, the continued harvest of these targeted
7" species is at their prime reproduction. I just -- it's shown
over and over again why this is not good management at all.
Therefore, I personally cannot accept this as a good management
tool, that this would only -- once these 7" crab are gone, then
we basically have no subsistence of these. And as we have seen,
it's been closed for a number of years, and I certainly, on the

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commercial side, always look for indicators, what has happened to our crab.

2

Even the crab stocks off of the south end of Kodiak that were deemed harvestable 10 years ago, I know in the past years they have even -- the big skipmoles (ph), they don't seem to be available any more. I just don't think that there's enough information to justify that harvesting 7" or greater is going to have any affect on trying to rebuild our resource again.

6

That's my comments. I'm certainly willing to hear from others.

8 MR. EVERITT: Mr. Chairman, I'd like to hear from the state. You know, if they want to put that restriction on us in Womans Bay, I'm under the understanding that the crab stocks are on the rise in Womans Bay, and I don't think that subsistence making that big of a damage on the stocks to warrant them putting a size limit on us, and I would like them to prove to me some way that subsistence users are hindering the growth of that stock in Womans Bay. By what I've heard and seen, the subsistence users are not. And so I'm not in favor of recommending this until the state can prove to me that we as federal subsistence users are hindering that stock.

14 MR. WILLIS: Do we have a representative from the state here who could speak to the state's concerns at this time?

15

CHAIRMAN OLSEN: Well, I think you've got a smiling companion here.

17 MR. MORRISON: This is John Morrison here, Department of Fish & Game. Mr. Probasco has originally intended to be here to address this question, but unfortunately had to go to a Fish Board meeting at ten o'clock and I'm unable to add any further detail to what's already been stated in the proposal. I don't believe that they feel that the subsistence users are an undue problem in this, it's just that the king crab population has declined so drastically that the state is desiring to eliminate all pressure on the population, subsistence and otherwise in order to help the population come back. Whether or not the subsistence harvest is such a small part of the total take, it adds to the total pressure, and that's the reason why they wanted to have this proposal accepted.

24 This was notice recently by Mr. Probasco's crew, that the state had the one regulation and the federal system had the other, and in investigating it we realized that when the state

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changed to this 7" minimum a year or two ago, there was nothing brought before the Federal Board to try to get a commensurate Federal regulation. So that's what this proposal was trying to do, to get a uniform size limit on all king crab fishery around the Kodiak area.

4 It's true that the Womans Bay location is the heart of this problem. It was not identified in this proposal as such because the state felt that since the state regulation embraces the entire Kodiak archipelago we would like to see the federal regulation be the same. That's as much as I can add to what's already in the proposal, Mr. Chairman.

7

CHAIRMAN OLSEN: Yes. If I may, what does the state attribute the decline to?

9 MR. MORRISON: I don't know. I've not had the opportunity to look at any of the reports that have been produced in regard to that. I might ask Mr. Greg Boss, who is my predecessor in this job and sitting in the back of the room, if he has any information he could add to this, since he worked at this role at the time this might have happened, this state regulation might have been enacted.

13 MR. BOSS: I don't have any information.

14 MR. MORRISON: We would have to defer this to Mr. Probasco and ask him to talk to Mr. Everitt and the council about providing more data that would answer your question, Mr. Chairman.

16

CHAIRMAN OLSEN: Yes, you know, I've always been waiting to hear what they have decided as to the major decline in the crab stocks, not only in the gulf but stretching out to the Bering Sea. I know in the early years after '83 -- I think about '85 the question was asked and our answer was a parasite. How big that parasite was deemed to be, I don't know. But at any rate the trend is not only following from the gulf but on up to the Bering Sea. I just, number one, need to see what the reasoning is for the decline and what percentage or what impact the subsistence users might have had on this decline before I am willing to really give it a whole lot of consideration. There really just not enough information to base any decision on, for myself.

23

MR. MORRISON: For the benefit of the moment, I might also ask if Mr. Mishler or Ms. Scarborough, who had some experience in Kodiak, if they have anything to add to this.

25

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1 MR. MISHLER: Sorry. We need somebody from the
Shellfish Division in Kodiak or Pete Probasco speak to that
2 issue. To my knowledge no one is a specialist in Shellfish here
today.

3

CHAIRMAN OLSEN: Seeing as what's before us, then I
4 guess I must turn to the council and ask what their feelings are
or their wish and intent is to handle this proposal.

5

MR. CHRISTENSEN: Mr. Chairman, the one thing I'd like
6 to say is that as far as the decline of king crab, I know one
factor in the waters in the area of Larsen Bay is in the
7 summertime you get fishermen coming in from outside and also
local fishermen and tenders that seem to come in and take as
8 many king crab as they can without regard to how many fish are
taken, and I'm sure probably not even reporting it.

9

Case in point. Last year I know of one boat that took
10 as many as 350 plus king crab. They were all large males. I
didn't personally see the king crab, but I know for a fact that
11 they were taken because I went to a beach for another purpose,
one beach at one time. It was high water but I counted as many
12 as 150 king crab caps in the water. And also there was a lot of
tails, so there was also wanton waste. And I notice this goes
13 on. And this was -- from what I understand, from speaking to at
least half a dozen other individuals in the village that I know
14 I know which boat it was. I didn't actually see 'em taking
it, but I seen the king crab caps, you know, in the water. And
15 this was at high water. I only counted 150, but that's because
I couldn't see any deeper.

16

And also -- and I've also known of other boats that
17 take whatever they can. They pick up as many as 15 to a pot, 20
to a pot, and they just take 'em and pass 'em around. This
18 happens with the tenders and with outside fishermen as well as
some local fishermen. None that I know that are actually from
19 the village of Larsen Bay. I had two brothers that went out
crabbing at the end of this season, after they put their seines
20 away. They couldn't even find one king crab in the area. So as
far as one reason why some of these crab are declining, I can't
21 say that the subsistence areas in the federal waters -- I can't
say that that's really a big decline. That's a big factor in
22 the decline of the king crab.

23 I believe that the state or the authorities should
start to police the subsistence in the state waters a little
24 more strongly, and start cleaning up that -- these other
violations before looking at the subsistence lands or the
25 federal waters. I won't -- I'll reject this -- I'll oppose this

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proposal in light of that. The only way that I might consider any sort of a proposal is possibly maybe not taking of females. That's the only way that -- 'cause as a former crab fisherman myself, I never did care for taking females. That's the only way I would ever -- that's the only way I would ever accept any sort of a proposal of this sort. But it's really a bad problem.

4

5 This is just in the Larsen Bay area alone, and also, you know, extending into Uyak Bay. As far as the Karluk federal waters, I don't believe there's a problem there because that's not generally a place where the fishermen or -- there's no real spot for them to tie up and to go out and fish, but I'm sure if this problem is in Larsen Bay, it's probably got to be happening in possibly Akhiok as well as Alitak and Old Harbor. So in light of the fact that -- I'm sure that there's other reasons for the decline, but I'm going to oppose this proposal.

10 CHAIRMAN OLSEN: Yes, I think there is a lot of merit to what you say there, as far as I think the state needs to show us where they have some policing that is going to try to correct this problem outside in state waters before we try to bring this into public waters such as identified.

13 Also, Randy, I do agree with you on the females, but only to the egg bearing females.

14

Do we have any more comment here from council or our audience?

16 MR. CHRISTENSEN: Mr. Chairman, the only reason I mentioned females is that even if they're not bearing eggs, they will, you know. Whether they're egg bearing or not they're -- at least they're still going to be alive. That's the only reason I mentioned females.

19 CHAIRMAN OLSEN: Right. And I know we do get into schools of female crabs that are just 100% females, and a lot of times none of them are egg bearing at the time. So that's the only point I was getting at. Mr. Stovall.

21

MR. STOVALL: I've been in contact, did a little bit of research on this issue. There is -- the National Marine Fishery Service has been doing research with king crab in the Womans Bay area for the last seven years or so. The person that's been doing it is Braxton Dew, and I talked with him before coming to the meeting last week. He told me that Womans Bay is primarily a nursery spot for king crabs, and that the numbers have been increasing that he's been able to observe since 1987. He didn't

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want to say a definite number or anything of that nature, but overall population size has increased, which means that the juveniles that were juveniles who have gotten older and more of them have returned to (indiscernible - away from microphone). So there's an upward trend. He also hasn't -- he's been in contact with the state but not as much as -- would be helpful. I don't think there's a lot of communication between the state and (indiscernible) and his research. And I just wanted to point out the fact that Womans Bay and Gibson's Cove are probably the primary areas of concern that this particular proposal has -- is dealing with.

7 CHAIRMAN OLSEN: I certainly understand this, being a commercial crab fisherman since the late sixties. It certainly was a lot given to avoiding the rearing grounds of juvenile crab, and it certainly did show through the past years where crab do seem to separate themselves during molting times, during breeding times, the male versus female. I feel that being targeted on such a small area of rearing and juvenile, I think we have a lot of close, adjacent waters -- and I'm talking about the Chiniak Bay area that I think these studies should be also done equally to compare exactly what the trend is in these areas that -- I believe the reason why they're targeted is because of their confined and easy access during adverse weather conditions. But I personally feel that the adjacent waters are equally targeted at for subsistence use of king crab. I know myself and I've worked with a lot of other boats that work at Chiniak Bay area for our shellfish subsistence. Yes, Robert.
15

MR. STOVALL: I have one other comment. The Federal Regulations allows only for take of males -- king crab; it doesn't allow females to be taken.
17

CHAIRMAN OLSEN: I understand that. I'm just -- I guess I shouldn't speak for what the actual is but what the regulation is.
19

MR. TUTIAKOFF: What's the size on that right now?

20

MR. STOVALL: This is what it's all about; there is no size limitation right now.

22 MR. MORRISON: That's Federal Regulation size limit. The state has requirement for males, a 7" minimum carapace.

23

MR. TUTIAKOFF: Mr. Chairman, what's the procedure here now? A proposal has been brought in. Do we vote not to accept it and then reject it because you can't have a positive -- you can't have a negative motion, just for information.

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1
CHAIRMAN OLSEN: I guess

2
MR. TUTIAKOFF: We've have to make a motion to accept
and then if that's the feeling of the council to reject it, to
vote against it.

4
CHAIRMAN OLSEN: We do have the choice of taking no
action also.

6
MR. TUTIAKOFF: I would rather see action than no
action. I mean that's what we're here for.

7
MR. EVERITT: So we have to read the motion?

8
MR. TUTIAKOFF: We have to accept the proposal, I
believe. And then if it's council's decision individually to
vote and you don't want it, you can vote no. Is that correct?
I'm looking for some direction. I don't want to make

11
MR. CHRISTENSEN: Well, I move that we accept the
proposal -- do we have a number?

12
MR. EVERITT: It's right here.

13
MR. CHRISTENSEN: What's the proposal number?

14
CHAIRMAN OLSEN: Taylor, did you have some input here?

15
MR. BRELSFORD: Well, I think you guys probably mean
this, but your role is to make a recommendation to the board
regarding this request

17
MR. TUTIAKOFF: This proposal.

18
MR. BRELSFORD: for reconsideration. I think
other councils have actually made motions like: We recommend
against adoption of this proposal or adoption of this request
for reconsideration. I think how you frame the motion is pretty
flexible, but the key is you need to provide your

21
CHAIRMAN OLSEN: Recommendation to the board.

22
MR. BRELSFORD: recommendation to the board.

23
MR. TUTIAKOFF: Oh, I see.

24
CHAIRMAN OLSEN: Exactly.

25

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1 MR. BRELSFORD: They'll make a decision on this in
November, and you're providing your recommendation.

2

CHAIRMAN OLSEN: Roger. I -- that's the way I
understand it to be, too. Thank you.

4 MR. CHRISTENSEN: Mr. Chairman, I move we adopt
Proposal RFR 94-03 proposed by the State of Alaska.

5

CHAIRMAN OLSEN: I don't know if it's up to us to adopt
it, by any means, but to support it or

7 MR. CHRISTENSEN: Well, okay, I move that we support
Proposal RFR 94-03 as proposed by the State of Alaska.

8

CHAIRMAN OLSEN: Does anybody need to be reminded of
the process or are we going to second that as a

10 MR. EVERITT: I'll second it.

11 CHAIRMAN OLSEN: Then I guess it's in the best interest
of the council to support this?

12

MR. TUTIAKOFF: No. No, no, we vote no.

13

CHAIRMAN OLSEN: Well, I am certainly confused. I
thought I just heard a motion to

15 MR. CHRISTENSEN: No, when you -- well, when you move
you always move to accept, and then you vote it down if you
don't want to accept it.

17 MR. TUTIAKOFF: Then the recommendation following the
action will be that we do not recommend that this proposal be
accepted by the Federal Board. That will be our recommendation.

19 CHAIRMAN OLSEN: So as I see it now we have a motion on
the floor and a second.

20

MR. CHRISTENSEN: Right.

