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1 KODIAK/ALEUTIANS FEDERAL SUBSISTENCE
2 REGIONAL ADVISORY COUNCIL MEETING

3
4 Hawthorne Suites
5 Anchorage, Alaska
6 March 21, 2000
7 9:00 o'clock a.m.
8
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10 COUNCIL MEMBERS PRESENT:

11
12 Vincent M. Tutiakoff, Chairman
13 Joe Allen
14 Alfred B. Cratty, Jr.
15 John A. Foster
16 Paul Gunderson
17 Ivan D. Lukin
18 Mark E. Olsen
19 Gilda M. Shellikoff
20 Pete M. Squartsoff
21 Michael E. Swetzof
22 Della Trumble
23
24
25 Clifford Edenshaw, Regional Coordinator

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P R O C E E D I N G S

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4 CHAIRMAN TUTIAKOFF: Call to order. We'll
5 have our role call.

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MS. TRUMBLE: Vincent Tutiakoff.

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CHAIRMAN TUTIAKOFF: Here.

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MS. TRUMBLE: Al Cratty.

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MR. CRATTY: Here.

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MS. TRUMBLE: John Foster.

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MR. FOSTER: Here.

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MS. TRUMBLE: Gilda Shellikoff.

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CHAIRMAN TUTIAKOFF: She's here.

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MS. TRUMBLE: Paul Gunderson.

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MR. GUNDERSON: Here.

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MS. TRUMBLE: Pete Squartsoff.

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29

MR. SQUARTSOFF: Here.

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MS. TRUMBLE: Joe Allen.

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33

MR. ALLEN: Here.

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35

MS. TRUMBLE: Ivan Lukin.

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37

MR. LUKIN: Here.

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40 MS. TRUMBLE: Mike Swetzof. Mark Olsen. And
41 myself, I'm here.

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43

44 CHAIRMAN TUTIAKOFF: For the record, Mike and
45 Gilda are in the building, so I know they're here somewhere.
46 Do we have a quorum?

47
48

MS. TRUMBLE: Yes.

49
50

51 CHAIRMAN TUTIAKOFF: A quorum's been
52 established. I'd like to welcome all the agency
53 representatives and guests. At this time I'd like the guests

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1 to announce themselves and what agency they're with. We'll
2 start from over here.

3

4 MR. CAMPBELL: My name is Rod Campbell from
5 Fish and Game out of Kodiak.

6

7 MS. ZIEMBA: My name is Linda Ziemba. I'm
8 with Izembek National Wildlife Refuge.

9

10 MR. POETTER: Rick Poetter. Refuge Manager,
11 Izembek National Wildlife Refuge.

12

13 MR. FISHER: Dave Fisher. Office of
14 Subsistence here in Anchorage, Fish and Wildlife Service.

15

16 MS. HILDEBRAND: Ida Hildebrand, BIA Staff
17 Committee member.

18

19 MR. LARSON: Jim Larson. I'm the project
20 leader at the King Salmon Fishery Resource Office.

21

22 CHAIRMAN TUTIAKOFF: Any additions to the
23 agenda at this time and/or adoption of the agenda. It came
24 to my attention just as we were getting started that we would
25 like to address the tri-RAC agreement regarding marine
26 intercept. That resolution has no number, at least, on its
27 front. Maybe they didn't want it to be legal. But it does
28 affect the Kodiak/Aleutians, in that, it's asking that the
29 appropriate Federal agency halt the marine intercept
30 commercial fishing for a period that would allow a
31 significant number of salmon to escape in both rivers and a
32 study and impact of that cessation on the Yukon and
33 Kuskokwim. And it's signed by Charles Miller, Eastern
34 Interior; Ronald Sam, Western Interior; and Harry Wilde of
35 Yukon-Delta. In our prior meeting we asked that -- and also
36 at the fisheries Chair meeting, we asked that the
37 Kodiak/Aleutians be involved in any kind of resolutions which
38 affect the Kodiak/Aleutians region and I'd like to add this
39 to our agenda primarily for a response to the Chairs of those
40 RACs and also to adopt a resolution which I will ask Della
41 and the vice Chair to put together here before our meeting
42 adjourns, this session, and we can put it under 10C.

43

44 Any other additions? I don't know what to call this
45 resolution other than the intercept resolution since it has
46 no number. Maybe I could ask Cliff if there's -- where we
47 could put in the King Cove issue on the road since it's going
48 through Izembek. That's become a topic of discussion with
49 the Wilderness Society; if we can discuss that issue, the
50 King Cove Road through the Izembek.

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1 MR. EDENSHAW: Mr. Chair, you could include
2 that under number 11, addition of other new business for
3 discussion.

4
5 CHAIRMAN TUTIAKOFF: Okay, that's where we'll
6 put it. Any more additions or changes to the agenda?

7
8 MR. EDENSHAW: Mr. Chair.

9
10 CHAIRMAN TUTIAKOFF: Yes.

11
12 MR. EDENSHAW: If I could just -- if you look
13 under 9, agency reports, under the Kodiak Island Refuge or
14 not Kodiak -- ADF&G, Larry Van Daele is not here but my
15 understanding is that Steve Machida, supervisor for the
16 region is to be in attendance today so you can just -- under
17 C, understanding that Larry won't be here but he did send in
18 a report to me which I've included under Tab.....

19
20 CHAIRMAN TUTIAKOFF: P.

21
22 MR. EDENSHAW: Tab.....

23
24 CHAIRMAN TUTIAKOFF: P.

25
26 MR. EDENSHAW:P, a report that he faxed
27 into me for inclusion into the booklets.

28
29 CHAIRMAN TUTIAKOFF: So he will not be here?

30
31 MR. EDENSHAW: That's correct, he will not be
32 here.

33
34 CHAIRMAN TUTIAKOFF: Okay. Any more changes
35 or comments, Board members.

36
37 MS. TRUMBLE: Vince, when I talked to Rachel
38 last time she mentioned she wasn't going to be working with
39 the agency anymore what she had been doing in the past, is
40 somebody going to be picking that up, do we know? The
41 customary and traditional.

42
43 MS. H. ARMSTRONG: I'm Helen Armstrong. I'm
44 sitting in for Rachel temporarily. We are in the process of
45 hiring some new anthropologist to fill her position but we've
46 reorganized as well because of expanding because of
47 fisheries. So the person who will be working with
48 Kodiak/Aleutians is already on staff with us, it's Patricia
49 McClellahan. However, Pat is on leave for this year working
50 on her dissertation so she wasn't able to be here for today

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1 but she will be here at the next meeting. And she's got a
2 lot of experience in the Aleutians and she's really excited
3 about working with this Council.

4
5 MS. TRUMBLE: Okay. That answered it I
6 guess.

7
8 CHAIRMAN TUTIAKOFF: Then we'll find out how
9 that goes, I guess, as we move along here.

10
11 MR. EDENSHAW: Mr. Chair, you know, just to
12 go through the agenda a little bit for the Council and for
13 those here. If you look under agency reports under Number 9,
14 customary trade, Helen Armstrong here, she just spoke, she's
15 going to give a brief update on that. And then Tim Jennings
16 is supposed to be here this morning, as you heard, Ida is
17 here and Tom Boyd said that he'd be here this morning or he
18 had a meeting with Dave Allen, the regional director here and
19 he sent me a message yesterday. And then under migratory
20 birds, my understanding, I spoke with Bob Stevens last week
21 or earlier this week and he said that the regional director
22 had made a recommendation on the migratory birds and under
23 Tab T, that was just for informational and I know that Butch
24 had been -- had wanted to get involved at some of these
25 meetings and stuff and there had just been some
26 miscommunication and -- I think he got weathered in -- is
27 that right, you got weathered in one time when he was going
28 to come in for the migratory bird meeting here in town.

29
30 MR. GUNDERSON: Yeah.

31
32 MR. EDENSHAW: Under H, defer regulations
33 that was something that was sent to all the 10 Regional
34 Councils and that's under Tab U, that's for informational.

35
36 CHAIRMAN TUTIAKOFF: Okay. If there's no
37 more changes or additions to the agenda, I would ask for a
38 motion to adopt with the reserve that the Chair will have the
39 ability to add and delete the agenda as we move through the
40 session.

41
42 MR. SQUARTSOFF: So moved.

43
44 CHAIRMAN TUTIAKOFF: It's been moved, is
45 there a second.

46
47 MR. GUNDERSON: I'll second it.

48
49 MS. TRUMBLE: Second.

50

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1 CHAIRMAN TUTIAKOFF: Seconded. All in favor
2 say aye.

3
4 IN UNISON: Aye.

5
6 CHAIRMAN TUTIAKOFF: Opposed.

7
8 (No opposing votes)

9
10 CHAIRMAN TUTIAKOFF: Motion carries.
11 Adoption of the minutes of 28 September, the meeting in King
12 Cove, it's under Tab L. I would like to say that since that
13 meeting in King Cove we've had a lot of intercommunication
14 between Staff and/or Cliff Edenshaw regarding the meeting at
15 King Cove, and then I've had contact by Mark Olsen regarding
16 that issue, primarily it was whether he was going to be on
17 the telephone, on the teleconference. It seems unfortunate
18 that we had to go through that process since the individual
19 involved was at the time, sick, and also had made it clear to
20 Clifford that he would not be available. I don't know where
21 this is headed because we did have subsequent discussions
22 after in regards to Cliff and also to the meeting that was
23 held in January on the fishery issues. At some point in time
24 I'd like to resolve that issue with the Board here. I know
25 there's some strong feelings that may be brought forward
26 regarding that action. I'd just like to get it resolved at
27 this meeting and move on. We have important issues that need
28 to be addressed and having Staff cloud the issue with various
29 accusations to their own Staff, we need to move on and maybe
30 address this issue now.

31
32 But with that aside, are there any changes to the
33 minutes of March 28th? Not hearing no changes or amendments,
34 I'd ask for a motion to adopt September 28th and 29th.

35
36 MR. GUNDERSON: I so move.

37
38 CHAIRMAN TUTIAKOFF: It's been moved.

39
40 MS. TRUMBLE: Second.

41
42 CHAIRMAN TUTIAKOFF: Second. All those in
43 favor say aye.

44
45 IN UNISON: Aye.

46
47 CHAIRMAN TUTIAKOFF: Opposed.

48
49 (No opposing votes)

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1 CHAIRMAN TUTIAKOFF: Motion carries. The
2 minutes of September 28th and 29th at King Cove have been
3 adopted.

4
5 In regards to -- Cliff, we will at some point during
6 this session ask administratively -- we'll have to look at
7 our charter, how we deal with this issue during a break.

8
9 The floor is now open for public comments for the
10 Federal Subsistence Program. Are there any public comments
11 at this time, we have two new members or the public, we ask
12 that they state their name and agency.

13
14 MR. CRATTY: There's three.

15
16 CHAIRMAN TUTIAKOFF: Those that haven't been
17 introduced.

18
19 MR. JENNINGS: Good morning. I'm Tim
20 Jennings. I'm with the Office of Subsistence Management here
21 in Anchorage. I'm the supervisor of the teams that support
22 all the Councils.

23
24 CHAIRMAN TUTIAKOFF: Okay, thanks.

25
26 MR. JENNINGS: Good morning.

27
28 CHAIRMAN TUTIAKOFF: Good morning.

29
30 MR. FALL: I'm Jim Fall. I'm with the
31 Division of Subsistence Fish and Game here in Anchorage.

32
33 CHAIRMAN TUTIAKOFF: Good morning. Anybody
34 else. Okay, if there's no public comment, at this time we'll
35 close the public comment period. Before I move on, hesitant,
36 has anyone heard from Mark before we move on to another
37 letter writing campaign, anybody heard from Mark?

38
39 MR. CRATTY: I talked to my wife last night
40 and he was coming in this morning.

41
42 CHAIRMAN TUTIAKOFF: What time does that
43 flight usually get here, 8:00?

44
45 MR. CRATTY: Probably 9:00 or 10:00 o'clock
46 flight.

47
48 CHAIRMAN TUTIAKOFF: What's the feeling of
49 the Board at this time, do you want to continue with the
50 agenda and move on to the proposals. I know Mark had some

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1 strong feelings about some of these proposals that are being
2 presented. I don't want to have his ability to comment, if
3 he shows up late, that's okay, he can address each item that
4 way we can move on. When he gets here he can address them
5 and get them on the record anyway, okay? Is that all right.

6
7 MR. CRATTY: Okay.

8
9 CHAIRMAN TUTIAKOFF: Okay, we'll move on.
10 Proposal review and Regional Council recommendations under
11 Tab M, the first one is draft analysis from Staff.

12
13 MS. H. ARMSTRONG: Thank you, Mr. Chair. My
14 name is Helen Armstrong and I'm sitting in for Pat
15 McClellahan. I do want to say that Rachel did work with me
16 on these proposals so her mark is in them. She was great
17 before she left, we worked on them so it wasn't just me
18 working on them. I have worked for subsistence since the
19 time and memorial, since the program began but I haven't
20 worked in this region so her help was much appreciated. My
21 regions have all been up north.

22
23 Proposal 28 under Tab M. The analysis starts on Page
24 5. It was submitted by this Council and asked the Akutan
25 residents be added to those with a positive customary and
26 traditional use determination for caribou in Units 9(D) and
27 10, Unimak Island.

28
29 Currently there is a positive C&T for caribou in 9(D)
30 for residents of Unit 9(D) and residents of False Pass. In
31 Unit 10, Unimak Island, there is a positive C&T for residents
32 of False Pass, King Cove and Sand Point. Proposal 28 was
33 submitted with the explanation that when the C&T
34 determinations were done previously that Akutan was
35 inadvertently left out and the C&T determinations for caribou
36 for the Southern Alaska Peninsula Caribou herd.

37
38 The most recent C&T determinations for Unit 10 were
39 made, you probably recall in 1998 on Proposal 44 and it
40 requested a positive C&T for Unimak Island for the portion of
41 Unit 10 for residents of Cold Bay, King Cove, Sand Point and
42 Nelson Lagoon. The most recent C&T determinations for Unit
43 9(D) were made when False Pass was added to the group of
44 communities with C&T for caribou.

45
46 As you all, I'm sure, are very aware, Akutan is an
47 island 40 miles southwest of Unimak Island. It was
48 established as a fur storage and trading port. It does have
49 a large transient community but the studies that have been
50 done in Akutan were done on the percentage of the households

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1 that lived there permanently. There was a -- during World
2 War II, the Akutan residents leave the island and then later
3 came back. And for that reason there is a little bit of
4 question about what may have been happening there before
5 World War II, we aren't totally certain. There was a study
6 in 1990 by the Alaska Department of Fish and Game on Akutan
7 and 28 percent of the households participating in this survey
8 reported no harvest of caribou at all. They did have a
9 report using it but they didn't report harvesting it. In
10 addition to that study, there was one done in 1955 that also
11 indicated no caribou hunting and a low importance of any land
12 mammal. And what happens -- and Jim Fall is here this
13 morning from ADF&G and he helped on this project if you have
14 specific questions to him I think he could answer those. But
15 what happens is they go in and they talk to people in the
16 community about what animals they harvest and then they'll
17 develop their survey on the basis of that and they didn't
18 find any indication that people were harvesting caribou. So
19 because of that we don't have any information from that study
20 about harvesting caribou. As a result there's no information
21 on the specific seasons harvested, that the eight criteria we
22 have to go through to get a positive C&T determination, there
23 wasn't any information on methods and means or on areas of
24 harvest or on handling and preparing or on how the uses are
25 handed down from generation to generation.

26
27 So as a result, we tried to do some calling around
28 and finding out if there was any indication, whatsoever, we
29 could find somebody who has some history of taking caribou
30 and Rachel called a number of people. She got names from
31 Melvin Smith. She did, finally, and this was after this had
32 been written but I wanted to present it today to you as a
33 part of the record, she did talk to Jacob Stepetin, I'm not
34 sure how you say his name, S-T-E-P-E-T-I-N, and he said that
35 his brother Pete, also who goes by the name of Snake, has
36 hunted caribou on Unimak Island. He used to send caribou
37 meat home all the time. He did it as a part of his
38 commercial fishing which is what Rachel sort of theorizes is,
39 if anybody's doing it it's when they're commercial fishing
40 and they go and take caribou.