21

CHAIRMAN OLSEN: Do I hear

22

MR. CHRISTENSEN: Question.

23

CHAIRMAN OLSEN: any discussion? Question's
being called. Those in favor, signify by aye.

25 (No affirmative responses)

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1 CHAIRMAN OLSEN: Those opposed by the same.
2
3 IN UNISON: Aye.
4
5 CHAIRMAN OLSEN: Thank you. I think that kind of
6 addresses where we're at.
7
8 MR. TUTIAKOFF: Mr. Chairman, for the record, this
9 proposal should be recommended to the Federal Board as not being
10 one that Kodiak/Aleutians supports.
11
12 CHAIRMAN OLSEN: Yes, thank you.
13
14 MR. EVERITT: I would also like to say, Mr. Chairman,
15 that I didn't see any proof from the state as far as our
16 subsistence users are depleting those stocks.
17
18 CHAIRMAN OLSEN: Yes, and I have to agree with that,
19 too, and I can only feel that it would strangle-hold our
20 subsistence needs further at this time without certain
21 justification.
22
23 At this time I would like to call for a lunch break
24 here, to reconvene the meeting at 1:30.
25
26 MR. TUTIAKOFF: So moved.
27
28 CHAIRMAN OLSEN: Moved, seconded.
29
30 MR. TUTIAKOFF: Question.
31
32 CHAIRMAN OLSEN: So moved. We'll see you at 1:30.
33
34 (Off record)
35 (On record)
36
37 CHAIRMAN OLSEN: Yes, if I may have your attention for
38 a moment here. I'm kind of -- I know I'm holding the show here
39 but just after coming back from lunch I was made aware of a
40 severe family situation that I need to go back and confirm the
41 severity of the family member. At this time I would have the
42 wish to have the Vice Chair take over until I'm able to resume
43 the meeting. As I see though, I don't know what the wish of the
44 council here might be, but I do need to take few minutes here to
45 get back on the horn. What

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1 CHAIRMAN OLSEN: Yes, I see our Vice Chair hasn't made
it back from his lunch hour yet neither, so it kind of puts me
between a rock and hard place.

3 MR. EVERITT: We can wait.

4 CHAIRMAN OLSEN: Okay. If I can please request a
dismissal here for a short time till I am able to concur with
the severity of this emergency. Thank you.

6 (Off record)
(On record)

7 VICE CHAIRMAN TUTIAKOFF: I'll call the session back to
order. I'll be chairing the rest of the meeting until Mark
returns. He had a family emergency of some sort and so I'll try
and get through this here. We're on item I. 8. -- 8.I. The
Environmental Assessment for Removal of Introduced Caribou from
Adak. And we have -- sorry. Yeah, come on up. I didn't get
your name. Would you state your name?

11 MR. BOONE: Daniel Boone.

12 VICE CHAIRMAN TUTIAKOFF: Okay.

13 MR. BOONE: Mr. Chairman, members of the council, thank
you for inviting me back to talk about Adak Caribou. I don't
know how familiar you are with the issue out there and how it
got to be an issue, so maybe I'll just give you a thumbnail
sketch of the history of the whole situation, and bring you up
to date on that.

17 In the 1950s when the Navy was kind of in full swing
out there and the Cold War was not so cold at times, there was a
proposal put in to introduce caribou on Adak. Initially the
proposal was for sport hunting, and that failed on several
occasions. And a marine who was out there, a clever fellow,
decided that if they also included in that proposal that caribou
would be used as an emergency food supply if Adak were ever
cut-off from other sources of food, that seemed to be the --
just the little extra push that it needed, and the proposal was
accepted.

22 So in the late 1950s caribou were captured from the
Nelchina herd, calves, and transported to Adak, hand-reared
there for a while and then released. Two years running they did
this, and I think a total of 23 calves survived that ordeal and
formed the nucleus of the herd that's there today. The herd
grew rather slowly for several years, as may be expected, but by

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the mid-1960s they were starting to have very limited hunting on the herd. And the herd continued to grow and the hunting continued to be expanded.

3 Currently there are estimated to be around 800 caribou on Adak. That's larger than we had intended the herd to get. There was a joint management agreement developed between the state, the Navy and the Fish & Wildlife Service for the management of that herd. And the herd size was set at between 150 and 250. Unfortunately, the opportunities to census the herd very well were not frequent and we knew we were harvesting a fair number of animals, and we couldn't quite explain how we could keep the herd at, you know, four or 500 and be harvesting 150. But all of our censuses were kind of opportunistic with the Coast Guard or planes that happened to be out there, and that seemed to be the most we could ever account for was about four to 500.

10 In 1993 we did manage to get a helicopter charter out there and spent several days doing a census as thoroughly as we could and then repeated it. And that's when we came up with the number closer to 800. So that's currently where we are with the census or the numbers on Adak.

13 Now, the reason there's a problem, one, we would like to see the numbers reduced, no matter what. But the Navy in early 1993 decided that Adak was no longer as strategic a base as it had been in the past and they were going to downsize it. They initially were going to downsize it to around 1,000 people, which was what they have out there now. But the word is that this is just the beginning and that they're going to continue downsizing and will probably end up in a caretaker status in about a year and a half with 150 to 200 people on the island. At that point -- well, even at the point we're at now with a thousand people, there's no way that sport hunting can control the size of the herd. There are no predators out there. The customary and traditional determination was that Adak had no history of subsistence use. The nearest village is Atka, which is about 90 miles to the east, and there's currently no service, air service or boat service between the two.

21

When someone from our office wanted to go to Atka, we had to come to Anchorage, go out to Dutch Harbor and back out that way. So it was a two-day trip and a couple thousand dollars to go 90 miles.

24 Anyway, with the downsizing of Adak we decided that something, you know, drastic needed to be done, and we requested, and the Alaska Department of Fish & Game did go to

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the Game Board and got the bag limit and season removed. So currently there is no bag limit, no season on caribou on Adak. They still do have resident/non-resident restrictions for people that are out there, and most of the Navy folks that are now on Adak have been there less than a year, so they don't qualify as Alaska residents.

4

At that time we decided that, you know, the wise thing to do would be to take the caribou off the island because otherwise we were going to see some severe habitat damage once the herd got really out of control. And so we developed this Environmental Assessment to address that issue. There are a number of proposals in that. I don't know, have any of you seen this, had a chance to look this document over at all? Then I'll briefly summarize what the proposals were to deal with the issue.

9

First, there's always a no action proposal. That's a given, you just have to have that in there, and that would be to do nothing. Another one of the proposals was to just simply go in and shoot all of the animals and leave, don't harvest them, don't do anything, just shoot them and leave. Another alternative was to go in and shoot the animals, salvage the meat, distribute it through a network to people that needed it. Another proposal was to capture the caribou and translocate them to some other acceptable site.

14

The introduction of predators, primarily wolves, was considered -- or it is considered in the -- both sterile wolves and wolves that could reproduce have been discussed. What's the last -- oh, sterilization is the last one; to go in and sterilize all of one sex -- I mean I guess when we discussed it initially we talked about sterilizing males 'cause they're generally fewer of them, but you could also sterilize all the females. If you missed one of the males, you can still have a lot of damage done. So it was discussed whether you should sterilize the females. You have to mark them all anyway, and then it was also talked about that maybe you just sterilize all the animals as you capture them and then just let them live out their life naturally. Since they couldn't reproduce then they would just go die of old age eventually and we -- the herd would be gone.

22

There were some other ideas that were thrown out. Briefly, introduction of disease, introduction of parasites. Those were rejected pretty early on and not really seriously considered.

25 Where we are right now is there are a couple days left

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on the comment period on this Environmental Assessment. The comment period closes on October 7, and after that the three parties to the agreement; the Navy, Alaska Department of Fish & Game, and the Fish & Wildlife Service, will get together and reach some kind of a decision about where we're going to go with the herd there at Adak. I'm open for questions.

4

VICE CHAIRMAN TUTIAKOFF: Thank you. Do you have -- any members have any questions or any comments from the audience? Yes, Robert.

6

MR. STOVALL: Dan, was there a preferred alternative or has that decision been made yet?

8 MR. BOONE: There was a proposed alternative that was shooting and salvage, primarily based on expense.

9

MR. CHRISTENSEN: I'm sorry, I missed that. Which agency were you with?

11 MR. BOONE: Fish & Wildlife Service.

12 MR. CHRISTENSEN: Okay.

13 VICE CHAIRMAN TUTIAKOFF: Is there any more comments on Mr. Boone's testimony here? Yes, Robert.

14

MR. STOVALL: Would the alternatives that you have listed -- have you had a lot of comments -- public comments from your Environmental Assessment so far?

16

MR. BOONE: Well, I guess I don't know how to address that exactly. I think we're under a hundred but over fifty. So I don't know whether that's a lot or not, 'cause they're scattered from all over. We've gotten probably half of the comments from outside of Alaska. Nearly everyone understands the necessity of removing the caribou from Adak because there's just not going to be any way to reasonably control the size of the herd, the reproduction out there. So -- but there's been every other comment about how to deal with the removal. I guess probably the bulk of them would come down on the side of translocation.

22

MS. STOVALL: Is there a possibility that you would be able to combine alternatives, like

24 MR. BOONE: Certainly, certainly, uh-huh.

25 MR. CHRISTENSEN: Has there been studies on the cost of

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removal?

2 MR. BOONE: That's addressed in here. I don't know whether you really want to call it a study. There was some time spent developing costs for the various alternatives, but it wasn't exhaustive.

4

VICE CHAIRMAN TUTIAKOFF: Any more comments? No. Well, thanks, Mr. Boone.

6

MR. BOONE: Okay.

7

VICE CHAIRMAN TUTIAKOFF: At this time Gilda has a letter that she wrote to Bruce Batton. I don't know, has it been introduced to the record or what do you want to do with this letter, Gilda?

9

MS. SHELLIKOFF: Well, I wrote it as a council member, so I gave copies to all of the council, and basically it is speaking to the concerns of the people in the communities. It focuses on the translocation, since this is the first time in history the Native people in the area have been denied caribou subsistence use and we feel that the federal government has a trust responsibility to help us get some of this -- to get our subsistence back, and, you know, with this caribou up in Adak, one of the possible ways would be, you know, to look into transporting some of the caribou to some of the islands near the Aleutian communities. You know, this would be the islands where they wouldn't intermix with the existing caribou herd, and where there has been a record of caribou being on the islands in the past. You know, basically what the letter does is ask the agencies to consider this option. From reading the assessment it looks like they've already decided this is not an option that they're going to consider because of the cost. And I think it needs to be looked at, do an actual cost assessment instead of just estimates and maybe find out if combining some different activities to cover the costs. You know, there are a lot of different options that have not ever been looked at.

20

And let's see what else. And I think the main thing is not to ignore this situation because it is important that the people in the area, you know, have their subsistence of caribou because it's been there up until last year, and to be just cut off and here is an option that there may be a way to get some of this caribou back. And, you know, you don't have to do -- take the whole herd, you just take a few to start a herd on a couple of different islands.

25 VICE CHAIRMAN TUTIAKOFF: Yeah, okay, thanks, Gilda.

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The letter should become part of the record, I guess if we give it to Moses, right?

2

My concerns, I guess, are what islands need to be identified that will be able to keep a herd and also be accessible by the communities, you know. I know that you may have some ideas on it and what basically I would like to see done by the Fish & Wildlife Service is to work with -- work to maybe identify two or three islands out there that could keep a herd and it is accessible by the communities so that we don't have this problem coming up five years from now where they're over-breeding and killing off their own food because the community couldn't get to them to take care of them, you know, to kill them off, that's what they had to do.

8

I know the needs that Gilda's concerned about, and being cut-off from a subsistence hunt that's been traditionally done for years by the communities of False Pass, King Cove, Sand Point, Belkofski, which is no longer a village. You know, it's important to their diet, and being cut-off is -- you know, puts a strain on their economic ability to survive, because they have to put what money they do -- little money they do get back into their house, you know, to put food on the table, whereas if they had that subsistence hunt they would be able to, you know, do other things. I think it's important.

14 I don't know just what the process here would be. Maybe you could help out here, Moses, giving me some direction -- if the council is agreeable and some action were to come out of this, what would you propose that we do here; make a recommendation to the Federal Board that they do the study for a transplant on the islands and then report back to us before they take any action regarding the herd in Adak or maybe kill off -- the other option is to kill off half of them out there and during the period of translocation or the study period, which I'm sure is going to take a year at least, because of the weather situation out there. You just can't go in and out any time. It would have to be done in the spring and part of the summer -- probably two summers to get it done, even to transplant 'em. Any comments?

21

MR. DIRKS: I read the impact statement and then tried to contact some people through the Aleut Corporation, which is the regional corporation, and then the non-profit to try to get them involved with the -- with this particular issue, and I didn't really come up with anything, no stance. And I guess George Kudrin, who is from the Aleutian Pribilof Islands Association, who deals with these sort of social services, the tribal operations officer there, and some of the concerns were

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that the profit corporations didn't think it was their thing to get into this situation, so they thought it would be best for APIA or the Aleutian Pribilof Islands to get into that. But that never really materialized, but I don't know what stance they took. And also as far as the study goes, correct me if I'm wrong, Dan. They didn't think that it was a very good idea to translocate these caribou on other islands in the Aleutians because of what they have done -- studies have shown that they have done quite a bit of damage on the vegetation on islands similar to Adak. So translocation goes -- I don't know. We could recommend that those agencies to probably try to identify those islands which you guys would be interested in the translocation to be identified, but I don't think there's going to be very -- there's very few options.

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VICE CHAIRMAN TUTIAKOFF: Yes.

9

MR. LLOYD: Mr. Chairman, my name is Denby Lloyd, and I work for the Aleutians East Borough. If it's appropriate

VICE CHAIRMAN TUTIAKOFF: Yeah, please take a chair.

11

MR. LLOYD: I'd like to outline this proposal and perhaps answer some questions if you have any.

13

COURT REPORTER: Would you mind stating your name again, sir?

14

MR. LLOYD: Is this thing on? For the record, Mr. Chairman, again, my name is Denby Lloyd, and I'm a resource analyst with the Aleutians East Borough, and we have garnered some support for a proposal I'll describe to you in a few minutes from some of the local village corporations as well as some of the tribal entities, at least in the Aleutians East Region, which span roughly from Sand Point out to Akutan.

18

The proposal in general that we have submitted to the agencies is that some portion, and specifically perhaps 100 to a 150 animals, be translocated from Adak to two islands. In particular, one being Unga Island, near Sand Point; the other Deer Island, near King Cove.

21

And I guess for the record, I have some maps of the area, if Mr. Dirks would like to receive those, as well as letters that we have written outlining this proposal. Maybe the maps could be distributed now so the people will have something to refer to, if you'd like to. I don't know your process.

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VICE CHAIRMAN TUTIAKOFF: Yeah.

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1 MR. LLOYD: Briefly, we've identified some historical records that indicate that both Unga and Deer Islands did support natural populations of caribou at least some time into the 1800s. Whether they were eliminated due to ash fall from volcanic eruptions or over-harvest is difficult to tell. However, we believe that it is a reasonable option to consider translocating some of the Adak caribou to these islands to assist the local villages to re-establish their subsistence harvest opportunities for caribou now that the South Peninsula herd is largely off limits due to the decline in their population status.

7 Our proposal specifically would look to successfully transplanting perhaps what we think in rough numbers would be 80% of the ultimate herd size in those two islands that may generate in the future some 50 harvestable animals per year combined.

10 If you look at some of the research that has been completed by the Department of Fish & Game recently on subsistence demand in that area, before restrictions were placed on the South Peninsula herd it looked like the communities of Sand Point and King Cove each averaged a harvest of about 150 caribou per year. Now they are not allowed to harvest animals from that herd at all.

14 If we were able to establish sustainable herds on Unga and Deer Islands and produce on the order of 50 animals per year, there would still be more demand than that, but at least access to 50 animals is a whole lot better than access to zero animals, as is currently the case.

17 Our letter is very similar to Gilda's letter. We also have prepared some comments directly on the Environmental Assessment that came out some time earlier. It's our contention that although the draft Environmental Assessment did lay out a number of options, that basically the translocation option was given some fairly short shrift, and also the budget that went into describing potential costs was not well defined.

And one point I guess I'd like to make to this body concerning the cost of translocation is that we're assuming that the no-action alternative is not going to happen. Basically something is going to happen so some money is going to be spent.

If you look at the additional cost of what it would take to translocate animals, whether it be, you know, 500 or \$1,000 per animal, even according to these figures, and you're talking in our proposal of 100 animals or 150 animals. We're talking on the order of, you know, one to \$200,000. You add that on top of what the preferred alternative for the proposal alternative is,

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that's already several hundred thousand dollars. You know, we're talking an increment of cost here, not necessarily something that's an ungodly amount.

3 The other consideration you might want to look at is that, you know, we're not necessarily talking about a restricted budget from the Fish & Wildlife Service or the Department of Fish & Game, but everybody dives for the deep pocket, and we do have the Department of Defense involved.

6 In essence, our proposal is to have this public resource that is currently surplus and people are looking for a method of disposal, and using it for something more than just a short-term elimination and salvage. We would hope to recreate - 8 if it's biologically feasible and reasonable, to recreate some populations on islands that at least the historic documentation indicates did support caribou until the recent time.

10 Rather than going on to any other details of this, you have our information on the record. I'd be more than willing to answer any questions, and shy of any questions, I also -- it may be presumptuous of me, but I have a recommendation on what this body could do, if you'd like.

13 VICE CHAIRMAN TUTIAKOFF: Well, we're willing to listen to anything, you know. Just because it's a new issue in regards to transplanting and having to deal with a herd that's going to be there or not be there, and basically we're trying to keep it so it will go out to somebody's use. They want to get rid of it, so whatever alternatives there are, we'd like to hear them.

16 Does anybody have any questions though before we do that?

18 MR. CHRISTENSEN: I have a couple. Well, I was wondering, is there any other use for those animals other than just the use of -- on Adak Island, the personal use on Adak Island alone? Is there anybody else that uses those?

20 MR. LLOYD: Not that I'm aware of. Perhaps the agency personnel would have an answer.

22 MR. CHRISTENSEN: No, so they're only used by whoever is on Adak only.

23 VICE CHAIRMAN TUTIAKOFF: Do you allow the Atka people over there to hunt?

25 MR. BOONE: I'm sorry. I should qualify that. There

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may be an occasional fishing boat that stops on the south side of the island and takes a caribou as they pass by. We're well aware of that. You know, Atka people don't. There are reindeer on Atka. Why would they come to Adak, too.

3

MR. CHRISTENSEN: My other question is is the main purpose of getting rid of the animals on the island just because of the vegetation, the over -- what is the

5

MR. BOONE: Yes. It would be habitat damage from over-population at some point.

7

MR. CHRISTENSEN: So if the proposal were to go through to translocate the animals it wouldn't hurt the island to at least leave a few animals on the island.

9

MR. BOONE: Well, no, because

10

MR. CHRISTENSEN: Just in case -- well, just to leave the option open for the time being to translocate the animals, pending translocation -- actual translocation that rather than the option of killing and distributing, which I believe wasn't that the preferred

13

MR. BOONE: That was the proposed alternative.

14

MR. CHRISTENSEN: No, I mean the preferred proposal, was that the preferred proposal?

15

MR. BOONE: It was the proposed. I don't have any objection to taking animals off live.

17

MR. CHRISTENSEN: Did I hear a while ago that there was one preferred proposal?

18

MR. BOONE: No. There's a proposed alternative and there are other alternatives listed, but the

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MR. CHRISTENSEN: Oh, I see.

21

MR. BOONE: And salvage was the proposed -- that's what

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MR. CHRISTENSEN: Well, my question is how many animals will the island sustain so as to not completely

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MR. BOONE: Well, at some point then you're going to be right back where you are now, having to go back in and reduce the herd. There are not enough hunters on Adak to control the

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herd at any level. So the determination has been made that the herd needs to go. The question is

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MR. CHRISTENSEN: I understand that, but to keep -- I'm sorry, Mr.

4

MR. LLOYD: Lloyd.

5

MR. CHRISTENSEN: Lloyd -- Mr. Lloyd's proposal open the -- maybe part of the solution might be to go ahead and kill part of 'em but still keep a few on pending what -- did you say that there's -- something happens on November 7 or October 7?

8

MR. BOONE: That's just the day that the final comments are received on the Environmental Assessment.

9

MR. CHRISTENSEN: And nothing's

10

MR. BOONE: The target date to do something about it is before the next calving season, which is in May.

12

MR. CHRISTENSEN: Oh, I see.

13

MR. BOONE: Simply to keep from having to deal with another 300 animals. That's about what we expect reproduction to be next year is about 300 animals. I'm not sure that we couldn't do what this

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MR. CHRISTENSEN: Okay. Well, I guess

16

MR. BOONE: Since this may translocate animals, I'm not sure we couldn't come up with science, the time to still deal with that May deadline. I mean if Unga and Deer Island have already been proposed, then it's simply a matter of evaluating the habitat, and I don't know, it may be a little difficult getting people on site, so we might have to -- between now and then, to do an honest to goodness range survey, if that needs to be done, you're probably correct that we couldn't do that between now and next May. I'm not sure what we could do in that case.

22

MR. CHRISTENSEN: Well, I guess I have kind of a multiple question question here. It's just that, you know, this council being a pro-subsistence council, I'd just like to see some solution where, you know, to save some of the animals for the -- and I'd also -- I was wondering how realistic it is to translocate these animals as proposed by Mr. Lloyd, and what date, if there's a possibility of leaving enough animals to

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translocate at that time, you know, if it is in fact going to be

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MR. BOONE: Probably if you were going to do
 translocation you would want to take the animals out first and
 then go in and deal with the rest. If you leave them all and
 then, you know, go in and shoot and salvage all but a hundred
 and then go back and capture that 100, that's tough.

5

MR. CHRISTENSEN: Right. Well, I understand that. But
 the gist of what I'm trying to get at is to -- is I guess just
 to save a few, you know, and then go ahead and eradicate the
 rest. I was just wondering how real is the possibility of
 translocating them. Maybe that question should be directed to
 Mr. Lloyd.

9

MR. LLOYD: Well, Mr. Chairman, the agencies are fairly
 well practiced at translocating. I mean that's how the animals
 got to Adak in the first place. It's not -- there's no real
 technical difficulty here; there's logistics difficulty in
 getting the additional personnel and the planes and crates for
 the animals, things like that. We have been talking with the
 agencies, and they are considering our proposal. We believe
 that we can accommodate their time line; hopefully they can
 accommodate ours in terms of reasonable consideration of our
 request, and we're assuming that if our request is approved that
 translocation would happen next spring at the same time that the
 proposed action would. And as Mr. Boone suggested, it's
 probably more reasonable to have decided how many animals you're
 going to take off alive and take those off first, and then
 complete the exercise of any of the remaining animals, eliminate
 and salivate.

17

Unless the agencies have a lot of heartburn with this
 proposal or require, you know, lengthy studies of potential
 range to the islands, I am anticipating that this proposal, if
 accepted, would happen next spring.

19

MR. CHRISTENSEN: Well, in light of the fact that
 there's a lot of interest for translocating the animals, I would
 like just -- I would like to support this proposal. I would
 like to see this council support the proposal. Like I say, you
 know, this is a pro-subsistence board or council, rather, and I
 would like to show support for the proposal.

23

VICE CHAIRMAN TUTIAKOFF: Okay. I guess some of the
 questions probably were answered in your proposal that we
 haven't read that you submitted, but just quickly. The
 ownership of these lands at this present time, Deer Island and
 Unga, I'm not familiar with some of the land selections out

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there. I know Unga is owned by Unga Corporation and Sinak (ph), and Sand Point; is that correct?

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MR. LLOYD: I'm not sure

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VICE CHAIRMAN TUTIAKOFF: The whole island is basically under village selections.

5 MR. LLOYD: Yes, under selection, that's correct, except perhaps some very small parcels. The same is true for Beer Island that it's in lieu of those selections all being granted there would be some federal oversight. But if all the selections are granted, there's some over-selections as well in over-topping selections, but once those are all adjudicated I would anticipate that most, if not all of both islands would be then in Native corporation hands, except for perhaps some small pieces that the federal government would retain an interest in.

We were told yesterday that if there were some small pieces of federal lands left that hadn't been successfully conveyed that the federal government may at that point even have an interest in land exchanges in order to get rid of their interest in the lands. Now, that's an idea. I don't know if that would really happen, but right now it's largely federal control, as I understand it, but that will more than likely change to village corporation control for both islands.

14 Is that correct, Dan?

15 MR. BOONE: That's right.

16 VICE CHAIRMAN TUTIAKOFF: Okay. Then that brings up maybe not a real concern for me, but a point that's going to be made later is that the Federal Subsistence Advisory Board at the present time recommends, and I support it, I don't have a problem with it -- with having transplanted these animals down here. But after they've gotten down there and the land selections have all been over and done with, where will be the authority of management? The upkeep and all that, is that going to be determined or taken over by Aleutians East or what?

21 MR. LLOYD: Well, that's not part of our proposal, and in fact it's our understanding, unless somebody wants to draft a different agreement, that the animals are controlled by the State Department of Fish & Game, that they are state property, in essence, and that hunting management, et cetera, would remain controlled by the State Department. I don't -- the Aleutians East Borough has no interest at this point in taking on that responsibility unless the state wants to propose that to us. Or, as I understand it, do the corporations have an interest in

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controlling the animals or necessarily even in restricting any access to the animals.

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So basically it's my understanding that we're just talking about moving animals, but the management responsibility stays the same under the state system in terms of their normal responsibility for managing wild populations.