41
42 There is also, Rachel thinks that there may be some
43 cases where people who used to live in Akutan, who maybe live
44 now in False Pass who maybe take caribou and are sending it
45 home and that one of the -- we weren't sure even what the
46 exact reason was why people wanted Akutan to be part of -- to
47 have positive C&T but felt that it may be when people are
48 visiting relatives or friends in False Pass and they go
49 hunting with them that maybe there was something like that.

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1 In any case, we couldn't find any indication in the
2 literature. We have this one person we know of who may hunt
3 caribou on Unimak Island. And so what I wanted to get from
4 the Council today is if you have any other input that you
5 could give us because right now we don't have very much
6 indication. So right now the Staff recommendation is,
7 without your input, is not to support the proposal.

8
9 With that, I conclude my presentation and I look
10 forward to having some comments. ADF&G comments were
11 deferred pending review of the Staff analysis and there were
12 no written public comments that came in. Thank you, Mr.
13 Chair, that concludes my report.

14
15 CHAIRMAN TUTIAKOFF: Thank you. And Board
16 members that have knowledge, specifically, to Akutan, the
17 villagers then we need to get that information out. Any
18 comments, questions, from the Council?

19
20 MS. TRUMBLE: Mr. Chair.

21
22 CHAIRMAN TUTIAKOFF: Yes.

23
24 MS. TRUMBLE: I think when this came up in
25 King Cove was Akutan is one of the communities within the
26 Aleutians East Borough and I think that -- I believe it was
27 Marvin Mack who brought this up, that was his thinking at the
28 time, it's one of our communities within the borough.

29
30 MS. H. ARMSTRONG: So do you know if they
31 actually had any idea whether people did hunt caribou there?

32
33 MS. TRUMBLE: I don't know.

34
35 MS. H. ARMSTRONG: You don't know.

36
37 MS. TRUMBLE: Personally, I don't know.

38
39 MS. H. ARMSTRONG: Okay.

40
41 CHAIRMAN TUTIAKOFF: Any more comments.
42 Questions.

43
44 MR. LUKIN: My name is Ivan Lukin.

45
46 CHAIRMAN TUTIAKOFF: Ivan.

47
48 MR. LUKIN: I guess my question is, is the
49 State in control of that out there or is the Fed's?
50

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1 MS. H. ARMSTRONG: Is the State in control,
2 I'm sorry?

3
4 MR. LUKIN: Of the land?

5
6 MS. H. ARMSTRONG: No, it's -- at the
7 beginning of the -- there is a map on the second page of the
8 proposal, it would be Page 6 in your book. And it's Fish and
9 Wildlife Service land.

10
11 MR. LUKIN: Another question is, what is the
12 -- how far do they have to travel from Akutan to where the
13 caribou is and is it a good time of the year or a safe time
14 of the year to travel?

15
16 MS. H. ARMSTRONG: They have to travel about,
17 I think it was about 40 miles by boat. And the caribou --
18 you know, I couldn't answer the question about whether it's
19 safe.

20
21 MR. LUKIN: Well, my guess would be that if
22 the hunting season is in a bad time of the year that would be
23 one of the reasons why they wouldn't happen.

24
25 MS. SHELLIKOFF: Mr. Chair.

26
27 CHAIRMAN TUTIAKOFF: Yes.

28
29 MS. SHELLIKOFF: I think one of the real
30 drawbacks is they have to cross Unimak Pass and that's a
31 pretty rough area, especially through the winter, I think to
32 travel. That's probably why they don't, you know, go there.

33
34 CHAIRMAN TUTIAKOFF: So from what I gather
35 there is incidental, has been, it's just that since World War
36 II, a lot of the communities that we have recognized from
37 Unimak and around Akutan, the smaller islands that were
38 inhabited by Akutan communities are all now concentrated in
39 Akutan. I really do have a strong feeling that the people of
40 Akutan did trade, did do subsistence use on Unimak, the False
41 Pass area. The families are interconnected by marriage or
42 moved into False Pass or King Cove area. The majority of the
43 people from Akutan were displaced and did not return to
44 Akutan after World War II. Some of them went back to King
45 Cove, some of them went to False Pass, some of them went to
46 Unalaska. But I think what needed to be done here is to
47 research the archives of Akutan in relations to the elders
48 that have been taped in the past by the school, which I know
49 there was an intensive hunting and fishing taping being done
50 in the early '70s that may be available at the Akutan School,

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1 if you call there you might get those.

2

3 MS. H. ARMSTRONG: Could I ask Jim Fall
4 whether that maybe was done in their 1990 study? I don't --
5 no.

6

7 MR. FALL: No.

8

9 MS. H. ARMSTRONG: No.

10

11 MR. FALL: Not the '70s taping, we didn't tap
12 those.

13

14 MS. H. ARMSTRONG: Okay.

15

16 CHAIRMAN TUTIAKOFF: Okay. Well, I guess
17 this issue is still open and we'll pursue this as individual
18 Council members to try and get more information, those of us
19 from that region to help Helen get to a positive conclusion
20 regarding Akutan on their subsistence use. Thank you.

21

22 MR. CRATTY: I'd just like to say I think if,
23 you know, if they're subsistence users as the rest of the
24 people they should have the advantage to utilize it. It's
25 just like us in Old Harbor that got the elk and Peter and
26 them up north, you know, it's no different.

27

28 MS. H. ARMSTRONG: Right.

29

30 CHAIRMAN TUTIAKOFF: It's awful hard, you
31 know, when back in the early 1900s when there was subsistence
32 use, the Aleuts didn't report it on paper. They didn't feel
33 it was necessary. They traded and utilized the subsistence
34 as they needed it depending on the season. But we'll get
35 back to that one.

36

37 MR. EDENSHAW: Mr. Chair, if I could ask,
38 maybe Helen could get a little bit of feedback in how this
39 proposal unfolded because as Helen said, we received
40 information from Jacob and the decision was made to go ahead
41 -- and maybe Tim could elaborate on that, but the decision
42 was made to go ahead and defer. You know, when the Regional
43 Council.....

44

45 MS. H. ARMSTRONG: It's not to support.

46

47 MR. EDENSHAW: Oh, not support?

48

49 MS. H. ARMSTRONG: Yeah.

50

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1 MR. EDENSHAW: When you look on Page 3, under
2 the executive summary at the bottom it has the Council's
3 recommendation and the Staff recommendation is to oppose.
4 Now, Jacob submitted -- you know, just for the record when I
5 spoke with you and George and Melvin Smith over at the Aleut
6 Corporation, we went ahead and sent over information and
7 that's how Rachel and I got numbers from George and from the
8 IRA council and the Native Corp out at Akutan and we didn't
9 receive any with the exception of what Jacob shared with
10 Rachel and Helen drafted into the proposal. We went ahead
11 and sent out the draft analysis to those people after
12 requesting information and explained it to them what this
13 meant in terms of receiving a positive C&T for Unimak so that
14 they would have an opportunity to comment in May if the Board
15 did go ahead and support such a proposal, you know, Proposal
16 28.

17
18 So maybe Helen could share and, you know, whether
19 that's enough information that Jacob submitted and if that
20 will be included in the proposal for the Board meeting in
21 May, and Helen can elaborate on that.

22
23 MS. H. ARMSTRONG: It will be included. We
24 received it too late to put into the book but that will be
25 included. And you know, it's up to the Council to decide if
26 that's enough information. It was a little bit -- I was
27 disappointed when we sent out the proposal and asked for
28 comments from Akutan that we didn't get any comments in
29 response. But we can certainly try some more if that's what
30 the Council would like us to do. I think it's appropriate to
31 defer it for another year and I'm sure Pat would be very
32 happy to have an excuse to go out to talk to people out
33 there, too.

34
35 CHAIRMAN TUTIAKOFF: Okay, thank you. At
36 this time I'd like to ask the ADF&G representative to make
37 comments in regards to this proposal since he may have been
38 involved in this decision.

39
40 MR. FALL: Thank you, Mr. Chairman. Again,
41 my name is Jim Fall, and I'm the regional program manager for
42 the Division of Subsistence here in Anchorage and I'm
43 responsible for our program in your area.

44
45 And as Helen mentioned, the Division did do a study
46 of subsistence uses in Akutan back in 1991. That study was
47 done by Lisa Scarborough, who some of you know, as well as
48 Ron Stanik, who some of you know also. Lisa made two trips
49 to Akutan. In the first visit she did key respondent
50 interviews with people who were recommended by the village to

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1 do seasonal round information, which was to list all the
2 resources that people used and when they harvested those
3 resources and other background information. She also mapped
4 lifetime harvest areas with the households in Akutan. That
5 was the first phase. She then went back with Ron Stanik and
6 they did systematic household interviews. Many of you, I
7 think, have been interviewed in our community studies and
8 know that that's a pretty detailed list of questions that do
9 ask about a single year of information. It's not geared
10 towards historical information at that point. And as Helen
11 mentioned, 28 percent of the people that were interviewed in
12 that -- I should back up and say, in that first visit, no one
13 recommended to us that we map caribou or do any seasonal
14 round information on that. And, again, that's not to say
15 that there wasn't some use in the past but it wasn't
16 something that the community recommended that we spend any
17 time investigating.

18
19 We did, however, include caribou on the list of
20 resources that we asked about in the systematic interviewing
21 knowing that people could likely receive caribou from other
22 places and we were aware that they were relatives of Akutan
23 people living in False Pass and King Cove and so forth. And
24 in that systematic survey, 28 percent of the households said
25 that they had received caribou but we didn't find anyone who
26 had hunted caribou in that year or had harvested caribou. So
27 there was evidence of use and not harvesting. And we did
28 distinguish between reindeer and caribou so this wasn't
29 reindeer, this was wild animals that people were receiving as
30 gifts.

31
32 So that's basic background on our study there. There
33 was a question about the historical information that we
34 tapped into as background on here. And I'm not -- I suspect
35 we did not tap into the tape collection that was referenced.
36 I'm not absolutely positive of that. Lisa might, indeed,
37 have listened to some of those tapes. Lisa's on family leave
38 and has been gone for about four months so I haven't been
39 able to ask her all these questions. She's been outside.
40 But I don't think that that resource has been tapped and it
41 sounds like a good lead to me to look into.

42
43 We did look at some other historical studies. There
44 was a study done by an anthropologist in the mid-50s that
45 Helen included in her Staff report. And it was kind of
46 negative evidence. It only mentioned one land mammal that
47 was used for subsistence and that was foxes by Akutan people.
48 and the older studies that have been done by Laughlin and
49 others didn't mention caribou specifically for Akutan either.
50 And if you do look at some of the maps of the traditional

00015

1 Aleut Regional groups you will -- some of you probably
2 already know this but there is a traditional divide there
3 between the Akutan Islands on the one hand and Unimak on
4 another that very well might relate to what Gilda was saying
5 about difficulty of traveling there. And all that is
6 background on what we know.

7
8 I think it is safe to conclude that historically and
9 certainly today caribou weren't a major resource that people
10 were using. They were relying on marine mammals and fish and
11 birds and so forth. At this point there might be one hunter
12 there
13 maybe a couple more, but I think our evidence is pretty
14 thorough. Historically, more investigation appears warranted
15 to us.

16
17 And that's a background of what we know, and I'd be
18 happy to answer any questions about our work. I should add,
19 I thought that the Staff did a pretty good job in trying to
20 investigate sources and summarize what was available. They
21 put in a lot of time to try to get information.

22
23 CHAIRMAN TUTIAKOFF: The tapes that I
24 referred to were done by APIA in the early '70s and they were
25 done in all the villages of all the elders that were
26 available at the time. And I do recall that there were
27 three from Akutan that were in Unalaska for the Elder
28 Conference that were being taped regarding customs and
29 customary traditions, families and hunting. So that may be
30 where you could probably start from is APIA. Copies may be
31 at Unalaska library or in Akutan right now. But I know they
32 were in Unalaska in the early '70s when they did the first
33 Elder's Conference. So that might be a resource.

34
35 Any more questions at this time on this proposal. If
36 not, thank you very much.

37
38 MR. FALL: Thank you.

39
40 CHAIRMAN TUTIAKOFF: I'd ask that the Board
41 consider this issue and ask that this proposal be deferred
42 for one year to do historical gathering. Is there a motion?

43
44 MS. TRUMBLE: So moved.

45
46 CHAIRMAN TUTIAKOFF: It's been moved.

47
48 MR. GUNDERSON: I second it.

49
50 CHAIRMAN TUTIAKOFF: Seconded. All those in

00016

1 favor say aye.

2

3 IN UNISON: Aye.

4

5 CHAIRMAN TUTIAKOFF: Opposed.

6

7 (No opposing votes)

8

9 CHAIRMAN TUTIAKOFF: Motion carries. This
10 Proposal 28, regarding Akutan, harvest of caribou will be
11 deferred for one year for historical data. Next one I have
12 here is Proposal 29.

13

14 MR. FISHER: Thank you, Mr. Chairman. My
15 name's Dave Fisher and I work in the Office of Subsistence
16 Management. I'm replacing Robert Willis who has transferred
17 on. I've worked in Alaska for about 18 years. For 10 years
18 I was in Dillingham at the Togiak Wildlife Refuge and have
19 about eight years with the Subsistence program. Prior to
20 that I was in the Lower 48 and spent most of my time on
21 wildlife refuges.

22

23 With that we'll start here with Proposal 29 that was
24 submitted by your Council. And it would establish a caribou
25 hunting season for Subunit 9(D) and Unit 10 Unimak Island.
26 The season would be August 1st through March 31st, two bulls
27 by Federal registration permit. The proposal also requests
28 the implementation of the designated hunter process. And the
29 proposal also requests positive C&T for Akutan and you just
30 discussed that in Proposal 28.

31

32 Moving on, as you recall Federal public lands were
33 closed in 1991 to non-qualified subsistence users. The Board
34 of Game closed State and private land in '93 and also the
35 Federal Subsistence Board closed Federal public lands in '93
36 and this was primarily because of low caribou populations.
37 The caribou started to decline in the early 1980s, an
38 estimate of around 10,000 in 1983, around 4,000 in '89 and
39 less than 2,000 in '96. However, the population since '96
40 has increased estimating around 4,100/4,200 animals,
41 approximately 3,600 animals in Unit 9(D) and around 600 on
42 Unimak Island. The calf production looked pretty good in
43 '98. Calf mortality was a little high in '99 but from all
44 indications the herd should continue to grow.

45

46 In 1997 the Federal public lands were opened by
47 special action, the same is true for '98, '99 and also '99
48 and 2000. This proposal would establish permanent seasons
49 for Subunit 9(D) and Unimak Island, Unit 10. In looking over
50 this proposal, we discussed this with the Staff there at

00017

1 Izembek and we did support the proposal, however, we have a
2 few modifications and I want to run those by you.

3
4 For Unimak Island, we support the harvest of two
5 caribou by Federal registration permit with designated hunter
6 provisions. However, we're recommending a season
7 modification August 1st through September 20th and November
8 15th through March 31st. The earlier season would provide an
9 opportunity for people to get in there before the weather
10 conditions make access hazardous and the increased bag limit
11 would provide for additional subsistence opportunities.

12
13 For Subunit 9(D) we're recommending that the Federal
14 regulations be aligned with current State regulations. And
15 just recently here, the Board of Game extended that September
16 season by five days to September 25th. Aligning these
17 regulations we feel that it would provide for less confusion
18 for the local hunters. And we're also recommending the one
19 caribou harvest limit trying to take a conservative
20 management approach at this time until we have more
21 biological data and more harvest information could be
22 obtained, if the herd continues to grow, which it looks like
23 it's going to do then maybe looking at increasing the harvest
24 limit in '90 [sic] to two caribou, we could probably take a
25 look at that and should be considered.

26
27 That's all I have at this time, Mr. Chairman.

28
29 CHAIRMAN TUTIAKOFF: Della.

30
31 MS. TRUMBLE: I talked to Rick quite a bit --
32 we discussed this over the phone a number of -- probably
33 about three times, and I agree with one caribou, I think that
34 that's a good thing. The concern I have at this time and
35 it's been voiced very loudly in my community and other
36 communities is there is this date, the September date. When
37 the guys get done fishing, it's their -- they would like to
38 go get caribou and that August 1 opening works and it does
39 for a number of reasons. After they get the boats put away
40 then their gear is put away, their boats are up for the
41 winter. That's one thing. But the other part of it is
42 weather. August is a better time for these guys to be
43 harvesting than September or anything beyond that. And it's
44 been pretty -- the past has shown that hunts that we had --
45 subsistence hunts weren't even -- they weren't able to
46 harvest caribou because of weather. And I would -- I'd
47 really like to recommend that that date be changed to August
48 1. I know there's a concern on what the issue of the two,
49 the State and the Federal hunt, but I think -- in my opinion
50 it helps these guys get -- are able to harvest that caribou.