5 VICE CHAIRMAN TUTIAKOFF: Any more comments or -- Gilda, do you have any?

6

MS. SHELLIKOFF: No, I don't have any more.

7

VICE CHAIRMAN TUTIAKOFF: Tom.

8

MR. EVERITT: No. Just more interested in what you two think, living out there. You know, it has more to do with your areas. I would support what you want to do.

10

MS. SHELLIKOFF: I would support the proposal, because I think we need to do something to establish the subsistence use of caribou again in the villages.

12

VICE CHAIRMAN TUTIAKOFF: Yes, go ahead.

13

MR. LLOYD: Mr. Chairman, there are a number of things that I think you ought to be concerned about and you might want to discuss. One is the agency's reservations about moving animals to another island and basically having a repeat of the problem, and that is potential over-grazing 'cause the herd gets out of control. We believe that we can answer that concern by virtue of having very motivated hunters in the communities of Sand Point and King Cove, which are immediately adjacent to these sites, as well as the neighboring communities of False Pass and Nelson Lagoon, Cold Bay. Moreover, the sites are not nearly as isolated as the examples used in the EA in terms of other islands that have had reindeer or caribou transplanted on them and then have gotten out of control. There are ongoing surveys, in this case done by the Division of Commercial Fisheries, but there is ready access to aircraft for surveys. There are department personnel in the area. There are very motivated hunters that can be used and managed to control these herds. At least we believe that to be the case.

The other thing that you might want to be concerned about is the agency concern about is is the range suitable, and we don't pretend to have conducted a range survey. We're relying largely on the fact that historic records indicate that caribou had been natural to those islands in the recent past. So what I'm getting around to, I guess, is I'm very happy for

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What I hear is your support for the proposal. But within your realm of responsibility you might want to have some assurances made back to you that it can be done in a way that these herds would not get out of control and that the range is suitable. But given that understanding, that hopefully you do support the proposal, particularly for the provision of subsistence resources to this area.

5 VICE CHAIRMAN TUTIAKOFF: Yeah, that was one of my -- what I was trying to point you to in regards to ownership and management and all these other things that after it did happen, you know, who is that responsibility going to lie with, since it would be in private ownership, the land would be. Probably 90% of it. Who would be willing to -- would it be pushing back on the fish and wildlife or fish and

9 MR. BOONE: No, I don't think so.

10 VICE CHAIRMAN TUTIAKOFF: I don't think so. That's where all the expertise is right now.

11

MR. LLOYD: Well, it's with Fish & Game, really.

12

VICE CHAIRMAN TUTIAKOFF: Fish and Game?

13

MR. LLOYD: For population management. And they manage the South Peninsula herd now. This would be some additional responsibility, but not necessarily an onerous one, given that it's two very limited islands that are not -- I don't think that they're that difficult to access for surveys to the extent necessary.

17 VICE CHAIRMAN TUTIAKOFF: I guess what we need to do here is maybe have a little discussion amongst ourselves as to how we're going to propose to -- are we going to support Aleutian East's proposal, one, or are we going to support the proposal presented by Gilda -- unless she agrees they are the same?

20

MS. SHELLIKOFF: Yes, uh-huh.

21

VICE CHAIRMAN TUTIAKOFF: Okay.

22

MR. CHRISTENSEN: Well, I'd just like to say I'd like to go back and just go ahead and support Gilda's proposal. I believe that we should.

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1 VICE CHAIRMAN TUTIAKOFF: There's a --

2 MR. CHRISTENSEN: You know, this has been -- I've had
very little time to really go over all the facts and figures on
this, but I believe that the people in that area believe in us.

4 VICE CHAIRMAN TUTIAKOFF: You know, getting back to
.....

5 MR. CHRISTENSEN: I understand the concerns.

6 VICE CHAIRMAN TUTIAKOFF: a range and stuff like
that would have to be done, I guess. But that's -- we could
direct -- Moses, maybe you could give us -- how would you
recommend that we do this; by motion or accept the total package
there? Is there a date on it or something we can refer to when
we speak of the proposal?

9 MR. DIRKS: I would probably

10 VICE CHAIRMAN TUTIAKOFF: Or a number

11 MR. DIRKS: Yeah. In reference to the removal of
caribou from Adak, that particular assessment, Dan, did it have
any title that you used for

13 MR. BOONE: There's a copy up there.

14 MR. DIRKS: Yeah. Well, I sent a copy to all the
council members, so they should have a copy in reference to
those. And also the proposal that you -- of the Aleutians East
that he's talking about, is it this one on -- the short one or
is it the long one? I have two here; one for John Westland and
then the other one.

18 MR. LLOYD: Mr. Chairman, we submitted two documents.
One is a letter to Mr. Bruce Batton. That comments directly on
the Environmental Assessment. The second one was a letter to
John Westland which is the gist of our proposal on the
 specifics. So if you were referring to the Aleutians East
proposal, it would be the John Westland letter. I guess your
options are if you're going to look at this proposal, either
forward it as the Aleutians East proposal to John Westland, or
MS. Shellikoff's letter which is essentially the same proposal
submitted to you directly.

23 VICE CHAIRMAN TUTIAKOFF: I'd feel better if we could
find those two and made it one package and called it
Aleutians East transplant to Adak reindeer (sic) proposal
submitted by this council, whatever. We need some

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1 MR. CHRISTENSEN: I'm wondering if we should just support the proposal rather than propose ourselves. I think that might be a better idea to give support to the proposal as proposed by the people of that area.

4 VICE CHAIRMAN TUTIAKOFF: Then maybe a motion is in order to do just that, get on record supporting the proposal from Aleutians East.

6 MS. SHELLIKOFF: I'll move that we support the Aleutians East proposal for removal or transplant of caribou from Adak to Deer Island and Unga Island.

8 VICE CHAIRMAN TUTIAKOFF: It's been moved.

9 MR. CHRISTENSEN: I'll second it.

10 VICE CHAIRMAN TUTIAKOFF: Seconded by Randy. Discussion, questions, comments?

11

MR. CHRISTENSEN: The only part of it as -- I'm not -- I didn't see the full proposal, but, you know, I seconded it in support of it. The only thing I was wondering about is just does this proposal go ahead and say to transplant just so many and then go ahead and eradicate the rest?

14

VICE CHAIRMAN TUTIAKOFF: I believe it's

15

MR. CHRISTENSEN: That's just for my own information, is there only a few animals to be transplanted?

17 MR. LLOYD: That's correct, Mr. Chairman. We're not asking to have all 700 plus animals transplanted. We're suggesting that on the order of a hundred animals be used for this exercise. I don't want to commit to just a hundred animals; I'd like to have some discussion with the agencies on what's most appropriate, but something on the order of a hundred to 150 is the number of animals we're talking about.

21 MR. CHRISTENSEN: So the proposal is basically just to keep open the possibility of transplanting animals rather than to shut the door and just go ahead and eradicate 'em?

23 MR. LLOYD: That's correct.

24 MR. CHRISTENSEN: Okay.

25 VICE CHAIRMAN TUTIAKOFF: Any more comment or

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discussion?

MR. CHRISTENSEN: Call.

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VICE CHAIRMAN TUTIAKOFF: Yeah, I hear a call. Question's been called. All those in favor, say aye.

4 IN UNISON: Aye.

5 VICE CHAIRMAN TUTIAKOFF: Opposed?

6 (No opposing responses)

7 VICE CHAIRMAN TUTIAKOFF: Motion carries to support and recommend that this proposal be brought forward and we support the Aleutians East transplant of rein- -- or caribou. Thank you, Mr. Lloyd, for the information and your proposal.

9

MR. LLOYD: Thank you, Mr. Chairman.

10

VICE CHAIRMAN TUTIAKOFF: There are -- yeah, go ahead, Craig.

12 MR. MISHLER: I have a question. Maybe I wasn't following the discussion, but this was a separate proposal of Gilda's or the same?

14 MS. SHELLIKOFF: No, it's basically the same.

15 VICE CHAIRMAN TUTIAKOFF: It's the same. What her letter was just

16

(Indiscernible - simultaneous speech)

17

MR. MISHLER: That's why I wasn't sure.

18

VICE CHAIRMAN TUTIAKOFF: Her letter was on the Environmental Assessment basically and proposing a transplant. Their proposal is actually to do it.

20

Where are we at here, Moses? Are we on Cooperative Agreement, is that the next item?

22 MR. DIRKS: Yeah.

23 VICE CHAIRMAN TUTIAKOFF: Cooperative Agreement Update.

24 MR. DIRKS: Yeah, Taylor will do the Cooperative Agreement Update.

25

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1 VICE CHAIRMAN TUTIAKOFF: Well, as soon as we get these
handouts all distributed here, we can get going on it.

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MR. BRELSFORD: The three-page item being passed around
so you is actually on the Customary and Traditional Use Policy,
but that's the following topic. If the sets didn't get
separated, they were supposed to be in a set, each one.

5 (Off record comments)

6 MR. EVERITT: Two pages? He's got 63 and 65.

7 MR. BRELSFORD: I think we better start over.

8 MR. EVERITT: Yeah, it's 63, 64 and 65, okay. I have a
set right here.

9

(Off record comments)

10

VICE CHAIRMAN TUTIAKOFF: Okay, what we were handed out
here was Customary and Traditional Use Determinations Review and
Policies?

12

MR. BRELSFORD: Right. We could just go to exactly to
that item, Mr. Chairman.

14 VICE CHAIRMAN TUTIAKOFF: Okay, if that's where we are.
Go ahead, Taylor.

15

MR. BRELSFORD: Okay. I guess I want to introduce this
by going back to some of the discussions that occurred at the
Federal Subsistence Board meeting in April. On the Sunday
preceding the board meeting the council chairs and vice chairs
from all 10 regions met to talk about a number of topics,
including this business of customary and traditional use
eligibility determination, and again on Tuesday during the week
of the board meeting of April '94 the chairs and vice chairs met
again to talk in more detail, and I think the situation was that
the various councils heard and understand that the Kenai
Peninsula Subsistence Eligibility Review is going forward, and
they wanted to be brought up to date -- brought up to speed on
the policy questions, some of the implications for other
regions. So the idea was that all of the councils would have
kind of a consistent baseline of information about customary and
traditional use eligibility determinations.

24 At that April discussion with the council chairs we
indicated that a policy statement was going to be published in
the Federal Register in the near future. So this -- the

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impossible to read Federal Register photocopy is the policy statement. What I'd like to do is just highlight two or three elements of that rather than reading the whole thing for you. And then maybe touch on the status of the Kenai Peninsula Customary and Traditional Use Determination, and I think that kind of brings everybody up to speed.

4

The policy that you have in front of you is dated July 55, 1994, and it is basically the regulations adopted by the Federal Subsistence Board that will govern decisions on eligibility for subsistence uses based on customary and traditional use patterns. There are just a couple simple points made in that policy, even though it's very lengthy.

8 The first of those is that the board is going to look at the entire state in terms of 26 clusters, 26 geographic areas, and the board's going to go around the state, one after the other, to each of those 26 areas in turn. If you look towards the back part of the policy, I think it's the third page, you'll see a table, and the areas, those 26 review areas or study areas are noted. The GMUs that are encompassed in each study area are listed there. So the idea here is that instead of trying to review customary and traditional uses all across the state, all at once, we're going to go in sequence looking at related patterns among a bunch of neighboring villages, but these 26 units are going to be kind of the building blocks for the review program.

15 A second item in the policy is a set of priorities, which areas to go to first. And what you'll see in the table there is that the first seven at the top of the page have dates in the right-hand column, and basically those are the first priorities, the action program for '94 and '95. Several of those are already underway; the Kenai Peninsula, the Upper Tanana, Copper River Basin, they're well underway. And a couple of others are just now being started. But after 1995, like the bottom 19 areas, the priority and the dates for completion, that's not been established. And so in the text it says that the board is going to consider additional priority setting after 199- -- for the years after 1995, and that they would like the recommendation of the regional councils about priorities about where eligibility issues might be pretty serious. The board would like input from the councils on priorities after 1995. The text also says they'll consider agency recommendations and issues that might have come up. That's what will go into their decision about priorities after 1995.

24

So, so far the policy establishes the 26 study areas, and it has priorities for the first seven, and it sets up a

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request for additional input from the councils for further priorities. The other aspect of that policy that would be worth your while is in the middle there is a set of steps that are identified how the board will go about making decisions

3

VICE CHAIRMAN TUTIAKOFF: Factors -- it says eight factors?

5

MR. BRELSFORD: There's a section that starts with Scoping. So the sequence of steps would be in the middle column on the second page, kind of at the bottom, and it starts with Scoping, where we would go out and consult with the regional council and the individual villages to identify issues areas having to do with subsistence eligibility and data sources, knowledgeable people who could help us develop reference material.

9

We ought to give Mark a chance to get in the middle of this, too.

11

CHAIRMAN OLSEN: I'm listening. Go ahead, carry on.