00018

1 Whereas they're not, even with -- you know, the State. Our
2 weather has been horrid. I mean every year I keep saying
3 it's bad and it can't get any worse and I'll tell you this
4 last year it was worse. I would really like to see that
5 changed to August 1.

6
7 And maybe just a point, a technical point and I
8 noticed it in the other proposal that Nelson Lagoon is being
9 left out of these. We say it, but the word isn't -- you
10 know, the name of the community isn't written in there, maybe
11 it's just a technicality but.....

12
13 MR. FISHER: Nelson Lagoon is left out on the
14 C&T determination?

15
16 MS. TRUMBLE: Yeah, on one of these. And
17 it's just kind of -- and even in the discussion, we all know
18 and understand it's part of it but maybe if it gets to a
19 point where these get passed, it should be made sure that
20 it's in there.

21
22 MR. FISHER: I'll look into it and if it's
23 left out we'll see that it's added back.

24
25 MS. SHELLIKOFF: Mr. Chairman.

26
27 CHAIRMAN TUTIAKOFF: Gilda.

28
29 MS. SHELLIKOFF: I agree with Della. I think
30 it should be left at August 1st. Because one of the places
31 where there is good caribou hunting on the island is up
32 around Urilia Bay. And during the salmon season, boats can
33 go up there. And in the fall, once the weather starts
34 getting bad and the tides change you can't get in there, even
35 if you had a boat. So, you know, if we don't get them in
36 August we're not going to be able to get them at all.

37
38 CHAIRMAN TUTIAKOFF: What bay was that?

39
40 MS. SHELLIKOFF: Urilia Bay.

41
42 MR. FISHER: For Unimak Island, Unit 10, we
43 were recommending the August 1st opening. Rick, do you have
44 anything to add?

45
46 MR. POETTER: If I can, Mr. Chair.

47
48 CHAIRMAN TUTIAKOFF: Sure.

49
50 MR. POETTER: Rick Poetter, Izembek Refuge

00019

1 for the record. I guess my basic concern is not with really
2 the August season, I'm going to leave that up to you folks
3 with you knowledge in that. I'd like to see the Council
4 match State seasons as much as possible so there's very
5 little confusion amongst hunters out there. It's confusing,
6 I think, to local people because we get questions frequently,
7 you know, what season's open, where can I hunt, what's this,
8 what's that? Subsistence obviously is only allowed on the
9 Federal lands versus the State season versus corporation
10 lands, all private lands. So that's my basis of concern.

11
12 CHAIRMAN TUTIAKOFF: In regards to matching
13 the Federal seasons to the State seasons, that's the only
14 concern from the Wildlife Refuge area?

15
16 MR. POETTER: Yeah. Like Della mentioned
17 earlier, we had discussed the two caribou versus one caribou
18 and then, of course, as you get into the designated hunter
19 provision, we had talked about that. I know the current
20 status of requirements for designated hunter provision is
21 that you can only have two caribou in possession at one time.
22 You may want to take a look at that. I see the Bristol Bay
23 Committee is looking at unlimited amounts and I think --
24 again, that's up to you, you know, however you want to do
25 that but Della and I talked about it and it doesn't make a
26 lot of sense if somebody's in there with a boat. If they've
27 got five designated hunter slips with them they should be
28 able to take five caribou. From the herd standpoint I don't
29 see a problem.

30
31 CHAIRMAN TUTIAKOFF: Della.

32
33 MS. TRUMBLE: I think something -- when we
34 talk about these conflicting seasons, on what's going on
35 here, I think, when we did this in a prior year it was
36 because of bird hunters in the fall. Now, -- and correct me
37 if I'm wrong, that is why we did that, there was -- to not
38 have it open to other hunter -- user groups that are in there
39 so it keeps it more within the borough communities. But I
40 guess I don't understand why, if we have this open -- the way
41 we've done this before is by permit only. And how that would
42 be conflicting with other hunters or people that are
43 sportfishing or whatever, my concern is the communities. You
44 know, to have a caribou and be able to eat that for a couple
45 months makes more sense and you can't get that with birds,
46 you're limited and we're limited with even the weather amount
47 of time and people can't even afford to stay out in Cold Bay,
48 period, to even do that. I just -- I don't understand what
49 the real issue is. If people are in there with a permit in
50 that time of the year or -- and mainly, you know, I just --

00020

1 I don't understand. I don't think it's going to be that big
2 of an issue.

3

4 MR. POETTER: I don't really favor
5 subsistence permits. I may be in conflict with the
6 Subsistence Division but I see that as a burden on the
7 individuals to get these. I'd just like to see an open
8 season and not require somebody to have a permit other than
9 the designated hunter permit because that then has something
10 for law enforcement to see.....

11

12 MS. TRUMBLE: I disagree because I didn't
13 really want the State opening. The reason I supported the
14 State opening is people were able to, at least, harvest
15 caribou closer to home. I think at this point, if it's open
16 on August 1st and that we do it by the permit process, I feel
17 that we have -- you know, they have a better chance of
18 harvesting a caribou.

19

20 MR. POETTER: Maybe you're misunderstanding
21 me. I mean to have a Federal subsistence season so that you
22 can have the designated hunter provision but I don't see a
23 real significant value in issuing permits for an individual
24 to go out and just harvest their own caribou for a
25 subsistence season.

26

27 MS. TRUMBLE: But can we limit the permits to
28 residents only of the Aleutians East Borough or does it have
29 to be for anybody that's hunting within any of these areas?

30

31 MR. FISHER: Are you talking the Federal
32 registration permit -- that would be for those hunters who
33 have positive C&T, they would be required to have a Federal
34 registration permit.

35

36 MS. TRUMBLE: So they'd just be like picking
37 up, technically, a permit themselves or it's just open as
38 long as you're a resident? How would that process work?

39

40 MR. POETTER: The way it's worked in the past
41 was there was just a general open season under your Federal
42 subsistence guidelines. And the hunter would just go out
43 utilizing the State harvest ticket, salvage a caribou and it
44 would be up to -- say I came out to check somebody in the
45 field, if they were on Federal lands and there was both a
46 State season and a Federal season, you know, the hunter would
47 be -- no big deal. If a State officer came along and was on,
48 say corporation lands or private lands, he would want to see
49 some verification of proof that you're, one, a resident of
50 Alaska -- actually I guess I'm sort of defeating myself.

00021

1 There really isn't any.....

2

3 CHAIRMAN TUTIAKOFF: We're regulating
4 ourselves right out of it.

5

6 MR. POETTER: See, that's the problem with
7 the permit is if you're allowing yourself in conjunction with
8 a State season, you can go out and harvest.

9

10 CHAIRMAN TUTIAKOFF: Paul had a question for
11 you.

12

13 MR. GUNDERSON: I didn't attend the State
14 Board meeting and they had a 50 caribou allocation in Unit
15 9(D) open for statewide drawing, those were all grabbed up
16 last year. Was there -- did they increase that allocation
17 this year or do you know, Jim?

18

19 MR. MACHIDA: For the record my name is Steve
20 Machida. I'm the managing supervisor for Southcentral and
21 Southwest for Fish and Game. The question was concerning the
22 50 caribou allocation by the Board. That was -- they didn't
23 make an allocation for residents. You're talking
24 specifically about they put a limit on the number of non-
25 resident permits that could be issued for 9(D), and during
26 this last season there were 13 of those permits used. So
27 they never reached that 50. But there was no allocation of
28 numbers for residents.

29

30 MR. GUNDERSON: That was my question for the
31 non-resident permits, there was 50 allocated by the State.
32 You said only 13 of those got used or turned in.

33

34 MR. MACHIDA: There was 17 people that got
35 permits and there were 13 that harvested animals.

36

37 MR. GUNDERSON: So the State didn't up that
38 allocation any?

39

40 MR. MACHIDA: No.

41

42 MR. GUNDERSON: I thought that I saw a
43 proposal in one of the booklets earlier to do that. I wanted
44 to make another comment to what Della said earlier. I have
45 lived and subsistence hunted out there all my life. After
46 the early part of September, bull caribou go in the rut. The
47 local population don't hunt them. They will wait until after
48 that period of time is gone, and sometimes that -- depending
49 on how the year is, that could be as late as the end of
50 December or first of January, and that's the subsistence

00022

1 users to take the animals for meat. I like to see the State
2 and the Federal seasons parallel, too, because it cuts down
3 a lot of confusion. But for a number of years, we were
4 without caribou down there, '93 on up to '99, six years, and
5 I was somebody who lived off the stuff all their life,
6 there's a lot of confusion in that part of the country. Last
7 year or in '99 when we got the subsistence hunt on Federal
8 lands, there was a big sigh of relief in a lot of the
9 communities. And then the State followed suit by opening it
10 up for a non-resident season, that really frustrated this
11 Board. We were there at the house there, Jerry was there and
12 some of these other gentlemen in the room, we protested any
13 opening of any caribou season in Unit 9(D) for non-resident
14 or whatever but the Board followed that direction.

15
16 So what we're in essence trying to do in a lot of
17 ways is trying to fill that gap there. We didn't even
18 complete the subsistence needs of the local people, with that
19 one caribou limit for the residents. And to see that happen,
20 what we're trying to do here is to put something into play
21 where we'll use up those other numbers and it goes to local
22 use, may it be by permit drawing, the adjustment of the
23 season. In August caribou's not attractive to sport hunter,
24 it's still in velvet. And so, you know, I support a change
25 in the timing of it.

26
27 CHAIRMAN TUTIAKOFF: Pete.

28
29 MR. SQUARTSOFF: Yeah, I just get a little
30 confused on this, what's going on out there. Because these
31 people are fighting for customary and traditional use of
32 these animals and then I don't know how, like last year, when
33 I went up there they were just ending a registration hunt.
34 And I think the local people know when the best time for them
35 to hunt them animals is, you know, whether it be earlier or
36 later or whatever for each area. They should know. But my
37 confusion was, how did the State have a registration hunt
38 when they were having a hard time getting a subsistence hunt
39 on Federal lands?

40
41 MR. POETTER: The registration hunt was for
42 the non-residents outside of Alaska.

43
44 MR. SQUARTSOFF: I understand that.

45
46 MR. POETTER: Okay.

47
48 MR. SQUARTSOFF: But these people are trying
49 to get it for customary and traditional use for themselves
50 and then it opens up for a registration hunt, they've been

00023

1 fighting for that for quite a while and they just got it and
2 then it opens up for a State hunt for anybody.

3

4 MR. POETTER: Yeah. I understand your
5 concerns on that. Obviously the main reason was a push from
6 a guide because he's conducting a business up in that area
7 and was selling hunts to non-residents.

8

9 MR. SQUARTSOFF: But subsistence is supposed
10 to have priority on Federal lands.

11

12 MR. POETTER: Yeah. Which -- you know, there
13 was a pretty substantial subsistence -- I call it
14 subsistence, it was a regular State hunt going on. I think
15 to help Paul a little bit, I did get an e-mail correspondence
16 from Dick Sellers and basically it talks about the extension
17 of the non-resident season into September 30 and the resident
18 season to September 25. Also they eliminated the non-resident
19 registration hunt and it's now set up as a general hunt with
20 regular harvest ticket reporting. I thought that would be of
21 significant interest to you.

22

23 CHAIRMAN TUTIAKOFF: Della.

24

25 MS. TRUMBLE: Are you saying that the State
26 is getting rid of the non-resident hunt and it's only going
27 to be resident? And that's -- when you say resident, we're
28 talking about Alaska resident; is that correct?

29

30 MR. POETTER: That's correct.

31

32 MS. TRUMBLE: Okay.

33

34 MR. POETTER: Under the State.

35

36 MS. TRUMBLE: Yes, under State guideline,
37 that's basically anybody.

38

39 MR. POETTER: Yeah.

40

41 MS. TRUMBLE: Okay.

42

43 MR. POETTER: No, what I'm saying is the
44 State is limiting the non-resident registration hunt. In
45 other words.....

46

47 MS. TRUMBLE: Oh, limiting it.

48

49 MR. POETTER: Yes. Those.....

50

00024

1 MS. TRUMBLE: The permits.

2
3 MR. POETTER: Yeah.

4
5 MR. GUNDERSON: So in essence, that escalates
6 that number to whatever -- each guide could take 20 caribou
7 hunters and you got six guides working out of the area so
8 there goes your.....

9
10 MS. TRUMBLE: Yep.

11
12 MR. GUNDERSON:so you've doubled the
13 amount of caribou taken by non-residents, in essence. That
14 -- when you take a look at the overall picture, the first cut
15 is going to come out of the customary and traditional user.
16 So that is one of the things -- that's how we're -- one of
17 the ways that we're trying to approach this is how do we let
18 the customary and traditional users get their fair number of
19 them. We don't want all of them, you know. We could change
20 the seasons a little bit. We could look at the numbers, how
21 many permits are taken in from the resident hunters that is
22 using for customary and traditional use, let's say from
23 August 1st to the 1st of September before the State hunt
24 opens, take those numbers then subtract what's left over, the
25 surplus. That many could go to the guides or something. So
26 you're looking for a fixed number to work on.

27
28 But I don't think you should be taking from the
29 locals to fill the State coffers and the guides pocket. It's
30 been a big fight for years.

31
32 CHAIRMAN TUTIAKOFF: Della.

33
34 MS. TRUMBLE: I support that strongly. I
35 think I'd like to see us change this proposal to September
36 1st and the State can maintain their dates but I'd like to
37 see our users get this caribou first. And if there is any
38 left over and otherwise maybe they can get the second caribou
39 through the State process.

40
41 But I also would like to thank, Rick, too, the
42 designated hunter, I totally had forgotten about that, and I
43 think at one time when we had done this we did have it up to
44 -- I believe it was four in possession. So that needs to be
45 modified. But I really feel that our people need to be able
46 to hunt and harvest caribou and unless this is opened on
47 August 1st I just don't see it happening. And I'm the one
48 that lives there, I'm the one that gets to hear all the
49 complaints, so.....

50

00025

1 MR. FISHER: So you would favor the August
2 1st.....

3
4 MS. TRUMBLE: August 1st.

5
6 MR. FISHER:opening for 9(D)?

7
8 MS. TRUMBLE: Same as 10.

9
10 MR. FISHER: You're looking at August 1st
11 through September 20th then or 25th, excuse me? Two seasons,
12 August 1st through September 25th and then November 15th
13 through March 31st, you're just looking at just moving --
14 making the season open earlier for allowing that for the
15 local users?

16
17 MS. TRUMBLE: Yes, that's correct.

18
19 CHAIRMAN TUTIAKOFF: That's for 9(D)?

20
21 MR. FISHER: Correct.

22
23 MR. POETTER: And I used that 25th date
24 because that now matches the State season to try and reduce
25 confusion.

26
27 MR. FISHER: Okay. And then we would have
28 the designated hunter provision. What about the permits,
29 just go with a harvest ticket or a Federal registration
30 permit?

31
32 MR. POETTER: My thought would be -- a
33 recommendation to not have a permit because that's just
34 another burden of the user to -- something to obtain when we
35 can utilize the harvest ticket that's already issued through
36 State hunting license. You have to have a State hunting
37 license to have your harvest ticket, you can just go out on
38 Federal lands under your subsistence season in August and
39 collect your caribou. You don't have to have a permit.

40
41 MR. GUNDERSON: But a certain date you would
42 have to collect those, though, before the sports hunt opened
43 and see how many were taken. And then each year both the
44 State and the Feds got an allocation of numbers that can be
45 taken out of that herd. It could be from a certain
46 percentage of those bulls and that given number, you subtract
47 what the local users take and let's say there's 15 or 20
48 animals or maybe 100 animals left after that allotment that
49 the State hunters could go for. Try to get some controls
50 over it that way.

00026

1 Nelson Lagoon is basically right in the middle of the
2 guiding areas and by doing this, taking the restriction off
3 the drawing permit on the non-resident hunter and for the
4 animals, it's going to turn into an Air Force down there at
5 the opening gun because there's no caribou in that northern
6 district. so it's the only place open. And we sell aviation
7 gas there in Nelson Lagoon and there's just a solid string of
8 planes coming through there.

9
10 CHAIRMAN TUTIAKOFF: Comments or questions on
11 the proposal.