12

MR. BRELSFORD: I think we put a copy of this Federal Register deal on your desk -- place, but in any case, we're on the second page, middle column towards the bottom, there's a paragraph that starts with Scoping, and that describes step one in the sequence to conduct an eligibility review in one of the areas. And that's followed by a section on Information Collecting when the existing data would be gathered together, and then Analysis, where it would be reviewed in reference to the eight factors that are established in our regulations. There are eight factors that characterize customary and additional uses, and so the analysis stage would review the documentation in relationship to those eight factors.

18

The next step is important for you because it's referred to as Regional Council Review, and it's the point at which the council reviews the documentation and offers any review comments that you might have.

21

Next comes a Proposed Rule or more or less of a draft on the eligibility, and that's subject to public review, and then there's the final board decision making.

23

So those are the steps, the sequence would be followed in trying to review the eligibility, the customary and additional use eligibility. So to summarize, the policy statement establishes 26 study areas, it establishes priorities within those areas, and it establishes the steps or the sequence

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that the board follow. And the councils have a key role at several steps in that, and I think maybe that's enough for now.
2

3 If you have questions I'd be happy to answer them, but this is not immediately before the Kodiak Aleutians Regional Council, but I think you're going to be hearing some more about the Kenai area and the Upper Tanana area and so on, and if you have kind of the framework in mind, it will be a little easier to follow, and you can think ahead for your area as well.
6

MR. CHRISTENSEN: So, in other words, you're not asking us to really act on this on this meeting?

8 MR. BRELSFORD: That's correct. This is information only. And following up on the request from various councils to kind of be in the loop as the board goes ahead

10 MR. CHRISTENSEN: I was going to say, this is rather fast. At first I thought we were supposed to act on it. Okay.
11

VICE CHAIRMAN TUTIAKOFF: For the record, I'll return the chair to Mark, who has returned.

13 CHAIRMAN OLSEN: Thank you, Vince. I need a minute here to try and find out where I'm at. So excuse me.
14

VICE CHAIRMAN TUTIAKOFF: Yeah, thank you, Taylor.

15 MR. BRELSFORD: Would you be interested to know more than the status of this Kenai C & T decision? It's one of the first ones the board is going to be working with. And you actually have a fairly lengthy document in the materials for you.
18

MR. TUTIAKOFF: This one?

19

MR. BRELSFORD: Right.

20

CHAIRMAN OLSEN: Yeah.

21

MR. BRELSFORD: Okay.

22

MR. DIRKS: Oh, Taylor, before we get started, the agenda has -- was -- I guess it just got overlooked that there was -- you were supposed to do a Cooperative Agreement Update Report on the -- those Native tribal entities that the federal government is working together with.
25

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1 MR. BRELSFORD: Yeah, that's true, and once the papers
got passed out and people were looking at that policy, I thought
maybe we ought to deal with that one first and maybe come back
on the Cooperative Agreement? Is it still in order, Mr. Chair?

3

MR. TUTIAKOFF: Go ahead and finish with this one.

4

MR. BRELSFORD: Okay. The Kenai Peninsula was the
first priority for review of eligibility, and that basically has
to do with the fact that throughout the period of the state
program the Kenai Peninsula was non-rural and therefore not
eligible for the subsistence priority, but just at about the
time the federal government came into management of a
subsistence program it was a court decision that changed the
status, the Kenai Peninsula became a rural area, and so the
second step of eligibility, the customary and traditional uses
had to be evaluated. So that's how that became the first
priority under the federal program.

10

The basic gathering together of existing documentation
has been done on the Kenai Peninsula, and some draft conclusions
or policy options were also put together. You have in your
packet a copy of the draft policy options, and again the reason
that that's being shared with all of the councils rather than
just the Southcentral Council, which is directly involved,
different councils said, hey, wait, the first time the board
looks at customary and traditional use eligibility it's going to
have some precedent value, some implication for other regions,
and so different councils were asking to kind of be kept current
on the status of the Kenai study and to have an opportunity to
offer review comments on the policy, the eligibility policies
that are involved in it. So that's the reason that's in front
of you.

18 And I think rather than going into very much detail
about the options that are in there and so on, I may simply say
that the schedule is such that the Staff Committee and the board
will be making a proposed rule; the first round of decision
making will occur very soon, in October and November of 1994.
The board meeting in mid-November will consider the proposed
rule for eligibility -- subsistence eligibility on the Kenai
Peninsula.

22

So following that there will be a 60-day review period,
and your council or you guys individually would have a chance to
look at the proposed rule and to clarify or add your own views
regarding that proposed rule. So I guess what I would suggest
for now is that maybe you'd like to look at the policy options
between now and February; read the proposed rule on the Kenai

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Peninsula, and in the February meeting offer any review or recommendation in time for the board's final decision, and that final decision will come somewhere in April. So rather than, you know, going through the chapters of the documents right now, just to kind of alert you that this is -- the Kenai process is coming to conclusion, or at least the decision making step has really taken hold with a proposed rule adopted in mid-November. That's subject to public review during December and January, and you would have a chance to make your recommendations or your review at your February meeting if you'd like.

6

So I think that's more or less the status and where we are in the schedule of it. Maybe I ought to mention that the Upper Tanana Region, four villages of Dot Lake, Tanacross, a couple of others, that also will be considered by the Federal Board at the November meeting in a proposed rule for eligibility, and those villages will also be decided at the same time. So between now and February, you may want to look at both of those just to kind of have an idea of where the federal program is going as far as eligibility based on customer and traditional uses is concerned.

12 Maybe to kind of tie it back to something that you guys have discussed today, when you talked about subsistence uses in 13 of the subsistence fishing permits in Unalaska today and there were some concerns about how long had people been involved, were these real customary and traditional practices or not, those are exactly the kind of issues involved in the subsistence eligibility review that the board is moving through here. So for the Kenai, for the Upper Tanana, they're going to have to make decisions about it here in the next -- draft decisions or proposed rules in November, and the final decisions will be sometime in April.

18 So if there are any questions, I'd be happy to try and answer them.

19

CHAIRMAN OLSEN: I guess we were asked to be kept abreast and here it is. But it is very useful information and I feel that even in archaeology that there is some customary places that have gone back thousands of years, and even today still supporting the same resource to which they went back there thousands of years ago to gather. So it certainly is a help to understand how we get from point A to point B and what tools are necessary to get there. So it is very important, I feel. Thank you, Taylor. Any other questions for Taylor on this subject?

25 MR. BRELSFORD: The other agenda item that I had some

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information on is actually numbered J., the Cooperative Agreements. And I'll just be real brief about this unless you have more specific questions. Is it okay to proceed, Mr. Chairman?

3

CHAIRMAN OLSEN: Yes, by all means, please.

4

MR. BRELSFORD: Okay. What you hear, referred to as Cooperative Agreements in the Federal Subsistence Management Program, come under Section 809 of ANILCA, and it's basically a very broad and permissive section that asks the -- it says that in order to further the purposes of the Federal Subsistence Program we can work with anybody, tribes, universities, ADF&G, all kinds of organizations could help us cooperatively manage or raise the quality, improve the effectiveness of the Federal Subsistence Management Program.

9

So we have had cooperative agreements with ADF&G, right from the beginning, and about three years ago the Federal Subsistence Program also began to enter into cooperative agreements with regional tribal associations. These are also known as the regional non-profits. So the examples that we have in place right now are the Tanana Chiefs Conference, the Association of Village Council Presidents. Tanana Chiefs is in the interior, in the Doyon Region, centered around Fairbanks. The Association of Village Council Presidents is in the Yukon Kuskokwim Delta, based around Bethel. And the Council of Athabascan Tribal Governments is in the Fort Yukon area, based around Fort Yukon.

16 Collectively, the cooperative agreements represent about \$400,000 of funding from the Fish & Wildlife Service to the regional tribal associations to help us implement the Subsistence Program. There are three things that are being done under cooperative agreements.

19 The first is subsistence harvest surveys, and these would look a lot like the studies that the Alaska Department of Fish & Game, Division of Subsistence, has done over the years. You know, where do you hunt, how many animals are taken in your household, what are sharing patterns. Those, you know, kind of standard questions about subsistence harvest. Instead of the Federal program -- instead of hiring feds to go out and do the -- we've recognized the the tribal associations are in a real good position to do that. They typically are hiring village residents to conduct the surveys. Several of these are being done with harvest calendars. A little bit like what the salmon subsistence survey was done where you mark in on the days the animals that you take. So harvest calendars are being used by

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Several of these tribal associations to monitor subsistence harvests. So that's one activity.

2

A second one is to coordinate meetings of village representatives, ADF&G managers, and federal resource managers to work together on cooperative management plans. And you guys may have heard of some of these. This idea of cooperative management actually dates back quite a while. The famous examples are like the Alaska Eskimo Whaling Commission or more recent -- a little more recently the Yukon Delta Goose Management Plan, where there's a lot of effort to kind of dialogue with the villages, first of all, so everybody's on board about what the conservation problems might be if there's a decline in goose species. Everybody's got to be in agreement about the situation so you can work together to resolve it.

9 MR. CHRISTENSEN: Mr. Chairman, I just want to ask Craig -- Mr. Mishler, are these the programs that you've been working with?

11 MR. MISHLER: No, they're not. They're something new that the federal government is undertaking in connection with their assumption of management responsibility.

13 MR. CHRISTENSEN: Okay, so this funding is not part of that then, huh?

14

MR. MISHLER: No.

15

CHAIRMAN OLSEN: Randy, just for one example, the Kodiak area, the tribal councils have been able to achieve also the Sea Otter Commission to work with the National Marine Fisheries. It's about the most update I can give you now. It's been discussed here -- yes, Craig?

18

MR. MISHLER: I should say the Fairbanks office has given technical assistance to CATG and AVCP to conduct surveys in the manner that's consistent with the way they have been done by the state in the past, and also have provided data management services to these groups.

21

MR. BRELSFORD: That's a good point, Craig.

22

CHAIRMAN OLSEN: Go ahead.

23

MR. BRELSFORD: The second activity area is in these Cooperative Management Plans, and the examples that you guys might have heard of were these kind of big ones. But our program so far has funded a little bit smaller projects, mostly

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in the Yukon Delta. One of them had to do with a caribou herd that had fallen off badly, and so the state and federal managers met with representatives of 18 villages to try and figure out how to bring this herd up and allow a limited subsistence hunt at the same time. This is the Kilbuck caribou herd. Actually people have asked us to start using the Yupik name of Quailinguut caribou herd, if I got it right.

5 So cooperative management is the second thing that we're funding, these dialogue meetings through the cooperative agreements.

7 And the third is kind of a new one for us. In the Yukon Flats area they're just now starting the customary and traditional eligibility study or eligibility determination, and so the tribal association, CATG is going to be interviewing in their villages about some of the customary and traditional practices, and that would be new information or new data for our board when they're making these eligibility review.

11 So to summarize, we do subsistence sur- -- harvest surveys, cooperative management planning, and more recently some C2 & T interviewing in the villages, in this case in the Yukon Flats area. So those are the activities that are currently being conducted in these three regions under cooperative agreements.

14

We have requests from other areas and I think we're kind of torn between following through for a long enough period in the areas where we've started to kind of get things well established at a good credible body of data of information put together.

17

So I think we've always looked at these initial agreements as being multi-year programs, not just one year in and out. Pretty soon we will be through year three in Tanana Chiefs Region. It may be time to now turn attention to a new area. For example, Bristol Bay has been kind of knocking on the door saying, well, we want to get involved in some of this cooperative management or cooperative agreement program as well. And what we may do is move -- you know, as we kind of wrap up in one area and move the budget onto a new area, little by little. So that's more or less the status of it. And if there are any other questions, I'd be happy to answer them.

23

CHAIRMAN OLSEN: Mainly I just have a comment here, again, Taylor, and to do with Cooperative Management, and here again it certainly has my support all the way. One of the ways that I hope I can start a cooperative management in Kodiak here,

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Once again, is to utilize our village councils in such a way that -- let's take, for instance, designated hunter permitting system. It would be a way for the people to respond to the permits and be in -- within the law as so designated. It would be a part that they could play in. This would certainly help gather the information that is sorely needed through the rural areas so that we can ensure a good, stable resource. But it certainly is -- I'm not looking for saying let's go out and appoint these people to manage this, no. I just think they need to have a part in it, and even if it's issuing the permits and making sure that they get back to the correct office at the main post. I think it would be a big help, and the monies that we're spending on surveys, you might find in the future is unnecessary, hopefully, by this kind of participation.

8

So I just want to let you know my personal feelings as, yes, I have high hopes that this cooperative management can and will work. Do we have any other comments on -- or questions? Boy, I see Moses is smiling. He must've

11 MR. EVERITT: It's time to go home.

12 CHAIRMAN OLSEN: Yeah. Okay, I thank you very much,
Tyler.

13

MR. TUTIAKOFF: Mr. Chairman.

14

CHAIRMAN OLSEN: Vincent, yes.

15

MR. TUTIAKOFF: I see we're getting down to the end here. The next one is a Map Review. Then we have another one after that.