12
13 MR. LUKIN: Hey, Vince.

14
15 CHAIRMAN TUTIAKOFF: Yes.

16
17 MR. LUKIN: I'd recommend that you have two
18 seasons down there. If the State hunt takes only 13 permits
19 out of 50 and turn the remainder over to the subsistence user
20 after that.

21
22 CHAIRMAN TUTIAKOFF: Della.

23
24 MS. TRUMBLE: I know we talked about the
25 permits that were issued for non-residents, does the State
26 have any totals on what was harvested in the caribou from the
27 hunt this last year, over all? I mean not the non-residents.

28
29 MR. FISHER: No, I don't have any information
30 unless Steve does. The only information I have is '97 and
31 '98 from the State, I don't have any '99 information yet.

32
33 MR. GUNDERSON: I believe you said it was,
34 what, 17 permits taken or used?

35
36 MS. TRUMBLE: Non-residents.

37
38 MR. GUNDERSON: Non-residents.

39
40 CHAIRMAN TUTIAKOFF: 17 issued, 13 used. But
41 my concern with that kind of a policy would be that word will
42 get out that 50 or whatever number that is, they'll issue,
43 within a year or two years they'll issue the total number
44 leaving nothing for subsistence if you go that route. I mean
45 if you don't leave an open number for subsistence, which is
46 why we're here, a priority, and close down the hunts and
47 guides and allow the communities to get their meat then we're
48 defeating our purpose here.

49
50 Do you have a question for -- Paul.

00027

1 MR. GUNDERSON: Yes. Do you have the State
2 harvest for all of Unit 9, and the subunits?

3
4 MR. MACHIDA: For just 9(D), that whole area
5 for residents is under harvest tickets and that information
6 is being tabulated right now. I mean this is the time of
7 year when people send back their harvest ticket reports so,
8 you know, we don't have anything for this last fall.

9
10 MR. GUNDERSON: Okay, thanks.

11
12 MR. MACHIDA: But I mean, Dick Sellers
13 estimates that he believes it was the same as last year. I
14 mean it's stable, I mean it hasn't increased as far as
15 resident harvest goes.

16
17 MR. GUNDERSON: Because I know I've talked to
18 some of the folks in the local districts of Naknek and as far
19 as up near Iliamna and they said they got poor population of
20 caribou, which ones they find are in bad health. So unless
21 they go north of that, north of Dillingham then they get into
22 them again.

23
24 MR. MACHIDA: 9(C) and the area 9(E), most of
25 that right now is under the range of the Northern herd and
26 that's under Tier II permit right now. The information we
27 have for that hunt is
28 that 96 percent of the permits were issued to Peninsula
29 residents. We're still in the process of getting that
30 harvest information in but it's -- so far there's been about
31 100 caribou reported in that hunt. There's probably more
32 than that because the season is not over with yet.

33
34 CHAIRMAN TUTIAKOFF: Thank you. I guess
35 where we are with this proposal is that we have, in the
36 conclusion, we've recommended in 9(D) August 1st to September
37 21st and November 15th to March 31st. And also in the
38 proposal we added Akutan, which I would recommend in the
39 motion that Akutan be addressed as a part of the motion to
40 remove until Proposal 28 has adopted. As you recall we did
41 defer it until the following year so we want to keep that
42 issue open in regards to Akutan. Are there any
43 recommendations or suggestions or motions at this time
44 regarding Proposal 29.

45
46 MR. FISHER: Mr. Chairman, could I.....

47
48 CHAIRMAN TUTIAKOFF: Yes.

49
50 MR. FISHER: Could I interrupt you for one

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1 second.

2

3 CHAIRMAN TUTIAKOFF: Okay.

4

5 MR. FISHER: Back on the permit thing. We
6 get better results with a Federal registration permit, we get
7 more of those returned back so we have better data to look
8 down the line as far as what we -- how we want to set the
9 harvest in the future. For some reason some of the harvest
10 tickets aren't returned. But we have gotten pretty good data
11 with our Federal registration permit. Excuse me for the
12 interruption.

13

14 CHAIRMAN TUTIAKOFF: So you're recommending
15 that we also use the Federal permit for this one -- Federal
16 registration permit? I know it's recommended that we remove
17 it and just use a harvest permit, right; is that what you
18 were recommending?

19

20 MR. POETTER: Well, I have to agree that we
21 probably would -- Dave says we can set the reporting time on
22 those, however you want to do that, that would probably be
23 the biggest benefit of having a permit issued, say within the
24 10 days of a successful hunt, returning your report or
25 something to that effect, I'll leave that up to subsistence
26 but my only thought was to make it simple for the user and
27 not require a permit, that's all I was intending for. I had
28 no really thoughts towards gathering data. I figured the
29 population was in good stead, there were enough animals for
30 everybody at this point in time until we got real restrictive
31 where we would maybe exclude resident hunters, other than
32 subsistence users. That would provide your subsistence users
33 for -- a priority -- subsistence priority.

34

35 CHAIRMAN TUTIAKOFF: Della.

36

37 MS. TRUMBLE: It's just a comment when we did
38 this in the communities it was never a problem having people
39 come in and fill out the paperwork to do that, they've always
40 -- they sat in the office and took the time to do it. And,
41 at least, it seems sometimes through the process of all this
42 and the last, I don't know how many years, three or four
43 years, that getting those figures of at least who those
44 permits were issued to, the harvest part, getting that,
45 whether they harvested it in the time and the area, that was
46 always the problem. But I think trying to gather information
47 because we can -- every year we come back to bad weather, the
48 surveys can't get complete and it's the same thing every
49 year. And at least if it gives us some idea on how many
50 people have taken the permits, it gives us a little something

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1 to go on when we get to this point every year at this
2 meeting.

3
4 CHAIRMAN TUTIAKOFF: Any more questions.
5 Council. If not, we need a motion in regards to this
6 proposal. Yes.

7
8 MS. HILDEBRAND: Ida Hildebrand, BIA Staff
9 Committee member. Thank you, Mr. Chairman. I have a
10 question regarding your motion. Your proposal says both 9(D)
11 and 10, and if you're addressing Unit 10 separately, that's
12 fine. And I suggest also that there was discussion on the
13 designated hunter having two in possession or four in
14 possession, you might want to add that portion into your
15 motion.

16
17 CHAIRMAN TUTIAKOFF: In regards to Unit 10 we
18 have two caribou and in regards to Unit 9, we have one
19 caribou that has been recommended -- in our proposal we have
20 two bulls in both 9 and D [sic], that's the only change.
21 There was no objection to having one in 9(D) and two in 10;
22 is that correct?

23
24 MS. TRUMBLE: That's correct.

25
26 CHAIRMAN TUTIAKOFF: So we are going with the
27 one in 9(D) and two in 10 as part of the recommendation.
28 John.

29
30 MR. FOSTER: Let me get this designated
31 hunter straight. We're a little different in Sand Point
32 because we got to travel at least six hours to get to Federal
33 lands. So what we want to do is get as many permits on one
34 boat as we can. Diesel fuel just topped \$1.50 in Sand Point
35 the other day so it's getting fairly expensive to run around
36 in a boat so what we want to do is get as many permits on one
37 boat as we can and as many caribou, make the trip as short as
38 we can, that's what we need there. It's just -- you know, we
39 can -- on a good size boat, on a caribou trip we can burn up
40 500 gallons of fuel, and at \$1.50 a gallon it starts getting
41 pretty expensive. We can pretty much go and just buy steaks
42 instead.

43
44 CHAIRMAN TUTIAKOFF: Maybe I don't really
45 understand it but I understand it as being one in the
46 possession in 9(D) by designated hunter and two in possession
47 in 10 per hunter. Are you suggesting that the boat may only
48 have three?

49
50 MR. FOSTER: Well, you know, we got

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1 designated hunters going out and they're taking along the
2 permits of the people who can't go or don't want to go and,
3 you know, there could be 10 permits on that boat, we'd just
4 like to be able to get.....

5
6 CHAIRMAN TUTIAKOFF: What each permit allows?

7
8 MR. FOSTER:yeah, what each permit
9 allows. Have it on board the boat just for one trip.

10
11 CHAIRMAN TUTIAKOFF: Any comments to that?

12
13 MR. GUNDERSON: Yes. I think if you raise it
14 to like four permits in possession, you know, if you go
15 hunting, like John was saying over on the mainland, there's
16 going to be at least four people on that boat, so that would
17 cover 16 permits.

18
19 MS. TRUMBLE: Yeah.

20
21 MR. FOSTER: Yeah.

22
23 MR. GUNDERSON: You know, so it's not -- the
24 permits that they're not talking about is permits for taking
25 the animals, this is the individuals going out hunting for
26 the elders or whatever or the people that's handicapped.

27
28 CHAIRMAN TUTIAKOFF: Well, the designated
29 hunter may hunt for any number of recipients but have no more
30 than two harvest limits in his possession, so I mean the
31 limit is two, we could say any number, but you can only have
32 two according to our proposal so we need to address it.

33
34 MS. TRUMBLE: We need to amend it.

35
36 CHAIRMAN TUTIAKOFF: Yes, we need to amend it
37 here in regards to the actual proposal if that's what your
38 intent is to do here, limit four per designated hunter.

39
40 MS. TRUMBLE: Uh-huh.

41
42 CHAIRMAN TUTIAKOFF: May have more than four
43 harvest limits in his or her possession rather than two. Is
44 that an amendment?

45
46 MR. GUNDERSON: That would cover pretty much
47 what you're talking about, John, for Sand Point.

48
49 MR. FOSTER: Yeah.

50

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1 CHAIRMAN TUTIAKOFF: Discussion. Comments.

2

3 MR. EDENSHAW: Mr. Chair, could you go ahead
4 and restate that please, for the designated hunter permit.

5

6 CHAIRMAN TUTIAKOFF: Right. Under the
7 proposed regulation, Page 18 there I'm reading from, it says,
8 starting with the designated hunter, must obtain a designated
9 hunter permit and must return a completed harvest report.

10 The designated hunter may hunt for any number of recipients
11 but may have no more than, what we're going to add, is four
12 harvest limits in his or her possession at any one time,
13 rather than two. The.....

14

15 MR. EDENSHAW: So Mr. Chair, so then that
16 would be six? So if Pete's hunting and he has his two and
17 then he's hunting for other individuals, so he may only have
18 four, so are you saying four or six? Because if Pete's
19 successful.....

20

21 CHAIRMAN TUTIAKOFF: We're talking designated
22 hunter permits. I mean he may have his own, that's not.....

23

24 MR. EDENSHAW: So the bag limit.....

25

26 CHAIRMAN TUTIAKOFF:part of.....

27

28 MR. EDENSHAW:he may not have more than
29 four in possession then.

30

31 CHAIRMAN TUTIAKOFF: Four designated.....

32

33 MR. EDENSHAW: Four designated.....

34

35 CHAIRMAN TUTIAKOFF:hunter, right.

36

37 MR. EDENSHAW:hunters.

38

39 CHAIRMAN TUTIAKOFF: He may have his own.

40

41 MS. TRUMBLE: So you have five -- that would
42 be four designated hunter permits and his own would be five
43 in possession, technically.

44

45 CHAIRMAN TUTIAKOFF: Because he has to have
46 one anyway to go out. Question. Comment.

47

48 MS. HILDEBRAND: Thank you, Mr. Chair. Ida
49 Hildebrand, BIA Staff Committee member. I think your
50 statement is correct, your original -- well, you can say

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1 whatever you want but you stated they may have -- the
2 designated hunter may have four limits and since you're
3 setting a limit of two in one area and one in another area,
4 if you leave it as four limits respectively plus his, of
5 course, his own hunt, that would be better language than.....

6
7 CHAIRMAN TUTIAKOFF: Than any number.

8
9 MS. HILDEBRAND: Yeah.

10
11 CHAIRMAN TUTIAKOFF: Because it.....

12
13 MS. HILDEBRAND: Well, you could have any
14 number of designated hunters, you could leave that part
15 unlimited, that's your choice, but if you wanted to limit the
16 number of kill then it would be four limits would qualify the
17 designated hunter to hunt in the area that allows you to
18 limit and simultaneously in the area that allows you one
19 limit.

20
21 CHAIRMAN TUTIAKOFF: For that individual.

22
23 MS. HILDEBRAND: Right. When you say
24 designated hunter may take no more than four limits, for
25 instance, if he hunted in an area that had -- you allowed the
26 take of two caribou, the designated hunter would be allowed
27 eight caribou in possession. If he were hunting in the area
28 that allowed one caribou, he would have four caribou in
29 possession. You just stated that in Unit 10 you were
30 allowing two caribou as the limit.

31
32 CHAIRMAN TUTIAKOFF: In Unit 10.

33
34 MS. HILDEBRAND: And in Unit 9(D) you're
35 allowing one caribou as the limit, therefore, the designated
36 hunter is restricted to four.....

37
38 CHAIRMAN TUTIAKOFF: In Unit 9.

39
40 MS. HILDEBRAND:four of the legal limit
41 in whichever area he is hunting in or she's hunting in. The
42 legal limit is, it's different is why I'm suggesting leaving
43 the four of the legal limit. Four of the legal limit in one
44 area is four and in the other area is eight.

45
46 CHAIRMAN TUTIAKOFF: I see. I see what
47 you're saying, okay, per hunter. Do you understand.

48
49 MR. SQUARTSOFF: There's only so many permits
50 issued, right, for each area, for each community or is this

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1 going to -- anybody in the community can get a permit?

2

3 MR. FISHER: Are you talking designated
4 hunter permit?

5

6 MR. SQUARTSOFF: Anybody can get one?

7

8 MR. FISHER: Yes.

9

10 CHAIRMAN TUTIAKOFF: Anyone can get one but
11 what we discussed three or four years ago in regards to
12 designated hunter was that the entity that was going to be --
13 we left it to each community to decide or possibly even
14 designate a designated hunter for that community. I mean I
15 think that's where we were headed and at some point we lost
16 that because of regulation, we got regulated right out of the
17 issue. But I think that we need to address that as a --
18 readdress that on our next round is how we determine the
19 designated hunter and how many per community.

20

21 MR. SQUARTSOFF: Mr. Chairman, if it's going
22 to go this way then I would like to recommend that they have
23 a time limit for successful hunters to report their catch,
24 otherwise it looks to me like it could get out of hand, if
25 they're hunting in different areas.

26

27 MR. FISHER: That could be put on the Federal
28 registration permit.

29

30 MR. SQUARTSOFF: Right.

31

32 MR. FISHER: And we'd be able to track that
33 because we'd have a copy of the permit.

34

35 MR. SQUARTSOFF: Right, and you have five
36 days or seven or whatever it may be, I don't know, whatever.

37

38 MR. FISHER: It would be whatever you people
39 want it.

40

41 CHAIRMAN TUTIAKOFF: And they could always
42 reapply. If the weather gets bad and they head out, they're
43 gone for a day and the weather goes down.....

44

45 MR. SQUARTSOFF: No, I'm just talking
46 successful hunter report.

47

48 CHAIRMAN TUTIAKOFF: Okay, I see.

49

50 MR. SQUARTSOFF: I truly support the

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1 designated hunter system. I really do because that's the way
2 I grew up. I grew up in a small community and I hunted and
3 I gave to people in the community all my life and I still do.
4 But I'm not really too favorable just opening up to
5 everybody, anybody can be a designated hunter. I mean you
6 can put -- it could be devastating to the herd. That was my
7 concern.

8

9 CHAIRMAN TUTIAKOFF: How would we like to
10 address that. Della.

11

12 MS. TRUMBLE: I think maybe we're kind of
13 talking about -- I don't know what it's like in Kodiak, but
14 I know just in King Cove and even in Sand Point, having to
15 travel as far as they do, Nelson Lagoon, it's the same thing,
16 nobody is going to -- most of the guys that go, you can get
17 four hunters on a boat and they come and get the four
18 designated hunter permits when we had it at four, most of the
19 time they didn't come back with that much, they were lucky to
20 get their own. But the thing that works with this designated
21 hunter is basically that's how I used to get my caribou, I
22 gave my ticket to someone else. So under the State
23 guidelines, I wasn't able to get a caribou. But it works for
24 our community because there are a lot of, you know, women
25 that are -- their husbands have died and families that
26 otherwise are in need, that other people are more than
27 willing to go out and harvest that caribou if it's there.