17

CHAIRMAN OLSEN: I'm trying to find my agenda here. I've lost it again.

19 MR. TUTIAKOFF: We have another item we're going to add on after map review. I seem to have -- I have an extra, but nothing written down.

21 MR. CHRISTENSEN: I don't remember writing anything down, I just remember Review Regional Council Map.

22

MR. DIRKS: We need to take up the Annual Report.

23

MR. CHRISTENSEN: Yeah, the Annual Report.

24

MR. TUTIAKOFF: Oh, yeah, that's right.

25

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1 MR. DIRKS: We need to take up the Annual Report.

2 MR. TUTIAKOFF: Oh, yeah, that's right, the annual
report, we didn't do that really. Is that the one?

3 MR. CHRISTENSEN: Yeah, probably.

4 CHAIRMAN OLSEN: It's still not to be found.

5 MR. TUTIAKOFF: Want to take a couple minutes here?

6 CHAIRMAN OLSEN: It would be a good time, I guess,
right now. I'm trying to sort through

8 MR. TUTIAKOFF: And get all your paperwork lined up for
this.

9 CHAIRMAN OLSEN: A break would be in order.

10 COURT REPORTER: Off record.

11 (Off record)

12 (On record)

13 CHAIRMAN OLSEN: I see everybody is back here. Let's
see if we can get through our next items on the agenda. I know
that this has been a long haul road again, but we've just about
made it through another session. I guess what we have here next
on the agenda is under New Business, which I have right here,
Chart Review and Annual Report. Is that correct as to where we
are now at this point. Okay, I'm not aware of the Chart Review.
Moses, can you

17 MR. DIRKS: Okay. At the office there is a person
that's working on charts for each region, and this is a large
one up here. It's basically a draft, and it has not only Region
39 our region, but it also has five regions. And she had real
problems with combining the Aleutians together with Kodiak, and
that's why we ended up with two separate charts. So basically
she wanted the council members to review these charts to make
our comments. If you find anything like a place name that is
missing to note those, and if the prints are too small, you
can't see anything, just write in your comments and send it in
to me, and then we'll give the comments to this person and then
they'll try to come up with a regional map better than the one
up here. The colored areas that you see are land statuses, so
all the purple ones are like the Fish & Wildlife Service, and
the other land -- federal land areas are color coded. So once
they end up with a regional map it should -- I was told that

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they will try and do only Kodiak and Aleutians. So that's what the chart is for, for you guys to review.

2

CHAIRMAN OLSEN: I'm just noting here. It was brought to my attention here, too, I notice that most of these communities and villages are highlighted in black. I had a hard time finding the False Pass identification there. It kind of goes in with the color, but if you do happen to redo the chart in any shape, manner or form, you might want to put the False Pass also

6

MR. DIRKS: In black.

7

CHAIRMAN OLSEN: in black with the basic dots showing

9

MR. DIRKS: Yeah, those are the kind of comments that you should note on the chart and make it conspicuous so that she can, you know, look at them and see where the changes that you recommend are.

11

MR. TUTIAKOFF: I notice that the color scheme, I guess, is the red -- are the areas that the Fish & Wildlife areas?

13

MR. DIRKS: Yeah, uh-huh.

14

MR. TUTIAKOFF: I remember seeing a map last year where Alaska at least half of it is under Fish & Wildlife. Now it's -- so is Umnak, and now it's no color at all in there. Did you guys give it up?

17

MR. WILLIS: We sold it to the Russians.

18

MR. TUTIAKOFF: Is that why they were down there this summer checking it out?

19

MR. WILLIS: I think they were checking out all the non-resident and resident aliens. We work on these maps every year and try to make them better. The land status changes sometimes, and sometimes there are mistakes made. We've had a lot of problems getting boundaries right because we use contractors to make the maps, and so the reason you're reviewing it this year is we're still trying to, you know, get it better. They do get better every year, but there are mistakes on them every year, too. Robert has just pointed out two to me on Kodiak, or one on Kodiak and one on Afognak that are no longer there -- no longer in existence. And so we'll

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- 1 MR. TUTIAKOFF: People are still there, right?
- 2 MR. WILLIS: No, the communities no longer exist as a
community.
- 3 MR. CHRISTENSEN: There are three, actually.
- 4 MR. WILLIS: Yeah, there may be more than that.
- 5 MR. TUTIAKOFF: I notice there's a couple in our region
6 that are no longer there, too.
- 7 (Indiscernible - simultaneous speech)
- 8 MR. TUTIAKOFF: We've got about five or six in our
region that are no longer there yet or posted.
- 9 MR. DIRKS: What we need to do is if you could take it
back to your communities and look at them and review at your own
time and leisure and then send in your comments to me then as
soon as possible. I'll send a reminder out in a couple of weeks
to remind you to send it in. If it's like waiting for those
itineraries, it will probably take forever.
- 13 CHAIRMAN OLSEN: I was just going to say they'll
probably cross in the mail.
- 14 MR. DIRKS: Right, yeah.
- 15 CHAIRMAN OLSEN: Good. Do we have any other comment on
the charts? I guess I've heard them called maps. I don't know,
are they maps or charts?
- 17 MR. TUTIAKOFF: On just getting back to one of the
motions made by myself, just to save them a lot of money and
having to redo them, if it should happen to split the two
regions, if it goes 3 and 3-A, it would save some money rather
than having to renumber everything all over again, just a
recommendation. If they're trying to figure out how to put the
Aleutians into its own area, rather than giving it a 12 and
redoing all the state of Alaska, that would be a way to do it.
- 22 CHAIRMAN OLSEN: And if I remember right, the line you
propose is just a shade north of where the existing one is now,
correct?
- 24 MR. TUTIAKOFF: Right. Go out from Stepovak Bay,
straight up, almost probably due north.
- 25

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1 CHAIRMAN OLSEN: Any other comment on the charts?
Hearing none

2

MR. CHRISTENSEN: I might if I had a magnifying glass.

3

MR. DIRKS: Yeah, those are the kind of comments that
you can make, Randy. Don't be afraid to do that.

5 MR. CHRISTENSEN: Well, I can't hardly see some of
these.

6

MR. DIRKS: Yeah. Because of they were trying to
include everything and they had to size it down in order to make
it fit. I think that was one of the justifications for it being
so small.

9 MR. TUTIAKOFF: Another one would be the grid-- to grid
map it with A on one side and numbers across the other and just
give a listing of the communities, and that would be a lot
easier, too, for people who are unfamiliar with the Kodiak area,
like we are, it took me a while to find some of them. I knew
generally where they were, but, you know, if there was a listing
on that map saying Larsen Bay, E-1, and go to E-1 you'd find it,
you know, no problem.

13

MR. WILLIS: It might work well if you'd be sure and
write that in as one of your comments.

15 MR. TUTIAKOFF: Uh-huh, be a lot easier on the map.

16 CHAIRMAN OLSEN: Indeed. Did you get that, Moses, to
put in the wish list on the charts?

17

MR. TUTIAKOFF: I'll send it in.

18

MR. DIRKS: I'll have Vince put that in.

19

MR. TUTIAKOFF: Yeah.

20

CHAIRMAN OLSEN: Okay. Are we on to Annual Report?

21

MR. DIRKS: We started on the Annual Report last -- or
yesterday -- last year I was going to say. Well, it's last
year's report, and I talked to some of you people and I have
decided to recommend that we put in the recommended changes that
Tom had suggested on the surveys in the beginning part of the
report, the latest ADF&G survey that was done in conjunction
with the Fish & Wildlife Service on Kodiak, and see if you guys
have anything to add at the end where the council expressed

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their concerns on those ones that were highlighted towards the end of the report. And if you need to add in some other concerns, we could do that. And I think to expedite things, I think the way Helga did it was she called each individual council member and got input from them, and I think that would be a good idea to do. And also I think it would be also a good idea to put in the recommendations that the council recommended about the membership change or the -- adding those two members on and also the Kodiak region from the Aleutians could also be included in the Annual Report as we do that if it's okay with the council.

7 MR. TUTIAKOFF: Also, I don't know if you mentioned it to me, but the Adak transplant program or proposed that we support it.

9 MR. DIRKS: Yeah, that could also be included in there. I mean it wouldn't hurt to include that in there, too, so.

10

CHAIRMAN OLSEN: Yeah, and I think another major issue still in front of us

12 MR. DIRKS: I'll be calling you people, and once I start on the Annual Report, because it's going to be due pretty soon, so I'll be getting a hold of each and every one of you to talk to, if I can get you on the phone that is.

14

CHAIRMAN OLSEN: You're starting to speak a little louder, Moses. Are you anxious to go? Is there anything else with our Annual Report that we feel needs discussion? I know we kind of talked about it here and there, and pretty much addressed everything. I see smiles. I don't know.

17

I think there's just one other thing I'd like to address here while we are still together, and that is we need to determine here excused absences on the council. It looks like we can get to be to a point where some action might need to be taken. I don't think -- I certainly believe that everybody had excused absences, but we're coming to a point now where a couple members are starting to show a little nonparticipation and it kind of hinders the rest of the council when we have to speed 'em up to what has been happening. I think it should be taken very serious and I'm open for comments here. How does the council feel about absences and what is going to be excused? Do we have any kind of a

24 MR. TUTIAKOFF: Mr. Chairman?

25 CHAIRMAN OLSEN: system? Certainly.

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MR. TUTIAKOFF: I think it's easier to list excuses, like weather. You know, weather delay, not being able to make a plane. That's a legitimate excuse beyond his control. Another one is death in the family, same situation. I don't feel that meetings, scheduled or otherwise, are excused absences. I don't feel they are because if they -- we all know prior to when we schedule the next meeting when our meeting is going to be. And if you happen to plan a meeting at that time and you can't make it to this one, then I feel it's not an excused absence. So if there's a conflict in scheduling the meeting, we should know it now. We should know it prior to making the meeting date. I don't think there's any other real reason why anybody shouldn't be here. Oh, fishing

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MR. CHRISTENSEN: Of course medical.

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MR. TUTIAKOFF: Oh, medical.

10

MR. CHRISTENSEN: And, well,

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MR. TUTIAKOFF: We don't have our meetings -- do we have a meeting in July? No, we don't. Just February and

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MR. CHRISTENSEN: Well, seeing as how quite a few of us have seasonal jobs, and I think that we've been trying to schedule -- at least other councils have been -- we've been trying to schedule our meetings during the winter months, and I know fishing would be a big one for me for missing anything. We've been commercial fishing.

16

MR. TUTIAKOFF: Not subsistence fishing, sport fishing.

17

MR. CHRISTENSEN: I don't know how you would word that, seasonal work or -- I don't know.

19

CHAIRMAN OLSEN: I do know that certainly we do know the months that we are tied up in the fishing industry, and knowing when we set the meetings ahead of time that a person can at that time address that they would not be able to make it, I certainly feel, is an excusable situation to other prior commitments and to try to schedule around those. But I do know that sooner or later we have to make some decisions as to where we are with this.

23

MR. CHRISTENSEN: Well, I've stressed in the past there that there are times -- some times a year that I just absolutely cannot make it, you know. That's why anywhere from April to end of September there, you know, I just can't make it. I'll have

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to resign if I have to come in those times, because it's just part of my job. So that's -- and then or course, you know, anything medical, injuries.

3 MR. TUTIAKOFF: I was going to ask Moses, when are these meetings -- according to our schedule that we had the other day it shows an outline of what our agenda basically is. It shows when we have our meetings, we have to follow this program of federal -- on the Federal Register in order to meet some certain deadlines when we have to have a meeting. Was it February?

7 MR. DIRKS: Yeah, we'll get to that when we get to the time and place of next meeting, and we have a calendar up here where we'll identify which day we want to meet, and from there I have to take it and meet with the other coordinators so that our meetings don't conflict, 'cause we have to sometimes share the biologists and anthropologists. So that's why we want to do that before we dismiss today.

11 MR. TUTIAKOFF: Well, it has to do with being able to attend these meetings and be part of this council, you know, we should know that these times of the year when we do -- are required to meet, that you should be available. I guess we can

14 CHAIRMAN OLSEN: I guess my next question

15 MR. TUTIAKOFF: consider seasonal work and everything, but, you know, just scheduling a meeting or knowing you have a meeting before you schedule this one and then not attending this one to go to other meetings, I don't feel, is excusable. 'Cause you're there representing everybody.

18 MR. CHRISTENSEN: I'd like to put a question out. Since our meetings have been around in February and October, are they going to continue to be in that time frame?

20 MR. DIRKS: I hope so, yeah, because it was earlier last year, and we posted up ahead or back to

21 MR. CHRISTENSEN: That's right, it was in September last year.

23 MR. DIRKS: Yeah, end of September.

24 CHAIRMAN OLSEN: We do have the flexibility to allot ourselves when we don't have much flexibility as to the deadlines of the board meetings, certainly, and that works

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Within our time frame. At this point we might look at it differently, but I think the point that I am at right this time here is absences are starting to mount, and I think we need to, at this meeting here, before we adjourn or go on, is to determine which absences at this time the council feels are excusable and which are not so they can go on record. And I don't mean to say that we need to identify everything at this point, but as I look at the absentees this time and the communications I've had with them, I certainly -- in my own feelings, don't feel that they are justified excused absences by either Herman or David.