28

29 But, you know, I have never seen it get to where it
30 was out of hand.

31

32 MR. SQUARTSOFF: Well, it's just a concern
33 that if it's open to anybody, that's what.....

34

35 MR. GUNDERSON: Well, just like Della had
36 pointed out, the intent for the designated hunter was to
37 supply customary and traditional foods to the elders or the
38 people that are incapable of going and doing it. I think a
39 lot of the communities still respect that, you know, quite
40 highly. But I could see, like Peter was pointing out, it
41 could possibly get out of hand if it doesn't have some checks
42 and balances on it.

43

44 CHAIRMAN TUTIAKOFF: Are we going to address
45 that particular issue in regards to the designated hunter in
46 this proposal or are we going to go with what is the standard
47 right now, where you have allowed four in the community?

48

49 MS. TRUMBLE: We should do it now.

50

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1 MR. SQUARTSOFF: I guess, did we have a
2 motion for an amendment, did someone make that motion?

3
4 CHAIRMAN TUTIAKOFF: In regards to Proposal
5 29, in general.

6
7 MS. TRUMBLE: I'll make a motion.

8
9 CHAIRMAN TUTIAKOFF: It's been moved to amend
10 Proposal 29.

11
12 MS. SHELLIKOFF: Second.

13
14 CHAIRMAN TUTIAKOFF: Seconded by Gilda.
15 Discussion. First item that I see needs to be amended is the
16 dates in Unit 9 in regards to the dates of hunt and Unit 10
17 also.

18
19 MS. TRUMBLE: Mr. Chair.

20
21 CHAIRMAN TUTIAKOFF: Yes.

22
23 MS. TRUMBLE: You might want to doublecheck
24 on this, the one point we talked about was August 1st and I
25 think Rick Poetter mentioned August 25th because the State is
26 changing their date instead of August 20 -- or September 21st
27 -- or 25th.

28
29 CHAIRMAN TUTIAKOFF: Right. August 1st to
30 September 25th.

31
32 MS. TRUMBLE: Yeah.

33
34 CHAIRMAN TUTIAKOFF: And then November 15th
35 to March 31st. That's for Unit 9(D). Unit 10 was August 1st
36 through September 25th and November 15th to the 31st. So
37 that will be one date change, the hunt date change. The
38 other is that the designated hunter may hunt for recipients
39 but may not have no more than four harvest limits in his or
40 her possession.

41
42 MR. SQUARTSOFF: Well, wouldn't you have to
43 have five, counting the hunter himself besides the.....

44
45 CHAIRMAN TUTIAKOFF: No.

46
47 MS. HILDEBRAND: You don't have to count
48 yourself.

49
50 MR. POETTER: No, it's being based on

00036

1 possession of, what's in your hands.

2

3 CHAIRMAN TUTIAKOFF: Possession.

4

5 MR. POETTER: You could have your one and
6 three designated hunters or you could have all four
7 designated hunters.

8

9 CHAIRMAN TUTIAKOFF: It won't include you as
10 a hunter is what we're saying because of the four limit per
11 area or eight in Unit 10.

12

13 MR. SQUARTSOFF: Okay.

14

15 CHAIRMAN TUTIAKOFF: Is that correct, because
16 we're allowing two per permit in Unit 10, so you'd go to
17 eight.

18

19 MR. POETTER: That's up to you.

20

21 CHAIRMAN TUTIAKOFF: Yeah, I mean that's what
22 we're saying.

23

24 MR. POETTER: The way I was understanding it
25 would be just four in possession, I didn't know if you were
26 going to apply that to Unit 10 as well as Unit 9.

27

28 CHAIRMAN TUTIAKOFF: Well, Unit 10 is
29 addressed separately in this issue regarding, it says two
30 caribou for Unit 10 and one in Unit 9, so they are separate
31 areas.

32

33 MR. POETTER: But that's what I'm getting at,
34 is, are you going to make that distinction that it will be
35 twice the possession limit of what Unit 9 is because you're
36 allowed two caribou or would you allow, say two caribou to be
37 taken by the hunter and then two designated hunter. In other
38 words, is your possession limit going to be four across the
39 board or are you going to have four in 9(D) and eight in 10?

40

41 CHAIRMAN TUTIAKOFF: Well, I believe we're
42 going towards four in 9(D) and eight in Unit 10, that's the
43 way it was proposed.

44

45 MS. TRUMBLE: Yeah.

46

47 CHAIRMAN TUTIAKOFF: Is that correct?

48

49 MS. TRUMBLE: That's correct.

50

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1 CHAIRMAN TUTIAKOFF: Okay, that's where we
2 are. So it changes, and also Akutan, on the additional
3 information this proposal would also include Akutan. I would
4 add comment there that we'd include Akutan after Proposal 28
5 has been adopted. Therefore, they're being addressed at this
6 point, then we don't have to come back and revise every one
7 of these proposals for Akutan, just keep it there until
8 Proposal 28 has been adopted.

9
10 MR. GUNDERSON: Okay. So what you're saying
11 they're excluded until.....

12
13 CHAIRMAN TUTIAKOFF: Yeah, they've been
14 deferred until next year.

15
16 MR. GUNDERSON: Yeah. Yes, okay.

17
18 CHAIRMAN TUTIAKOFF: Any more changes to
19 Proposal 29.

20
21 MR. SQUARTSOFF: I'm just wondering if you're
22 not really concerned about a time to have report on your
23 success.

24
25 CHAIRMAN TUTIAKOFF: A time line.

26
27 MR. SQUARTSOFF: Time limit on reporting.

28
29 MS. SHELLIKOFF: They're on the permits that
30 are issued.

31
32 CHAIRMAN TUTIAKOFF: They're on the permits.

33
34 MR. SQUARTSOFF: They're on the permits,
35 okay.

36
37 MS. SHELLIKOFF: They have been.

38
39 CHAIRMAN TUTIAKOFF: Okay. They have a time
40 line to make their report on the permits.

41
42 MS. TRUMBLE: I have maybe a question for
43 Rick. We kind of go through this a lot and then I feel like
44 sometimes we come to some sort of consensus and then we get
45 to where it goes to the main board and then it kind of gets
46 changed a little bit. But I kind of, personally, would like
47 to know what your sense is, you know, is this going to work
48 for you? I know we talked about these dates quite a bit. We
49 spent a bit of time discussing this and I know what your
50 concerns were but I really strongly believe that it doesn't

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1 seem like it's that big of an issue.

2

3 MR. POETTER: Della, I'd have to agree. I'm
4 not hard over one way or the other on it. So I just like to
5 be as clear to the people so that they understand what's
6 required of them and that's my biggest concern. Also being
7 a little conservative with the one caribou on 9(D) until we
8 get some real good population data.

9

10 As an update, because of our bad weather that we had
11 out there this year, we did not get a count on the caribou.
12 So we got a partial count on the Unimak herd, which was, you
13 know, we were estimating 600 and we counted 335 just in a one
14 hour survey, which sounded pretty significant. We missed a
15 lot of area so we were pretty comfortable with the numbers on
16 Unimak.

17

18 CHAIRMAN TUTIAKOFF: In regards to when this
19 goes to the Federal Board, they are doing as much as they can
20 to become in line with State proposals or State hunt systems.
21 But they will look at the areas, the weather, the climate,
22 the village location when they make their decisions. And
23 representatives from our RAC will be there to justify the
24 decisions we make here.

25

26 If there's no more discussion on Proposal 29, I'd ask
27 for adoption of Proposal 29 as amended.

28

29 MR. GUNDERSON: So moved.

30

31 MS. TRUMBLE: I will second.

32

33 CHAIRMAN TUTIAKOFF: Moved by Paul, seconded
34 by Della. All those in favor say aye.

35

36 IN UNISON: Aye.

37

38 CHAIRMAN TUTIAKOFF: Opposed.

39

40 (No opposing votes)

41

42 CHAIRMAN TUTIAKOFF: Motion carries. I'd ask
43 for a five minute recess.

44

45 (Off record)

46

47 (On record)

48

49 CHAIRMAN TUTIAKOFF: For the record, Mark
50 Olsen showed up just before our break and he's brought in --

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1 before we move on, I guess, just quickly he would like to
2 address an issue regarding the Buskin River subsistence hunt
3 and we'll add that on our agenda after we finish off the
4 proposals, Mark, okay.

5
6 MR. OLSEN: Thank you.

7
8 CHAIRMAN TUTIAKOFF: Also I got a request
9 during the break to be aware that they'll be looking at the
10 designated hunter issue in regards to Proposal 29 and we will
11 have feedback during the meeting about the limit of four per
12 designated hunter.

13
14 At this time we'll move on to Proposal 30 -- yeah,
15 Mike.

16
17 MR. SWETZOF: I'd like to bring back and
18 reconsider 28, I'd like to say something on it somewhere down
19 the line.

20
21 CHAIRMAN TUTIAKOFF: In regards to that
22 Proposal 29, it has been.....

23
24 MR. SWETZOF: No, 28.

25
26 CHAIRMAN TUTIAKOFF:I mean 28, it has
27 been.....

28
29 MR. SWETZOF: I'd like to move for
30 reconsideration.

31
32 CHAIRMAN TUTIAKOFF: If there's no objection
33 from the Council to revisit Proposal 29 for.....

34
35 MR. SWETZOF: No, 28.

36
37 CHAIRMAN TUTIAKOFF:I keep going to 29
38 because that's where we just were. Mike, go ahead, two
39 minutes.

40
41 MR. SWETZOF: Yes, I'd just like to put on
42 the record that the people of Unalaska and Akutan would get
43 one boat -- Vern Robinson's boat and go to Umnak and get
44 reindeer when it was the right time of the year and this was
45 back in the '50s and '60s Steven Glashen and Vern Robinson
46 and they'd go get sheep and bring it back to the villages for
47 the residents. And none of this has been brought out and I
48 lived it and I'm sure you have, too, Vince, and I just wanted
49 to -- I didn't want to see Akutan being left out on being
50 able to go hunting if the opportunity comes up for those

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1 residents of that community. Because a lot of times the
2 fishing boats that are fishing off of Unimak Pass can go and
3 get reindeer and then bring it back to the community for
4 those people that can't go past Unimak Pass. You know, I'd
5 hate to see them not have the opportunity to eat caribou.

6
7 And, you know, I think there's no problem with
8 leaving it open, and just giving the opportunity, I hate to
9 see them get shut out for another year.

10
11 CHAIRMAN TUTIAKOFF: Uh-huh. This Proposal
12 28, directly refers to Unimak and only Unimak at this time,
13 Mike. I understand your concern. It doesn't leave Akutan
14 out, what we're asking for is that in the research that's
15 going to be continued on, that may bring into light the use
16 of the reindeer at Umnak which is to the west of Unalaska and
17 we hope that.....

18
19 MR. SWETZOF: Well, I think the caribou on
20 Unimak, you know, a lot of times those fishermen go and get
21 it and they don't say nothing because they don't want to
22 repercussions and the same thing happens on Atka, Adak, all
23 these communities. These fishing boats turn around and they
24 got their freezers full of caribou and they give it out but
25 they don't say nothing about it. And I think when they do
26 they surveys in those communities, a lot of times those
27 people won't say nothing because of repercussions. And
28 that's why they're not getting a true count, and I think
29 you'll find out throughout the whole state, not just in one
30 community.

31
32 CHAIRMAN TUTIAKOFF: Yeah, well, that's what
33 we needed the time for. There was no response from Akutan as
34 far as -- and that's probably the reason.

35
36 MR. SWETZOF: Right.

37
38 CHAIRMAN TUTIAKOFF: We need to tell them --
39 we need to convey to them that this is an important issue for
40 them in the future and I'm aware that people from Akutan have
41 been utilizing the caribou but are afraid to say anything,
42 like you say, maybe repercussions.

43
44 MR. SWETZOF: I think if you had one of your
45 own people doing the surveys that they'd be a lot more looser
46 in telling the truth instead of having an outsider. Nobody's
47 going to tell an outsider what they're doing. It's none of
48 their business.

49
50 CHAIRMAN TUTIAKOFF: Yeah, okay, we'll take

00041

1 that into consideration. Maybe contact the primary source
2 that did the survey, what was her name -- it was the one that
3 went to the community of Akutan, twice, anyway, we'll find
4 out about that. Thanks for your comments, Mike.

5

6 Proposal 30 is up next, and Dave Fisher.

7

8 MR. FISHER: Yes, Mr. Chairman, thank you.
9 Proposal 30 was submitted by your Council and this proposal
10 would remove the marine waters access restriction for elk
11 hunting on Afognak Island, Federal public lands, Kodiak
12 National Wildlife Refuge there on Afognak Island. If you'll
13 recall in 1997 C&T was established for elk for Federal public
14 lands. In 1998 the hunt season was established and at that
15 time the marine access provision was put in. In 1999, the
16 hunt season was extended and the marine access was retained.
17 The current Federal season starts on September 1st and runs
18 through November 30th. The State season starts on the 25th
19 and runs through November 30th. Federal season starts 24
20 days prior to the State season.

21

22 Population data for the elk indicates that the elk
23 population ranges somewhere between 600 and 1,500 and I think
24 the current estimated population is around 1,000. Robert
25 Stovall may be able to add a little update on that. It's
26 estimated that it's somewhere between three and 10 elk are
27 harvested annually from Refuge lands.

28

29 In 1998 the Council had concern that logging roads
30 improved access to Refuge lands and gave personnel from the
31 logging camps an advantage for hunting elk on Refuge lands as
32 most of these people did have C&T. And the Council
33 recommended at that time and it was approved by the Federal
34 Subsistence Board that access be restricted to boats only,
35 marine access, in order to equalize harvest opportunity for
36 all communities having C&T for elk in Unit 8.

37

38 This access provision has been in effect for two
39 years and apparently has actually provided an advantage for
40 hunters under State regulations who have no access
41 restriction. In reviewing this proposal we have discussed
42 this with the Staff there at the Kodiak Refuge and we went
43 along with the recommendation to remove this access
44 regulation as this would align Federal access regulations
45 with State access regulations and would provide an equal
46 harvest opportunity for all communities having C&T use of
47 elk. And it would probably be -- would provide an advantage
48 to subsistence users as their season starts earlier. So
49 without that access restriction they would be able to hunt
50 earlier.

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1 But we did go along with your recommendation to
2 remove the access provision. That's all I have Mr. Chairman.

3
4 CHAIRMAN TUTIAKOFF: Comments. Council. Go
5 ahead, Pete.

6
7 MR. SQUARTSOFF: Yeah, Mr. Chairman, I put in
8 that proposal and I did have it in at the Port Lions meeting
9 two years ago but it got really confused -- everything got
10 sort of confused and I didn't realize that it was taken out
11 in the final -- when the proposal was finalized. So that's
12 why I put it in again last year to take it out.

13
14 MR. FISHER: You intended to remove it in
15 '99.....

16
17 MR. SQUARTSOFF: That's what the.....

18
19 MR. FISHER: Okay.

20
21 MR. SQUARTSOFF: Yeah, that's what the intent
22 was but it got so confused that it ended up not being in
23 there. All the discussions about it just sort of got it all
24 confused and I didn't realize it until after that it wasn't
25 in there so that's why I put it in again this last year.

26
27 And the reason for doing that, that marine access
28 only, as you can see in the report that no animals have been
29 harvested because of weather and getting around through that
30 area and the elk don't really hang out in that area either
31 because it's not the sunny side of the hill so to speak where
32 most animals hang out. They hang out on the sunny side of
33 the mountain where now there is logging roads. There has
34 been for over two years, now.

35
36 CHAIRMAN TUTIAKOFF: Okay, my recollection of
37 that meeting in Port Lions, when we did this proposal we
38 asked to keep the entry for elk hunting for marine waters
39 only?

40
41 MR. SQUARTSOFF: Uh-huh.

42
43 CHAIRMAN TUTIAKOFF: And you're asking now to
44 remove the entry for elk hunting from marine waters now?

45
46 MR. SQUARTSOFF: Access only, right. To any
47 access, same as the State.

48
49 CHAIRMAN TUTIAKOFF: To go in through the
50 road system basically.

00043

1 MR. SQUARTSOFF: Same as State regulations.

2

3 CHAIRMAN TUTIAKOFF: Okay. Mark.

4

5 MR. OLSEN: Yes, thank you. I'd just like to
6 add that certainly there has been a lot of concern for the
7 elk through the land owners in that area. Certainly there
8 has been regulation that there is to be no private vehicles
9 on the island that would enable them to access this area
10 anyway. So I feel very comfortable by not restricting it to
11 marine use only, that if we -- if they want to hike the
12 roads, that's fine but there is no use of any kind of private
13 vehicles on the logging roads at any rate. So that doesn't
14 really affect us as far as others being able to come in with
15 vehicles and have easy access to this area.