7 MR. CHRISTENSEN: Well, maybe as a starting place, as Vincent said, maybe we should just start with the excused absences. That would be easier because there are many, many unexcused absences. So let's just start with the excused and then write those down.

10 MR. TUTIAKOFF: Let each individual justify in his own mind whether he wants to be put in the position of being told he's unexcused. I mean that's like four, right, that I mentioned? Five was seasonal.

12

MR. EVERITT: Well, with our charter as it is right now, we switched it with

14 MR. DIRKS: From three missed to two, yeah.

15 MR. EVERITT: Pardon? But when does that take effect? We're talking about David's missed two meetings and what can we say, you've missed two meetings, you have to find someone to take your place or is he under the rule of three meetings?

17

CHAIRMAN OLSEN: Well, I don't think it's a cut and dried issue. I think once again that depends on how the council responds to it as to whether we wish to request a replacement or not or rule for reappointment. I don't think we have the powers actually to remove him, but only to request a replacement.

20

MR. TUTIAKOFF: We have power to remove.

21

MR. CHRISTENSEN: Well, there's also consideration, too, that he -- that when this meeting was -- when the date of this meeting was set he wasn't there to voice that he couldn't make it at this meeting because of that KANA meeting. Remember we were talking about that? So he wasn't able to voice that he couldn't make it at this meeting because he wasn't at the last meeting.

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1 MR. TUTIAKOFF: He got the minutes and he got the
 notices like three months ago, and he knew this meeting was
 coming up on this date. He should have at least called the
 chairman or told him, no, I'm not going to make it, 'cause he's
 missed two meetings. Missing three is pretty good, you know.

4 CHAIRMAN OLSEN: David did let me know that he wasn't
 going to be at this meeting, and I did certainly question him in
 the meetings. As far as I knew, they were not conflicting as
 far as exact dates. So I don't know how you wish to handle it.
 I hear maybe, yes, instead of discussing unexcused absences,
 but to just address excused absences and if they aren't excused
 then they must be unexcused. Is that an approach I'm hearing?

8 MR. CHRISTENSEN: That's right.

9 CHAIRMAN OLSEN: Well, I certainly can
 MR. CHRISTENSEN: Did Herman say why he wasn't going to
 make it?

11 CHAIRMAN OLSEN: It wasn't clear, and in fact when he
 did tell me he wasn't going to make it, I told him I didn't feel
 it was right -- an excused absence at the time. In fact I did
 try to encourage him to certainly make it, that his personal
 feelings right now should be worked out with the council, and I
 guess he chose not to be here.

14 MR. CHRISTENSEN: Also, should these absences be
 written?

16 CHAIRMAN OLSEN: I don't think I'd be such a stickler
 as to be in writing, but by certainly letting the council know,
 I certainly would feel that whoever the contact person is then
 might want to write it down, pass it on, but usually there's
 enough verbal contact and availability that I don't feel that in
 writing is necessary.

19 MR. CHRISTENSEN: So shall we make up a list and go for
 motion or what's the procedure?

21 CHAIRMAN OLSEN: Well, I think since we're just going
 to address it as on excused absences, I don't know if we want to
 vote as to verbally here, do you accept it as an excused absence
 on the information we have at this time?

23 MR. CHRISTENSEN: On who?

24 CHAIRMAN OLSEN: On both persons that did not make it.
 I guess we need to take them one at a time. Does the council

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See any justification to excuse Herman Squartsoff?

2 MR. CHRISTENSEN: Well, I don't even -- I've never
heard the excuse. So I

3

CHAIRMAN OLSEN: I really haven't either. He was upset
with some process and I tried to encourage him to be here to
work it out. Moses.

5

MR. DIRKS: I called Herman up and told him the meeting
was coming up and all his tickets and stuff were in. I called
back a couple of days when I was calling to check, see if you
guys were coming in, and he told me that he just got on a job
and hadn't been working most of the year, and that was his
excuse or not, you know, being able to make the meeting.

9 MR. EVERITT: But did he say to you he was dissatisfied
with some process of the committee?

10

CHAIRMAN OLSEN: Not of the committee itself. And it
had to do with the process of paperwork given to reimbursement,
and, you know, I certainly did understand the frustration, but
did not warrant that as an I don't blame you situation.

13 MR. EVERITT: I wouldn't call that an excused absence
then. If he had a problem with getting his money back from his
last trip or whatever, he's got to step beyond that if he's
going to be on this board.

15

CHAIRMAN OLSEN: I guess then we have a duty here to
make, whether it's pleasant or not, I think the best way to do
it -- would you want me to go down person to person on a vote or
shall we just use this as unanimous or -- I don't know, what is
the feeling of the council?

18

MR. TUTIAKOFF: I request unanimous consent rather than
a vote. We agree if one doesn't by unanimous consent, then we
don't agree, he's got an excuse. But

20

CHAIRMAN OLSEN: Then do I hear unanimous consent for
excused absence on Herman?

22 MR. CHRISTENSEN: Well, before we do that, I'd just
like to mention that when we were talking about like on fishing,
now that's also a job, too, but then by the same token, in
February I am going to be working, but I'm going to be able to
stop working for those few days because that's not my major --
that's not the main source of my income, whereas fishing is.
That's why I like to work these meetings around the fishing

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game.

2 CHAIRMAN OLSEN: I certainly think that -- I don't know, I should make it clear, I don't think it's any concern as we all are basically familiar with the fishing industry, Randy, at this time I have not any thoughts about it, it's all been yes when somebody is on the job and not available. Certainly it needs to be an excused absence, but should it be abused would be another situation that might have to be taken into consideration.

6

MR. CHRISTENSEN: Tom works just about year round, don't you?

8 MR. EVERITT: Yes, but when we all applied to be on this council one of the stipulations were that we could be free to come to these meetings, and I think as far as what you're saying, we all know that the summertime none of us really want to come and have a meeting, that we have one in October when it's over and another one in February. So -- and if any of us have a problem and we know it, we can always call and say, you know, such and such a date, can we move the meeting a week? He could have done that. We could have adjusted the date of this meeting. And so I just don't think there's any excuse that if we're going to have a board, we need the people here, and if they're not going to be here, we need other people on it so we can continue with the committee here -- or the council.

15 CHAIRMAN OLSEN: Yeah, when we look at how far apart we all are spread and the weather involvements and the -- really the logistics of being involved and even able to meet like this, it doesn't take many absences to not have a quorum to start not being effective. Once again, I'm open for suggestions, how should we handle this. So once again I will ask.

18

MR. CHRISTENSEN: Unanimous.

19

CHAIRMAN OLSEN: Do we have a unanimous decision on the excused absence of Herman?

21 MR. TUTIAKOFF: Herman has missed one meeting; this will be his first meeting?

22

MR. EVERITT: Correct.

23

CHAIRMAN OLSEN: Correct.

24

MR. EVERITT: We're saying that Herman's unexcused, correct, with this? We did that. Now it's David.

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- 1 MR. TUTIAKOFF: Okay. Then David has missed one,
right?
- 3 MR. EVERITT: Two.
- 4 MR. TUTIAKOFF: He missed two.
- 5 MR. CHRISTENSEN: No, no, another thing is is this
consecutive or can you miss one now and maybe miss one like
maybe three years later?
- 7 MR. TUTIAKOFF: Consecutive is the way -- it's assumed
to be consecutive; missing two meetings in a row.
- 8 CHAIRMAN OLSEN: Yeah, and I look at it as an option,
it's an option to the council, is it not, it's not mandatory
that the person be replaced?
- 10 MR. TUTIAKOFF: It's puts the burden, you know, on the
rest of the members when
- 12 MR. CHRISTENSEN: No, but you lose track of what's
going on.
- 13 MR. TUTIAKOFF: Yes. We have to second-guess his
decision on the next meeting, you know. Well, he may object to
it. Well, too bad.
- 15 MR. EVERITT: Mr. Chairman, if it came down to asking
somebody to be replaced how long would it be before we had a
replacement? It may be a year from now, correct?
- 17 MR. DIRKS: Or what they normally do is that they look
at the -- when they appoint the new members, they have
alternates, and those names have to be submitted, but it depends
on how long it takes the Secretary to sign off on these people.
Then it could depend on that.
- 20 MR. TUTIAKOFF: Why doesn't the council have authority
to bring in the alternate choice?
- 22 MR. DIRKS: Because the council is not
- 23 MR. TUTIAKOFF: It's not real?
- 24 MR. DIRKS: It's not the one that appoints the council
members; it's the Secretary. I know we've had a long day.
- 25

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1 MR. EVERITT: Well, if you read our charter it says if
the council member appointed on paragraph 9 misses two
consecutive, regularly scheduled meetings, the chair of the
Federal Subsistence Board may recommend that the Secretary of
Interior, with concurrence of the Secretary of Agriculture,
remove that individual. It looks like we can't remove him.

4

CHAIRMAN OLSEN: Right.

5

MR. TUTIAKOFF: That's what I meant.

6

CHAIRMAN OLSEN: Exactly, we don't appoint them and we
cannot remove them.

8

MR. DIRKS: Recommendation, yeah.

9

CHAIRMAN OLSEN: But by recommendation only.

10 MR. CHRISTENSEN: But can we decide whether they're
excused or not excused?

11

CHAIRMAN OLSEN: Yes, that's our duty, I feel.\

12

MR. TUTIAKOFF: I'd go with not excused.

13

MR. CHRISTENSEN: Not excused.

14

MR. CHRISTENSEN: Not excused.

15

CHAIRMAN OLSEN: Not excused. I think that's the first
trip we've had to go through that, but I think it needs to be
monitored here as we go, and I guess we'll find out who is
dedicated to this issue and who is not. I certainly don't mean
to judge other people, but we have to have some

18

MR. TUTIAKOFF: There might be some other people who
are willing to sit here and take all the abuse.

20 MR. EVERITT: Thank you. You know, I don't want to go
after one person personally, but if we don't do it right with
the first one, then we can't -- we won't have it proper down the
road for the next member, and I think we have a precedence set.
We need to go by the book. He's missed two, now we have to

.....

23

CHAIRMAN OLSEN: Yes, and I

24

MR. EVERITT: go by the steps.

25

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1 CHAIRMAN OLSEN: I know he was -- I don't know what the
first dismissal was, it was never discussed as to whether it was
excused or unexcused. So I think at this time he's still afloat
myself. But here again we do need to record these so we're not
saying, well, I think so and so was excused. No, it does need
to be documented.

4

MS. SHELLIKOFF: Also I think we need to send a message
to the people that, you know, when you sign up for this board
that you take your responsibilities serious, you don't just sign
up and just go to a meeting whenever you feel like it.

7 MR. EVERITT: Maybe, Mark, it doesn't sound like we're
going to ask to have him removed. Maybe if you -- an
alternative is that you could talk to him and say, you know, the
board wants to know, we're ready to ask for removal of you. Why
don't you be right up straight with me, are you going to come or
do we get somebody else. Maybe he'll say I don't want to be
here any more.

11 CHAIRMAN OLSEN: Yeah, I do have a pretty close tie
with the freight company, and Akhiok to which he represents, and
I do touch base with him at least weekly, and here lately we've
got a project going. So I will be in touch, and I will try to
feel his -- where he's at on the issue.

14 Well, almost comes to a point of adjournment, but I
think here we have to address where -- what, where and when.

15

MR. CHRISTENSEN: What happened with Dave Eluska?

16

CHAIRMAN OLSEN: Oh, excuse me. I think we kind of
went around and I didn't -- it was kind of unanimous to be
unexcused at this point.

18

MR. DIRKS: For David? So that will be two?

19

CHAIRMAN OLSEN: That's two. He missed two but I don't
think we ever did

21 MR. CHRISTENSEN: That wasn't decided, but this should
probably be his first one.

22

CHAIRMAN OLSEN: First unexcused, yes.

23

MR. EVERITT: He told us when we were at the last
meeting the reason he wasn't here was 'cause he just didn't make
the airplane. Well, there were other planes. He said he was at
the Anchorage terminal -- I mean at the Kodiak Airport, and they

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didn't have his tickets. Well, he could have called. He could have got here three hours later. I don't consider that an excused absence.

3 CHAIRMAN OLSEN: Just for your information, Tom, I went to the airport twice to pick up my ticket and I couldn't get a ticket either time, and it was nearing the late evening, and my next flight out was not going to arrive in Anchorage till after midnight, and at that point I felt I at least needed the courtesy to call Moses and say, Moses, I've made two attempts at driving to the airport to get a ticket, they claim I do not have one to travel on, if I can't have one I'm just not going to be able to make it tonight.