16

17 CHAIRMAN TUTIAKOFF: Okay. Any more
18 comments. We need a motion to adopt the proposed regulation
19 Unit 8, elk, with removal of entry of elk hunting shall be
20 from marine waters, only, that would be removed from the
21 present proposal.

22

23 MR. SQUARTSOFF: So moved.

24

25 CHAIRMAN TUTIAKOFF: It's been moved by Pete.

26

27 MR. OLSEN: Second.

28

29 CHAIRMAN TUTIAKOFF: Seconded by Mark.
30 Discussion. Hearing none, all those in favor say aye.

31

32 IN UNISON: Aye.

33

34 CHAIRMAN TUTIAKOFF: Opposed.

35

36 (No opposing votes)

37

38 CHAIRMAN TUTIAKOFF: Motion carries. The
39 proposed regulation for Unit 8 on elk is adopted. The next
40 item is -- did you want to comment, Robert?

41

42 MR. STOVALL: (Nods negatively)

43

44 CHAIRMAN TUTIAKOFF: Sure? Thanks. The next
45 item we have on is Proposal 33.

46

47 MS. H. ARMSTRONG: Actually in your book, Mr.
48 Chairman, there is a Proposal 1 which was withdrawn.

49

50 CHAIRMAN TUTIAKOFF: What was that?

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1 MS. H. ARMSTRONG: Proposal 1 which was
2 withdrawn. In my book, anyway, it's between 30 and 33.

3
4 MR. SQUARTSOFF: I don't have anything
5 between 30 and 33.

6
7 MS. H. ARMSTRONG: You don't have anything.

8
9 MR. OLSEN: 32.

10
11 MS. H. ARMSTRONG: Okay, well, it
12 doesn't.....

13
14 MR. SQUARTSOFF: It may be in there but it's
15 not on the agenda.

16
17 MS. H. ARMSTRONG: Okay, well, if I could
18 just quickly address it. It should have been on the agenda.
19 But Proposal 1 was withdrawn and normally we probably
20 wouldn't have had anything in here but it was proposed by the
21 Chair of the Southcentral Regional Council, Ralph Lohse. And
22 he did withdraw it but he did ask that his letter that he
23 wrote, which is in here be submitted as to explaining his
24 reasons why because he didn't want any bad feelings from any
25 of the Council members for his having made the proposal. So
26 I just wanted to alert you to that and ask you, at your own
27 time, on your own time if you could read the letter. He
28 basically wanted people to know that he was submitting it
29 with respect and not meaning to try to say that subsistence
30 should be done with primitive methods. So he just didn't
31 want any bad feelings. So we promised him we'd put the
32 letter in there, and rather than me read it to you, I think
33 you can just read it on your own time.

34
35 CHAIRMAN TUTIAKOFF: Okay.

36
37 MS. H. ARMSTRONG: Proposal 33 was submitted
38 by the Bristol Bay Native Association and provides for a
39 designated hunter permit for hunting caribou in Units 9(C)
40 and 9(E). I think this follows nicely with the one you were
41 just discussing about designated hunter permits.

42
43 This one is -- 9(C) is 77 percent Park Service
44 administered lands, that's to the Katmai National Park and
45 Preserve, and then 9(E), it's 45 percent of Fish and Wildlife
46 Service administered land and then five percent if Park
47 Service administered land so it's predominately -- a large
48 percentage of Federal public lands. The intent of the
49 proposal is to allow residents of Egegik, King Salmon,
50 Naknek, Pilot Point, Ugashik, Port Heiden, Chignik Lake,

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1 Chignik Bay, Chignik Lagoon, Perryville, Ivanof Bay and Port
2 Moeller to be able to ask other hunters to hunt for them
3 through a designated hunter permit. Right now all residents
4 of Unit 9(B), 9(C), 17 and Egegik have a positive C&T
5 determination for hunting caribou in 9(C) and all residents
6 of 9(B), 9(C), 9(E) and 17 and residents of Nelson Lagoon and
7 Sand Point have a C&T -- positive C&T for hunting caribou in
8 9(E). So this would allow, as we've been discussing anybody
9 who has C&T can hunt for anyone else who has C&T as long as
10 you have -- you're a licensed hunter. And unlike the State
11 designated permit provisions, it can be anyone, it doesn't
12 have to be an elder or a handicapped person.

13
14 Right now there's a restriction of one bull per
15 hunter with a limit of 60 Federal permits issued so there
16 would be a limit as to how many could be taken anyway. And
17 the reason that this has really been requested is that
18 residents of Perryville, Ivanof Bay, Chignik Lake, Chignik
19 Bay and Chignik Lagoon have gotten very few caribou because
20 of the unavailability of caribou so with this provision in
21 place it would enable them to ask people from other
22 communities to get caribou for them.

23
24 The caribou on the Alaska Peninsula are divided into
25 two herds, the Northern and the Southern herds. And the
26 Southern herd is limited to Unit 9(D), the Northern herd
27 ranges from Port Moeller northward to the Naknek River
28 drainage. And recently to the Lake Iliamna area, it occurs
29 within 9(C) and 9(E). The NAPH, the Northern Alaska
30 Peninsula Caribou herd has had a lot of fluctuation. They've
31 gone from 2,000 in the 1940s to 20,000 in 1980s to 10,000 in
32 1997 and right now their population is believed to be around
33 9,000 animals. In order to keep the herd from decreasing
34 there is a restriction on no harvest of cows at the moment.

35
36 Right now because of the decline of the herd it
37 prompted the Board of Game and the Federal Subsistence Board
38 to implement harvest regulations last spring in 1999 and as
39 a result there are 600 Tier II permits on State lands and 60
40 Federal registration permits for Federal lands. There are
41 96.3 percent of the 600 available Tier II permits did go to
42 local residents of Unit 9(C) and 9(E). And currently it's
43 estimated that the combined total number of permits issued,
44 which is 660 is within the number -- that the number that
45 would be harvested from that would be the number -- within
46 the biological parameters of the estimated harvestable
47 surplus. And last year, last September, both the Board of
48 Game and the Federal Subsistence Board extended the caribou
49 season in 9(E) by 10 days to September 30th, and that was
50 done, primarily so that residents of Port Heiden could have

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1 a little bit more opportunity to harvest a bull caribou.

2

3 So the feeling of the Staff is that as long as the
4 number of permits continues to be restricted to 60, that
5 there would be no impact on the NAPH if we had a designated
6 hunter system in place. I personally really support having
7 designated hunter systems as well as community harvests
8 because I think this is -- as someone said earlier, this is
9 the way people have traditionally hunted and that it should
10 be something that you should be allowed to do.

11

12 It does mean that you would still have to have a
13 hunting license. A hunter would be required to have
14 possession of a hunting license, a designated hunter permit,
15 the hunting license of the other person and their harvest
16 tickets or registration permits.

17

18 Our conclusion is to adopt the proposal. And the
19 ADF&G comments, they didn't have a position at this time.
20 They were concerned about the possible confusion of the
21 Federal designated hunter and the State proxy hunting
22 provisions and they felt that if this proposal's adopted,
23 steps should be taken to ensure that the Federal designated
24 hunters recognize where they are authorized to hunt under
25 this provision in the Federal Subsistence Regulations. In
26 addition, the proposal lacks the usual language about having
27 no more than two harvest limits in possession at any one time
28 nor does it specify that this designated hunter obtain a
29 designated hunter permit.

30

31 And there were no public comments, either.

32

33 That concludes my presentation.

34

35 CHAIRMAN TUTIAKOFF: Thank you. Is there
36 comments from the Council. Della.

37

38 MS. TRUMBLE: Can someone explain to me what
39 the State proxy hunting provision is? I've never heard of
40 it, to be honest with you, or I guess.....

41

42 MS. H. ARMSTRONG: Maybe somebody from the
43 State would be more appropriate to answer it.

44

45 CHAIRMAN TUTIAKOFF: Well, when we get
46 somebody from the State to comment then we'll have them
47 explain it. Any questions. Thank you. Maybe somebody from
48 the -- Mark.

49

50 MR. OLSEN: Are we still on this, Della's

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1 question?

2

3 CHAIRMAN TUTIAKOFF: Yes.

4

5 MR. OLSEN: Or.....

6

7 CHAIRMAN TUTIAKOFF: Well, any question you
8 have right now.

9

10 MR. OLSEN: Okay. I just wanted to add that
11 I do have a concern that if this designated hunter system is
12 not -- in other words, there is no provision here as to how
13 many people this designated hunter may hunt for. I think that
14 could create a real problem especially when the designated
15 hunter does not have to be a resident of that area or
16 anything of that concern as we have seen these things, not so
17 much in designated hunter, but on an open season really get
18 carried away in our area on the deer harvest. So I'm very
19 concerned that there should be some kind of a controlling
20 factor as to how many permits they designate a hunter may
21 hunt for in any given day or in possession.

22

23 MR. GUNDERSON: I believe we just addressed
24 this on Proposal 29, we changed it from two in possession to
25 four, and in 10 we changed it -- depending on what the number
26 are, until those are filled out and turned in whether we're
27 -- I think there's going to have to be some type of
28 monitoring system in the community, too, to report to the
29 Fish and Game and Fish and Wildlife, to make the connection
30 better as to how these things are recorded so they'll be done
31 in a timely basis so that you'd have these numbers.

32

33 MS. H. ARMSTRONG: You need to remember there
34 is a restriction of 60 permits so it won't go over 60. But
35 the issue may be, as I think you're suggesting is it could be
36 distributed differently through the communities with that.

37

38 MR. OLSEN: I see a potential there as, if
39 one person has a designated hunter versus another person with
40 a designated hunter, one could run the herd and basically
41 take all 60 of them as I see it here.

42

43 MR. SQUARTSOFF: No, Mr. Chair, it states
44 that they have to have the permit and even the hunting
45 license number of that person that they're hunting for. And
46 they're only allowing up to 60 permits so it's already
47 covered, so to speak.

48

49 MR. OLSEN: Am I wrong to just assume then
50 that if I could get 60 permits from others then I could go

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1 shoot all 60.

2

3 MR. SQUARTSOFF: There's only going to be so
4 many permits allowed and I don't think everybody's going to
5 have one person hunt all the animals for them, give them
6 their permit and their license.

7

8 MR. GUNDERSON: And on possession you only
9 can have four in possession at one time. So you got to take
10 those four turn them in and then you can go pick up four more
11 tickets and go out again. But until those first four are
12 turned in, you get them out of your possession, you're
13 responsible for them. So I think that if there was some type
14 of monitoring system to watch that in the community it would
15 be able to control it.

16

17 MS. TRUMBLE: I think maybe we seem to be
18 going in a funny direction here. We're looking at people
19 going out and hunting this mass number of animals and I
20 strongly believe the people in our regions, in our
21 communities are going to take what they can handle, they're
22 not going to go out and take what they can't harvest and take
23 home and put away in a proper manner because most people that
24 I know and are aware of don't waste any of their harvest. I
25 don't know, I look at this in a sense that maybe they're
26 looking to just help other people and we talked about this
27 earlier and John did bring it up, too, and Paul, that when
28 people do go out they're going to try to get as many as they
29 can and they're allowed but they're also going to take into
30 consideration what their ability is to take care of all this.

31

32 CHAIRMAN TUTIAKOFF: Under 9(C) and (E),
33 under the designated hunter system, the designated hunter can
34 only come from the communities of 9(C) and (E), it would
35 assume to me that the majority of those hunters are going to
36 come from Port Heiden to Perryville in 9(E) instead of just
37 primarily where this is concerned with. So I would assume
38 that they have several designated hunters and they're
39 coordinating amongst themselves, the villages, they know the
40 limit of how many permits are issued and I don't suspect
41 there'd be one person out there that's going to be hunting
42 all of 9(E) for six or eight communities.

43

44 I understand your concern, Mark. It says right there
45 in the proposal that the designated hunter may have no limit
46 in the number of recipients. But if that is a concern for
47 this Council then we need to get back to what we have talked
48 about in the past proposal, a four per designated hunter.

49

50 MR. OLSEN: I have no problem with the amount

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1 of recipients that one is able to hunt for, that's not even
2 a part of the question. I just see a potential problem and
3 I think it should be addressed before it does become a
4 problem. That's all I'm trying to get across, Mr. Chairman.

5
6 CHAIRMAN TUTIAKOFF: We can always amend this
7 -- this is a Bristol Bay.....

8
9 MR. SWETZOF: Mr. Chairman.....

10
11 CHAIRMAN TUTIAKOFF:Native Association
12 proposal. Mike.

13
14 MR. SWETZOF: Maybe you could just adopt what
15 you did in 29 and put it into this one.

16
17 CHAIRMAN TUTIAKOFF: Yeah, that's what I was
18 recommending. If there is a concern and.....

19
20 MR. SWETZOF: This would eliminate it.

21
22 CHAIRMAN TUTIAKOFF: And I know that on the
23 Federal Board level they are going to question this no limit
24 of number of recipients because they have in the past
25 discussed it where it has become an issue and have sent it
26 back to the RAC that submitted it saying you need to
27 designate what is a recipient and how many there are.

28
29 MR. SQUARTSOFF: I guess there isn't anybody
30 here from Bristol Bay Regional Council.

31
32 MR. EDENSHAW: Excuse me, Mr. Chair, maybe
33 Dave Fisher can add some more information to this but the
34 Bristol Bay Council is going to meet this weekend on Friday
35 and Saturday. And from my discussions and Dave can fill us
36 in on some of the biological data is that there was a 600 --
37 the harvestable surplus for caribou in the Northern Alaska
38 Peninsula Caribou Herd is 600. That's what was reported and
39 on the Federal lands they said we're going to go ahead and
40 allocate 60. And just as Peter or Della was stating there's
41 an overlapping proposal there, originating in the Bristol Bay
42 region in Units 9(C) and (E), they as a courtesy are saying,
43 we're going to let the -- because Sand Point and Nelson
44 Lagoon are the two communities that have positive C&T in 9(E)
45 and they put forth this proposal for a designated hunter.
46 The Council can go ahead and, you know, however they see fit
47 to make a motion to support or modify the proposal. And
48 express Mark -- Mark's concerns can be carried over to that
49 meeting, just me -- because not only Helen, Dave and I will
50 be going to Dillingham on Friday when that meeting convenes

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1 but -- you know, as Mark brought up his concerns regarding
2 and maybe overharvesting by designated hunters, they can go
3 ahead and make a motion that the original proposal or amend
4 it.....

5
6 CHAIRMAN TUTIAKOFF: Yeah, I would have a
7 hard time changing their proposal but we can make a
8 recommendation to their proposal that they seek to clarify
9 what their proposal is intending. And I think they're not
10 intending that there be one person that get all the -- become
11 the designated hunter and recipient of all the 600 caribou.
12 But from our point of view as Kodiak/Aleutians and there is
13 overlapping in 9(E), that we should make that our concern,
14 that we should relay on to the Bristol Bay RAC that there is
15 a concern that they need to address it or this proposal, as
16 it stands, may not fly under the Federal Board when it goes
17 for review.

18
19 Mark.

20
21 MR. OLSEN: Yes, Mr. Chairman, how does this
22 fit with consistency of the designated hunter of 9(D)?

23
24 CHAIRMAN TUTIAKOFF: We have four.

25
26 MR. OLSEN: That's all my concern is, I
27 believe that there should be a consistency in there.

28
29 MR. SWETZOF: Maybe we should recommend what
30 we amended ours and just recommend that to their Board.

31
32 CHAIRMAN TUTIAKOFF: Okay, we'll ask, do you
33 have some comments, Dave.

34
35 MR. FISHER: Yes, Mr. Chairman. Earlier on
36 number 29, I looked through my files and I do have designated
37 hunter permit here in my hand and I want to just read a
38 little bit to you here. This permit allows you to take the
39 species listed on this permit for other subsistence users,
40 caribou, you may take up to their harvest limit of this
41 species on Federal lands only. However, you may not have
42 more than two harvest limits in possession at one time. Now,
43 what I'm going to do, I'm going to track this down and get a
44 report back to you this afternoon, if this is the law or this
45 can be modified like you did on Proposal 29, up to four.

46
47 CHAIRMAN TUTIAKOFF: Okay. Ida.