8 MR. EVERITT: Okay, but you got here.

9 CHAIRMAN OLSEN: Yes, I did. Moses did take the time to go to his office and to call the airlines and then turn around and call me back, to which then I made my third trip to the airport before getting my ticket to be confirmed. So it's not a pleasant to -- issue to deal with, but I felt I gave it my best shot, and it did happen. So

12

MR. EVERITT: Then we'll just leave it to you to talk to him and we'll handle it next time if it happens.\

14 CHAIRMAN OLSEN: Okay, that brings us to where would we like to meet next?

15

MR. EVERITT: As of yesterday morning the discussion, when we were in closed session I brought up that we need to be where people can come and comment to us, and that's either we held it in Kodiak, and we also need a meeting on the Aleutian Chain for those people that they can come to. And I know we discussed expense and going down the Aleutian Chain for a meeting. But I would like us to be in our areas for our meetings.

20 MR. DIRKS: Can I make a comment? I think it's critical to have these February meetings out in the communities where they have subsistence use because this is the time we try to elicit some proposals to change the Subpart D Regulations. So I think it's critical to keep that in mind for future meetings.

23

CHAIRMAN OLSEN: At this time I'm certainly open to any suggestions as to where you would like to have our next meeting. I guess it's already decided, February.

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1 MR. DIRKS: Yeah, if you look up here we have a window
that begins on January 30 and then ends March 3, so whatever you
people decide.

3 CHAIRMAN OLSEN: I certainly would take into
consideration that's one of our worst times of the year as far
as weather goes and I would certainly like to consider maybe
where we -- if we're thinking of going to the villages, it
certainly is a consideration. At that time of the year do we
set a different time and what happens should we all not be able
to make it?

7 MR. EVERITT: How about Kodiak the 15th and 16th of
February?

8 MR. STOVALL: That's ComFish immediately after that in
Kodiak.

10 MR. EVERITT: When is ComFish?

11 MR. STOVALL: I think it's the 17th.

12 CHAIRMAN OLSEN: Isn't that in March though -- ComFish
is normally in March.

13 MR. STOVALL: (Indiscernible - away from microphone)

14 MR. TUTIAKOFF: When is the 15th, is that a Wednesday?

15 MR. CHRISTENSEN: Looks like it.

16 MR. DIRKS: Yeah, that's a Wednesday.

17 CHAIRMAN OLSEN: However, on the other hand, I think it
wouldn't hurt to look at say a village or outside community, if
you wish, and if the weather doesn't look like it's going to be
compatible, then it can be held right in Kodiak.

20 MR. CHRISTENSEN: The only suggestion I might have is
that -- well, how many days is this next meeting supposed to be?
21

MR. DIRKS: Well, councils are meeting for three days,
but two days have been pretty sufficient.

23 MR. CHRISTENSEN: The only suggestion I might have is
that maybe either have it up until the end of the week or else
starting the first of the week rather than the middle of the
week, because if a person is working, it's easier to -- rather
than say work on a Monday, you know, after all weekend go to

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work on a Monday and then have to go to a meeting, then come back and try and make your Friday workday, and then go through the weekend again.

3 MR. EVERITT: 16th and 17th then.

4 MR. CHRISTENSEN: So that, you know, have it either towards the -- you know, so it will fit into the week ending or starting. That's the only suggestion I might make. I'm open to any day of the month.

6 CHAIRMAN OLSEN: That makes too much common sense, Randy.

8 MR. EVERITT: How about the 16th and 17th of February in Kodiak?

9 CHAIRMAN OLSEN: 16th and 17th, is that a Thursday and Friday?

11 MR. TUTIAKOFF: In order to get people that we want to testify I know -- what's the reasoning -- or should we look at a Saturday so people that are working, have jobs, can't make it to these meetings, can make it at least one day? You know, the weekend everybody if off

14 MR. EVERITT: Federal employees, do they work on Saturday?

15 MR. DIRKS: I do sometimes.

16 MR. TUTIAKOFF: I don't know.

17 MR. EVERITT: Overtime.

18 MR. TUTIAKOFF: Yeah, it's over-time. I've got to watch that. Is there over-time up there? No?

20 MR. BRELSFORD: I think, generally speaking, Dick Marshall was asked this question at the Bristol Bay meeting in Naknek one time, and his answer was that we work for you guys. If the weekend is the most appropriate time for a meeting, then we'll do it, period. There are some personnel policies that allow for comp time and so on. That isn't your worry, that's for us. I think it's clear it's not a preference, but if that's what it takes to do a good job, that's what we're here for.

25 CHAIRMAN OLSEN: What about then if we're coming on a

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Thursday and a Friday, if we have so much community input that might deem that we carry over to a Saturday then. That would -- I don't know if that's the cure to the working

3 MR. TUTIAKOFF: The last meeting in Kodiak, for example, we had some people come to the meeting during lunch hour complaining that they couldn't come in and testify because they were working, and so they had to leave written testimony and leave. I mean we didn't really seem to accomplish that our mission there was to get the people to come and sit down, listen, go through the process with us and maybe even comment, give us some input.

7

MR. EVERITT: Well, let's have a comment time in the evening. Start the meetings on the 16th, maybe at noon, and then so we have an evening meeting. You know, we start at noon, we go to five o'clock and then we come back for seven -- at seven o'clock and we have a public comment time where people can come in the evening.

11 MR. WILLIS: Excuse me. Didn't we have a night session at the last meeting and public comment?

12

MR. TUTIAKOFF: Yeah, we did have one. That was one of the reasons we had a night session was 'cause people were not being able to make the session. I think we had two people?

14

MR. WILLIS: Yeah, there were not many, as I recall.

15

MR. TUTIAKOFF: I think we were there 15 minutes, 20 minutes. But whatever. I'm just trying to make it reasonable, you know.

17

MR. CHRISTENSEN: I would just like to say that maybe we could have one weekend day, you know, for people who do want to -- and leave time open for public comment or whatever.

19

MR. TUTIAKOFF: There's no travel problem as far as that goes. You know, we can get into Anchorage on Sunday and there's flights -- at least back to where I live.

21

MR. CHRISTENSEN: The only reason I don't like night sessions is that in the KAC Board, I go to Kodiak and I sit around all day long from Larsen Bay, you know, get up in the morning, jump on the plane and I sit around all day long, go to the meeting at seven o'clock and sometimes they run till about two o'clock in the morning. And by that time I'm just beat and I'm just laying around all day. And basically I'm one of the oily ones -- well, me and the other people from the villages.

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And the reason they're night sessions is because most of the people on the board work daytime, but I just lay around. So personally I don't like night sessions, just for that reason. But I'm open to whatever, I guess.

3

CHAIRMAN OLSEN: We could be very political about it, have our meetings on Thursday and Friday and have public comment on Saturday.

5

MR. CHRISTENSEN: Well, as long as we finish by the time I'm done here.

7

MR. DIRKS: So you have the 16th and 17th; is that

.....

8

MR. EVERITT: That's a Thursday and a Friday, not unless you wanted it on a Saturday.

10 MR. DIRKS: In Kodiak?

11 MR. EVERITT: Yes. Do you want it on a Saturday?

12 CHAIRMAN OLSEN: That I am flexible myself. That's supposed to be one of my days off, but I haven't had one of those off in so long it doesn't matter.

14 MR. CHRISTENSEN: So we're looking at noon to the evening session, is that what we're doing?

15

MR. EVERITT: We can do that one night or one day.

16

MR. TUTIAKOFF: For one day, maybe the first day like you say.

18 MR. CHRISTENSEN: And then possibly end on a Saturday?

19 MR. TUTIAKOFF: If we have that overflow. If we don't get done by Friday.

20

MR. WILLIS: Mark.

21

CHAIRMAN OLSEN: Yes.

22

MR. WILLIS: Did we advertise that evening session last time or was that something we decided to do when we were there?

24 MR. TUTIAKOFF: It was advertised on the radio.

25 CHAIRMAN OLSEN: I really don't remember the

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advertisement as really standing out there shining anywhere on it as we were just always -- you know, we were basically -- nobody knew what was going to happen, what to expect or -- at least I wasn't. But I certainly thing that at this point it would be a good measuring tool for us to see what kind of participation we get.

4

MR. TUTIAKOFF: Mr. Chairman, I'd like to move that our meeting be for February 16 and 17, and the 16ths start at noon and carry over into the evening session, starting at 7:00, and Friday session start at nine o'clock a.m.

7

MR. EVERITT: I second it.

8

CHAIRMAN OLSEN: It's moved and seconded. Any discussion.

9

MR. EVERITT: Question.

10

CHAIRMAN OLSEN: Question's been called.

11

MR. CHRISTENSEN: Well, before the question, one thing I'd like to mention, too, is that

13

CHAIRMAN OLSEN: Question has been called

14

MR. CHRISTENSEN: noon is okay. A lot of us could come in on that morning flight, you know, possibly.

15

MR. TUTIAKOFF: You could come in?

16

MR. CHRISTENSEN: Well, a lot of us -- you know, they fly a lot of morning flights, so a lot of the people from Kodiak can fly in that morning, you know, and then make the noon meeting.

19

MR. TUTIAKOFF: So you're not arguing against it?

20

MR. CHRISTENSEN: No. No, not at all. In fact I think that's a good idea.

21

MR. TUTIAKOFF: Who is going to be in charge of advertising this evening session so we have bodies? Moses?

23

MR. DIRKS: Yeah, we could

24

CHAIRMAN OLSEN: I'll check into it and I'll give you some

25

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1 MR. TUTIAKOFF: In the newspapers, whatever.

2 CHAIRMAN OLSEN: information back as to what's --
you know, contacts to make to make sure that -- but I think we
can both have it in the local newspaper and on the radio, since
a lot of our villages do not get, you know, the local newspaper.

4

MR. TUTIAKOFF: Question.

5

CHAIRMAN OLSEN: Question's been called. All those in
favor of February 16 and 17, at Kodiak, say aye.

7 IN UNISON: Aye.

8 CHAIRMAN OLSEN: Those opposed?

9 (No opposing responses)

10 CHAIRMAN OLSEN: Our meeting shall be in Kodiak on
February 16 and 17. Does anybody else have anything to say
prior to motion for adjournment? It certainly is open for last
minute comments. Moses.

12

MR. DIRKS: I have one. I forgot to mention that when
Robert was talking about the development of proposals, we did
the one for Kodiak, the Designated Hunter one, we refined it,
and the council also has the opportunity at this time to, if you
want to submit proposals, to do it now. But as individuals,
when you get back, could also do that until the deadline, which
is November 11. Okay, I just wanted to make sure that you guys
know that and it's clear to you.

17 CHAIRMAN OLSEN: Right, and I have passed a few this
year, as I can recall here being on this council. It certainly
has been an education as to our process and our authority, and
rules and regulations as to our existence, I think, today here
has been probably been one of our better meetings, and hope that
they can only continue to be successful. I certainly appreciate
all the staff from all the entities involved here to be here and
also sit through these days of boredom that we have to get
through to get an accomplishment done. I certainly do
appreciate that very much, and I certainly look forward to the
future meetings to hopefully get better. So, Robert, I see your
hand up.

23

MR. STOVALL: I'm glad I've had an opportunity to
participate also. I just wanted to say that there's a
possibility with the way teleconferencing is going on now that
you could have a public comment period and have some type of

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teleconferencing system plugged into it where people can call 1-800 or a number and actually add their comments from a telephone. And with a 1-800 number you can get comments from the Aleutians to Kodiak, and vice-versa, and you can get those comments into your public meeting as part of the record.

4 CHAIRMAN OLSEN: I think that's a hell of a good idea. I think we can find a place in Kodiak where we can have it set up and will be able to put in teleconferencing with our meeting even, maybe on that public comment date meeting. That certainly is a very good idea. I support it.

7 Hearing no other comments, I would entertain a motion to adjourn.

8 MR. EVERITT: I move to adjourn this meeting.

9 MR. TUTIAKOFF: I second.

10 CHAIRMAN OLSEN: Moved and seconded. Have we got some discussion here?

12 MR. EVERITT: Question.

13 CHAIRMAN OLSEN: Question's being called. All those in favor.....

14 IN UNISON: Aye.

15 CHAIRMAN OLSEN: respond by saying yes.

16 IN UNISON: Yes.

17 CHAIRMAN OLSEN: Those opposed?

18 (No opposing responses)

19 CHAIRMAN OLSEN: Adjourned at 4:02. Thank you.

20 (Off record)

21 * * * * *
22 (END OF PROCEEDINGS)
23 * * * * *

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1 commencing at the hour of 9:00 o'clock a.m., at the Regal
2 Alaskan Hotel, at Anchorage, Alaska;

3 THAT this Transcript, as heretofore annexed, is a true
4 and correct transcription of the proceedings, recorded by me and
5 thereafter transcribed by me.

6 IN WITNESS WHEREOF, I have hereunto set my hand and
7 affixed my seal this 17th day of October 1994.

8

9

Notary in and for Alaska
My commission expires: 10/20/94

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