48
49 MS. HILDEBRAND: Thank you, Mr. Chair. Ida
50 Hildebrand, BIA Staff Committee member. The designated

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1 hunter is for the benefit of subsistence users. And the
2 Regional Councils of the respective use area are the ones who
3 state what the in-possession limit of the designated hunter
4 is. There is no set Federal rule that it has to be one
5 number or not. And this Council or this area has been very
6 concerned about their take in Unit 9(C) and (E) and are very
7 restrictive to themselves and I would agree with Mr.
8 Swetzof's statement that this Council make a recommendation
9 of their concerns to the Bristol Bay Council and the Bristol
10 Bay Council will take that into consideration in their
11 deliberations.

12
13 Thank you.

14
15 MR. SQUARTSOFF: I'd like to make a motion to
16 adopt Proposal 33.

17
18 CHAIRMAN TUTIAKOFF: It's been moved, do I
19 hear a second.

20
21 MS. TRUMBLE: Second.

22
23 CHAIRMAN TUTIAKOFF: Discussion.

24
25 MR. SWETZOF: With the recommendations of
26 what we're -- what we have in our area, recommend to them for
27 their area.

28
29 MR. SQUARTSOFF: No, just the way it is.

30
31 CHAIRMAN TUTIAKOFF: See, this is within the
32 Bristol Bay and like the past speaker mentioned, it is up to
33 each RAC to determine that. If they want to have two or
34 three or four, that is up to them. We are trying to make it
35 consistent with ours but this will make it difficult for
36 people coming out of Sand Point who have an overlap into this
37 area. They will have to make a determination of what area
38 they're hunting from.

39
40 MR. SWETZOF: Maybe we should make a note to
41 them of what we're doing in our area and maybe they might
42 consider it.

43
44 CHAIRMAN TUTIAKOFF: I think what we need to
45 do is ask our coordinator to submit Proposal 29, I believe it
46 was 29, that we submit it as part of a reference that we
47 recommend that they follow some continuity in region-to-
48 region. And other than that, I really don't know where we
49 could -- other than that I don't have any recommendation but
50 to adopt the proposed regulation as it's been submitted to us

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1 for referral.

2

3 MR. SWETZOF: Question.

4

5 CHAIRMAN TUTIAKOFF: Question's been called.

6 All those in favor say aye.

7

8 IN UNISON: Aye.

9

10 CHAIRMAN TUTIAKOFF: Opposed.

11

12 (No opposing votes)

13

14 CHAIRMAN TUTIAKOFF: Motion carries with the
15 addendum that Proposal 29 be submitted to Proposal 33 for
16 recommended changes in regards to the proposed regulation.

17

18 Thank you.

19

20 The next item here is Adak non-rural status, status
21 of proposal submitted by the Regional Council. Tim Jennings,
22 are you here or Tom Boyd? Not here. I have a question in
23 regards to I would like to ask why this proposal was
24 deferred? There's no information on it, there's no tab on
25 this.

26

27 MR. JENNINGS: Yes, Mr. Chair, Tim Jennings
28 from the Federal Office of Subsistence Management. If I
29 could I'd like to request, with your permission, that we
30 delay discussion of this until after lunch when Tom Boyd is
31 here. He'll be arriving after lunch and I think he wanted to
32 address the issue with the Council.

33

34 CHAIRMAN TUTIAKOFF: Okay. I'll hold my
35 questions in regards to non-rural status on Adak, and if the
36 Council has no objection, we'll hold that item and remember
37 to bring it up after lunch. Thank you.

38

39 MR. JENNINGS: Thank you, Mr. Chair.

40

41 CHAIRMAN TUTIAKOFF: Item 8 is open the floor
42 to change Federal Subsistence Fishing Regulations, Customary
43 and Traditional use determinations, that's under Tab N.
44 Possibly at this time I'd like to refer to this item to Mark,
45 he had a concern regarding subsistence fishing in the Chiniak
46 Bay area versus -- and closure for subsistence of any type in
47 Buskin. Cliff.

48

49 MR. EDENSHAW: Thank you, Mr. Chair. Before
50 the Council goes on, inside the new regs book I put on your

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1 desk, in some of the books we've found that Pages 7 through
2 14 may be missing and then 31 through 38. But I think 7
3 through 14 may be pertinent to the Kodiak region.

4

5 CHAIRMAN TUTIAKOFF: Seven through what?

6

7 MR. EDENSHAW: Seven through 14, on some of
8 them they've noticed through the contractor -- so far 10
9 books had been found that those pages are missing. So just
10 please note that for future references. Because these were
11 mailed out to the Refuges on Kodiak as well as Izembek, so if
12 any residents out there find the regs book, Pages 7 through
13 14 may be missing and 31 through 38.

14

15 CHAIRMAN TUTIAKOFF: Mine are all here.
16 Everybody got all theirs?

17

18 MR. CRATTY: Yep.

19

20 CHAIRMAN TUTIAKOFF: It must have just been
21 going to the regulators for a purpose.

22

23 MR. CRATTY: How are we going to address
24 that?

25

26 CHAIRMAN TUTIAKOFF: What Chiniak Bay, yeah,
27 well, basically where I'm at right here is proposals. If
28 there are any proposals there's a form, there's guidelines of
29 how to submit them. Most of us have been through this
30 process. For those of you who have a concern and want to
31 make a proposal to change fishing regulations, we have Staff
32 and also people here that can help us do that. Open floor to
33 change regulations.

34

35 Any comments on that issue. No. Mark, I think we'll
36 get to yours where I had -- in looking at the agenda here, we
37 can go and add it on to 11B if that's okay with you.

38

39 MR. OLSEN: Thank you.

40

41 CHAIRMAN TUTIAKOFF: Under 11B, 11A was King
42 Cove Road concerns.

43

44 MR. OLSEN: Thank you.

45

46 CHAIRMAN TUTIAKOFF: All right. Any more
47 comments on proposal forms and guidelines for changes? If
48 not, we'll go to -- yes.

49

50 MS. HILDEBRAND: Thank you, Mr. Chairman.

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1 Ida Hildebrand, BIA Staff Committee member. Just a reminder
2 to the Council that the proposal period is open until March
3 27th.

4
5 CHAIRMAN TUTIAKOFF: Okay. You have a March
6 27th deadline for any new proposals.

7
8 MS. HILDEBRAND: Yes, Mr. Chair, and I'd
9 forgotten your previous request for me to introduce Judy
10 Gottlieb, the Park Service Federal Board member.

11
12 CHAIRMAN TUTIAKOFF: Okay. So those of you
13 who have concern on the process on the Federal Board level of
14 proposals, then Judy can be of assistance in determining how
15 this process is going since all of us cannot be at that level
16 when they make their decisions.

17
18 We'll have agency reports, Izembek National -- Rick
19 Poetter.

20
21 MR. POETTER: Thank you, Mr. Chair and
22 Council. I'd like to introduce Linda Ziemba who's our
23 biological technician and works for us year-round out there
24 now. I'm going to let her start off. She has a poster and
25 some other biological data to present to you.

26
27 MS. ZIEMBA: Well, I know you all know about
28 our satellite telemetry project that's been ongoing since
29 October of '98. We outfitted along with ADF&G 14 female
30 caribou with satellite telemetry collars and since then we've
31 been receiving weekly locations via e-mail. I've mapped
32 those locations, it's a little blurry but you can see them on
33 these two maps, on this poster and really, what we've found
34 the traditional knowledge has been reinforced, that the two
35 herds, range over discreet areas. The Northern herd does not
36 -- we haven't found any location south of Port Moeller and we
37 haven't found any locations of southern animals north of Port
38 Moeller, so they're not mixing is what we've seen so far
39 after a year and a half, and this is ongoing so we're
40 continuing to collect data now.

41
42 Also, which is interesting, the southern animals have
43 not gone more than 45 miles from where we originally collared
44 them whereas the northern animals have gone as much as 230
45 miles. So it will be really interesting as we continue this
46 study to see how this changes year to year or if it doesn't
47 change year to year. So that's what's happening with that.
48 I'll be happy to answer any questions about that or I can
49 move on to other information.

50

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1 We have -- every location on there is accurate within
2 350 meters. That's something really nice about this
3 methodology. It's very accurate, we get it every week and
4 it's much less expansive than -- and actually possible -- it
5 wouldn't possible for us to get this by using traditional
6 telemetry where you have to fly in a plane to try and locate
7 the animals which we've tried to do in the past and it's
8 really difficult out there.

9
10 MR. SQUARTSOFF: You said there was no
11 intermixing between the two herds, though?

12
13 MS. ZIEMBA: We haven't seen any, no. And
14 right now, ADF&G is conducting genetic work to see if -- how
15 genetically discreet the two herds are.

16
17 CHAIRMAN TUTIAKOFF: Okay.

18
19 MR. GUNDERSON: Well, my question was I
20 wonder how Dick Sellers picked out the only 14 permitted
21 resident animals.

22
23 CHAIRMAN TUTIAKOFF: Did they vote?

24
25 MR. GUNDERSON: We've been arguing over this
26 for years.

27
28 MS. ZIEMBA: Okay, I wanted -- anything else?
29 All right. I wanted to comment on an interesting brant study
30 that we've been working on on the Lagoon. This is actually
31 USGSBRD folks, put radio implants and backpacks on 65 brant
32 on the breeding grounds last spring and we've been monitoring
33 them then starting in the fall once they got to Izembek. We
34 either went to the top of Baldy or flew telemetry flights on
35 39 days to monitor these brant from August 27th to November
36 27th and we were able to get arrival dates and departure
37 dates which was very interesting. And the birds with
38 implants or backpacks peaked from October 10th to 24th, and
39 another interesting thing that we learned, we had folks all
40 on the flyaway and in New Mexico monitoring for these birds
41 so we were able to see how long it took them to get from
42 Izembek to get to the Lagoon to San Quintin Lagoon, and it
43 averaged, I believe 55 to 87 hours, which isn't very long and
44 that really emphasizes how important the Lagoon is to these
45 birds, and not just Izembek but Kinzerof and St. Catherine's
46 and Hook Bay and so this is a really fascinating study and
47 now we found that the birds are on their way north because
48 the implants are still working, so they're on their way north
49 and we've just started monitoring again in Izembek to see
50 when they get there, how long they spend in the Lagoon in the

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1 spring and then can get migration, compare how long it takes
2 them to get here in the spring versus in the fall. So this
3 study will last as long as the implants last.

4
5 So any questions about that one?

6
7 Okay. The last thing that I was going to talk about
8 and then I'm going to hand it over to Rick is brown bears.
9 You all know how great the habitat is out there for brown
10 bears and we support one of the highest density populations
11 of brown bears but it's been really hard for us to actually
12 get a density estimate or an actual population estimate out
13 there. There was one study done in 1989 in a small area and
14 then we extrapolated. The reason that now we're concerned
15 about it, besides we just know this for baseline knowledge
16 is, that is, those of you who live out there I'm sure noticed
17 this past year it just seemed like harvest went way up, sport
18 harvest, and, in fact, it did. I kind of calculated this on
19 a napkin this morning but the harvest went up 30 percent this
20 year over the last nine year average. So I think that's a
21 significant increase and since we don't really know what the
22 population is we don't know what kind of an impact that may
23 have. According to population models, a sustainable harvest
24 is five percent of the population so we need to know what the
25 population is to see what kind of an impact this increase in
26 sport harvest is having.

27
28 So luckily, as I said, before we haven't had a good
29 way to do this, it's really expensive and it's very invasive,
30 you actually used to have to handle the bears, mark them.
31 ADF&G, along with the University of Alaska-Fairbanks, just
32 developed a new method for estimating brown bear population
33 -- or I think just for brown bear population densities and
34 it's less expensive and it's non-evasive. It actually
35 involves flying line transects with double observers and it's
36 a statistically sound method. So we, along with ADF&G have
37 put in a proposal to try to get funding to conduct these
38 surveys out there.

39
40 And that's all I had to say.

41
42 MR. ALLEN: Getting back to the brant.

43
44 MS. ZIEMBA: Yes.

45
46 MR. ALLEN: When they leave Izembek they're
47 six pounds and when they get to Baja they're three, I read
48 that somewhere.

49
50 MS. ZIEMBA: Yeah. I think they can even

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1 lose, and I don't know their exact weights so I don't want to
2 say six and three. But they can even lose two-thirds of
3 their body weight, yeah, between Izembek and San Quintin.
4 And some of them don't stop, they fly directly from Izembek
5 straight down, as far as we know.

6
7 MR. ALLEN: They go in the jet streams.

8
9 MS. ZIEMBA: Right. They wait for a good low
10 pressure system to come through and actually Chris Dau has
11 been working on that for years to see what kind of weather
12 system comes through that, you know, sort of prompts them to
13 leave and so it makes it really hard for monitoring because
14 you're -- for example, to listen to these radios you're
15 trying to get up on the top of this mountain in the middle of
16 this horrible storm because you think that's when the birds
17 are going to be leaving and you don't want to miss it but
18 that seems to be what they do, yeah. Yeah, they're amazing
19 creatures.

20
21 CHAIRMAN TUTIAKOFF: Any other comments.
22 Della.

23
24 MS. TRUMBLE: I just kind of caught this here
25 because I was talking to Christine Mack yesterday, on this
26 issue of the guides for the bird hunts, the waterfowl guides
27 and having only one in the past and now it looks like you're
28 going to have five?

29
30 MR. POETTER: I was going to get to that part
31 in a little bit. I can jump right to it though if I can find
32 it in my notes.

33
34 In essence, we've been -- the Refuge, you're talking
35 about waterfowl guiding, right?

36
37 MS. TRUMBLE: Yes.

38
39 MR. POETTER: Okay. Our waterfowl guide,
40 we've had one local resident and he's been a pretty minimal
41 operator, he hasn't taken a lot of clients out and this
42 current year now, we've received about five to six new
43 inquiries to waterfowl guiding out there. And of course,
44 that raises some concern with us, not particularly in that
45 the resource can't handle the hunting pressure, those limits
46 are set by regulations and that and those concerns are
47 handled there. Our concern, of course, is to disturbance.
48 And if -- and, in particular, each one of these new
49 perspective guides comes in and asks for a permit to go out
50 and run boats on the Lagoon and take their hunters out and

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1 anchor out in the deep water areas where they don't have to
2 worry about the tide fluctuations. What kind of disturbance
3 is that going to do to the birds and what's the effect on it?
4

5 As you know, or probably know, the Lagoon itself is
6 the Izembek State Game Refuge, so in actuality we do not
7 regulate or try to regulate activities on the Lagoon. We
8 have issued permits in the past because the guide is
9 utilizing access to the Lagoon through us plus they're doing
10 other hunting activities based off the land. Like I said,
11 that's it in a nutshell.
12

13 I don't know if I answered your question or not. The
14 key is, I guess, it's of concern to us for the disturbance,
15 boats running back and forth.
16

17 MR. SWETZOF: Mr. Chairman.
18

19 CHAIRMAN TUTIAKOFF: Mike.
20

21 MR. SWETZOF: Are you guys working with the
22 State on, like with caribou and waterfowl and trying to
23 coordinate and work together or you guys just always doing
24 your own things?
25

26 MR. POETTER: Oh, no, we frequently contact
27 Dick Sellers and get his opinion as to the big game species
28 and Dave Fisher talks to him whenever he's doing his Staff
29 updates and correspond via e-mail. We work real close
30 together. And in particular, with the State Game Refuge we
31 have a cooperative agreement where we meet at least once a
32 year and talk about issues and just coordinate continually.
33 The State is looking right now at what -- not knowing for
34 sure how many guides will really come in and sign up for a
35 permit, but.....
36

37 MR. SWETZOF: Do you support that?
38

39 MR. POETTER: I'm sorry.
40

41 MR. SWETZOF: Do you support that, guiding?
42

43 MR. POETTER: Yeah. The Refuge is open for
44 commercial guiding it just has -- our concern, of course, is
45 the disturbance on the Lagoon.
46

47 MR. SWETZOF: You ought to just leave the
48 birds alone.
49

50 MR. POETTER: Well, what they're doing is

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1 providing a service to people that don't live in the area to
2 go out and enjoy the resources that are available.

3
4 MS. TRUMBLE: I have a problem with that
5 because the people that live out there can't enjoy it much
6 less have to have other people come in.

7
8 MR. POETTER: I have to agree a little bit,
9 in that, probably one of the issues that will arise from this
10 is user conflicts. I mean you're bringing in guides that are
11 going to be -- you know, 500 new clients to the area and they
12 also -- the City of Cold Bay has concern over what's that
13 going to do to their resources from the landfill to water
14 supply, sewage, et cetera.

15
16 MR. SWETZOF: Yeah, but you guys are
17 promoting it you're not stopping it.

18
19 MR. POETTER: Yeah, we don't have any
20 authority to really stop it other than to regulate
21 activities. And again, on the Lagoon we don't have that
22 authority at this present time, that's the State.

23
24 MR. SWETZOF: Mr. Chairman, does that tie
25 into navigable waters or does that have anything.....

26
27 MR. POETTER: No, it's because it's
28 designated as a State Game Refuge.

29
30 MS. ZIEMBA: I do want to stress that we are
31 concerned about this and this is something that we've been
32 talking about in the office and Rick and our deputy manager
33 and our biologist and myself, have been talking about, how
34 can we regulate this, what kind of impacts may this have, so
35 it's not something that we're taking lightly. And on top of
36 this, I don't know if you mentioned this, but it is in the
37 abstract, because we were concerned we did talk to biological
38 research division and they're going to be conducting a study
39 out there to see the impacts of the disturbance so it is
40 something that we are taking very seriously. I don't want
41 you to think, oh, there's five more guides coming and we're
42 going to give them all permits and do whatever they want,
43 that's not our intention.

44
45 MR. SWETZOF: If you got five people that
46 applied, you know, that's telling everybody that it's open
47 and you need to discourage it not encourage it.

48
49 CHAIRMAN TUTIAKOFF: I have a question maybe
50 to help us understand this guide issue, how many hunters has

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1 the one guide brought into the community in the last three
2 years? Has anybody looked at that figure to determine
3 if.....

4
5 MR. POETTER: We do have that information and
6 maybe I can make a call back and find that out.

7
8 CHAIRMAN TUTIAKOFF: Because you know we do
9 a lot of our evaluation based on what is available and if
10 you're putting in five more guides into a community like Cold
11 Bay, I understand their concern about having to provide
12 resources, housing, you're going to increase their operation
13 of the sewer plants, their water needs and everything else
14 that goes in that community is going to have to be built up
15 just for an additional five more guides. I think this Council
16 ought to look at to the real issue and come out with strong
17 objections to any new guidings without a study that's going
18 to take 10 years to get done. I mean they seem to put us
19 through this process, let's refer it back to the State and
20 say do a 10 year study before you give any more permits out.
21 That will allow us to utilize the information that the State
22 and the Federal agencies will be getting to so we can make a
23 good determination of whether it's allowable or not so we
24 don't let this go through.

25
26 MS. TRUMBLE: I think, too, Rick, you know,
27 when you look at these birds and not only the impact, but I
28 mean our region gets nailed for these birds a lot of times
29 and you're looking at bringing in five more guide hunters, it
30 doesn't make sense to me.

31
32 MR. GUNDERSON: Yeah, we just got the bird
33 limit raised here a couple years ago, you know, the migratory
34 bird -- the Flyaway bird group decided to raise it by one, I
35 think it was, and that was something that the locals had been
36 fighting for for a long time, and this is kind of what I was
37 saying about the State opening up the caribou hunt down there
38 in Unit 9(D).

39
40 It's hard to -- the community of Cold Bay is one
41 that's been planning ahead for growth for a long time,
42 they've got the infrastructure and a place that's capable of
43 handling, you know, quite a bit more people. And I don't
44 think they would discourage it. I think it has to be
45 discouraged from other -- or we've been fighting that guide
46 population for years, you know, in the Lagoon area. So far
47 we've been able to put enough obstacles in the way to slow
48 them down. But you go look at that northern part of the
49 peninsula, it's plumb full of commercial operations now.
50 Twenty years ago you could hardly find a cabin around there

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1 and now it's wall-to-wall. That southern part of the
2 peninsula is the only place left, you know, even the cost
3 restrictions don't stop them from coming anymore. So I think
4 there's some things, as Vince is pointing out, that there may
5 be some stumbling blocks to put in the way for a little bit,
6 you know, but, I don't know how it's going to stop. And you
7 get that much impact on that reserve I imagine they're going
8 to really rehash the bag limits on the birds, that's the
9 first thing that will come down. And so you know, that's
10 going to impact the locals here.

11
12 CHAIRMAN TUTIAKOFF: In regards to the
13 Izembek and the Lagoon, the Refuge and Lagoon, the impacts of
14 what was being stated here about five more guides is going to
15 affect the community of King Cove and their efforts to get a
16 road. I'm very concerned that different agencies are
17 utilizing studies that are supposed to help the subsistence
18 user, may shut down the ability of King Cove to put in a road
19 system. It's a Catch-22 thing. I'm very concerned that, you
20 know, the health and safety of a community like King Cove not
21 having the ability to get out of King Cove during weather or
22 some other, not having a plane available and the restrictions
23 on the pilots to fly out of Cold Bay with 25 knot winds if
24 they don't have credentials has caused a lot of problems.
25 We're looking at probably seven or eight per guide flights a
26 week into Cold Bay, realistically, if you look at what one
27 guide is doing, they're flying private plans from all over
28 the country into Cold Bay, just one guide. And this needs to
29 be taken into consideration, if they authorize five more
30 guides, they should really authorize the road into Cold Bay
31 because the same impact that they're hollering about that
32 caused King Cove concerns about going to the Refuge is
33 creating the same possibility with the five more guides. So
34 I really strongly believe that a 10-year study should be --
35 if that's the case, you know, some kind of a study should be
36 put into place to allow this kind of development or not allow
37 it. I mean we have to look at a subsistence use, whether it
38 affects or communities.

39
40 MS. TRUMBLE: I think I agree with what vince
41 is saying. I have a hard time sitting here after fighting
42 this whole process and being in the middle of it and being on
43 this side of this -- on this Council. You're looking at
44 influx of 500 more people, you've also got the sportfishing
45 guide special permit use -- use permits, you got the bird
46 hunters and in the same respect, the people in our
47 communities have been restricted from harvesting caribou or
48 other things, even the way they were treated in hunting birds
49 up in the -- and we've discussed that and I'd like to thank
50 Rick for even helping, probably with that whole process when

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1 we talked about the planes flying over the hunters and
2 disturbing them. But it's hard for me to understand and any
3 of the people that live out there, we fight this one way in
4 the same agency allows it -- or something is being allowed in
5 another way. It does not make any sense. And I think the
6 people that live out there should have the benefit of
7 whatever it is they need, and they've lived out there for
8 years, this just does not make any sense.

9
10 MR. POETTER: Like Linda mentioned, we really
11 have all those concerns in our mind, as I mentioned, user
12 conflict is one of them. And we'll do everything we can in
13 our guidance from our directives and from our regional
14 office, et cetera -- I sort of lost my thought. That's
15 usually the way it goes when you get older.

16
17 CHAIRMAN TUTIAKOFF: Pete.

18
19 MR. SQUARTSOFF: Mr. Chairman. I agree with
20 Vince also that a study be done for so many years. I've been
21 hunting out at Cold Bay for the last maybe eight years now
22 and it's really enjoyable to go out there and I do see guided
23 hunters out there and they just seem to shoot just to be
24 shooting a lot of times. And also I see where a lot of them,
25 they'll just tear the breast out of the bird and throw the
26 rest away which none of us do, I mean that live there or come
27 -- you know, from the villages, we go to get the whole bird,
28 we don't just tear out the breast and throw the rest away.
29 And with that many more people coming out there, I think it
30 would be devastating on the bird, at one time.

31
32 CHAIRMAN TUTIAKOFF: So Mark.

33
34 MR. OLSEN: Yes, Mr. Chairman, I would just
35 like to relate this to even Kodiak, I want to relate it to
36 the sportsfishing and chartering business. Who ever thought
37 we'd see the day there'd be a moratorium on those who do take
38 out charters for even fish. The local people are now out of
39 the picture almost. Unfortunately if they can't make a
40 regulation to even do a study for 10 years, I feel the only
41 answer is that everybody in King Cove should put in a permit
42 for commercial guiding, that would have to catch their
43 attention. It's got to be stopped but it looks like nobody
44 ever has the ability to do so until the resource is gone.
45 Got to fight fire with fire sometimes, and like I said, by
46 everybody in King Cove putting in for this same permit it's
47 going to catch somebody's eye to put a stop to it somewhere
48 until the studies are done.

49
50 Thank you.

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1 CHAIRMAN TUTIAKOFF: Any more comments on the
2 Izembek, or do you have any more?

3
4 MR. POETTER: I've got a few more points if
5 you don't mind. As I mentioned earlier, snow cover and
6 weather conditions precluded us from getting aerial winter
7 counts on the caribou population. But as I mentioned also,
8 earlier, on December 17th, Linda was part of the survey crew,
9 our pilot and they did count 337 caribou so, again, I think
10 we're fairly confident in a good population on that island.
11 And as we talked about at the Kodiak meeting, we have started
12 our review of our cooperative management plan. We're just
13 sort of in the initial stages of it right now and sort of
14 waiting for some of this genetic data to come in. But we'll
15 continue to work with Dick Sellers and try and see if we can
16 address Unimak Island as a separate entity, not as a separate
17 herd but as a separate entity. We'll have to wait and see
18 what the genetics come in as.

19
20 Any questions on that part of my report?

21
22 CHAIRMAN TUTIAKOFF: Comments.

23
24 MR. POETTER: On brown bear, as you can see
25 by the numbers, Unit 9(D) averaged over 10 years, 45 bears
26 taken. This year we had 65 bears. We have a little concern
27 over the amount of harvest of bears in the area but also
28 balance that concern with knowing the population is up. We
29 had some of our highest counts ever in the Joshua Green
30 Valley of 189, Unimak was 128, so you know, we're trying to
31 weigh that out, you know, it'd be -- once we get this better
32 survey technique that Linda was talking about I think Dick
33 and us will both have a better handle on what our bear
34 numbers are and what we can set for harvest limits, also
35 keeping in mind, of course, resident hunters. You know we
36 have a C&T determination for this area for but at this time
37 your Board doesn't have a recommendation for a season. So we
38 keep that in the back of our heads, too.

39
40 Thoughts on bear.

41
42 CHAIRMAN TUTIAKOFF: Okay.

43
44 MR. POETTER: Okay. Just sort of an update
45 on moose. As you know, the State passed a 10 bull moose
46 drawing hunt and it was geared, timewise, seasonwise, to
47 target resident hunters, which was very good. You can see by
48 my summary that six of the 10 permits were drawn by King
49 Cove, three of them there, Sand Point residents had two, and
50 Nelson Lagoon had one. And apparently I believe an Anchorage

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1 hunter, I don't know this for a fact, but just some phone
2 conversations with my biologist, he thinks that maybe an
3 Anchorage hunter turned in a permit and the VPSO at Nelson
4 Lagoon picked that one up because he was like the first
5 alternate, and he was the only one that was successful that
6 I know of that harvested a moose. He got a 50-inch moose.
7 He told me shared it amongst everybody in the village, so
8 that was really good. Apparently, luck of the family is his
9 wife had the other permit, so he's got a pretty good lucky
10 family there.

11
12 Any thoughts on moose.

13
14 MR. SQUARTSOFF: What's the population,
15 increasing or.....

16
17 MR. POETTER: We haven't had another count.
18 Again, the weather conditions have been bad this winter to
19 get one in. They had been increasing and the State felt
20 comfortable primarily in the northern part of the unit up
21 near Nelson Lagoon and across from Sand Point, that area,
22 down south near False Pass, Cold Bay, King Cove, we don't
23 really feel there's a good huntable population down there.
24 But the hunters are going to go where the moose are at.

25
26 MR. SQUARTSOFF: Yeah, the reason I was
27 asking about it.....

28
29 MR. POETTER: The biggest population is up
30 north.

31
32 MR. SQUARTSOFF:when I was there last
33 fall I seen two different bulls.

34
35 MR. POETTER: Yeah. So since the season was
36 later those moose moved on or back into the Joshua Green
37 Valley or I'm not sure where they went. Have you seen them
38 in around Cold Bay, at all?

39
40 MS. ZIEMBA: No, not since the fall.

41
42 MR. POETTER: Yeah, I didn't think so.

43
44 MR. SQUARTSOFF: Yeah, in all the previous
45 years I never seen any but last year I seen two.

46
47 MR. POETTER: Yeah. Okay, we talked about
48 the guides. I guess the only other thing is Jim Larson is
49 here with our King Salmon Fisheries Resource Office. And
50 they occasionally will do projects down in our area and one

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1 project they're proposing, it's all really in preliminary in
2 draft stages, and so any comments you might have on it would
3 be beneficial at this time is to establish a weir on the
4 Frosty Creek drainage. This is the -- as you drive up the
5 road to Frosty Peak, first bridge is where Frosty Creek
6 travels under so they're going to be looking at the salmon
7 and the dolly varden and possibly some char in that area.
8 Plus also looking at some user information, you know, what
9 kind of activity are we getting. If we're going to get an
10 increase in sportfish permits, folks fishing -- bring
11 customers in, those areas are really accessible by road real
12 easy so the pressure could really significantly increase on
13 that stream. And I don't really have any data as far as any
14 subsistence use of that stream at all.

15
16 Any thoughts. Questions. Comments.

17
18 CHAIRMAN TUTIAKOFF: Della.

19
20 MS. TRUMBLE: Could we go back to this
21 waterfowl guiding thing?

22
23 MR. POETTER: Uh-huh.

24
25 MS. TRUMBLE: What it has in here is that the
26 Refuge has one special use permit and they've got intent from
27 five new commercial waterfowl guys wanting permits, so the
28 Refuge issues these permits?

29
30 MR. POETTER: No, we haven't issued them yet.
31 That's what we've been looking at, is getting them to have
32 specific proposals. I guess we talked to one guy just before
33 we came down here to this meeting, he indicated that he was
34 just sort of looking at a low level use but he didn't really
35 define what low level was. So, you know, that's where we ask
36 for specific proposals, you know, where do you plan on going
37 with your people, how much, how many clients, you know, where
38 are you going to be? And so then we base it on whether we
39 can issue a permit on that. We do a compatibility
40 determination as far as Refuge purposes and goals and we also
41 do an analysis for subsistence conflicts.

42
43 MS. TRUMBLE: Are there guidelines or
44 something printed somewhere that we can get our hands on
45 today to look at this?

46
47 MR. POETTER: I'm sorry, Della.

48
49 MS. TRUMBLE: Is there something printed on
50 what the process is for getting these permits and what the

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1 guidelines are?

2

3 MR. POETTER: Right now this is sort of a new
4 industry for Izembek, other Refuges have it ongoing. It's
5 merely sort of a -- we've come up with some minimal
6 application that, you know, has them spell out the period of
7 use, how many clients, and all that stuff I just went
8 through. At this point in time we don't have any moratorium
9 or restrictions on the number of people. If this increases
10 to, I don't know, six applicants, we may have to go to a
11 prospectus system where we would limit the number of guides
12 for the area, you know, of the concerns you express and the
13 ones I've expressed over disturbance of waterfowl.

14

15 So again, you know, we're looking at it but I don't
16 know if we've gotten to the point where we can say we've
17 exceeded our capacity. The Refuge, of course, is -- you
18 know, was established and is for all people of the United
19 States to utilize and so these folks are providing a service
20 for folks that live in the Lower 48 or in Anchorage and don't
21 have the local facilities to go out and do their thing. But
22 there does need to be some control limits, whatever, how
23 we're going to put that. Like I said it's just so new to us
24 there it just started hitting us real -- right in the face
25 with it.

26

27 MR. OLSEN: Mr. Chairman.

28

29 CHAIRMAN TUTIAKOFF: Mark.

30

31 MR. OLSEN: Yes, I would think that the
32 Council, I'd like to see the Council recommend that no
33 permits be given for special use, particularly of commercial
34 guiding on this area here until we know what kind of impact
35 it's going to have on the subsistence use. I believe that
36 our Council can at least do that at this time.

37

38 CHAIRMAN TUTIAKOFF: Yeah, I agree with you,
39 Mark, that a moratorium on any new guide license within the
40 Izembek Refuge be issued based with, for a period of five
41 years, so that the guidelines for guiding and the impacts of
42 guiding can be distributed to all entities involved for a
43 decision that's not going to wipe out a bird population in
44 Cold Bay within a three year period if you do issue five
45 permits. And I really feel that the state of Alaska needs to
46 really work well with their resource people in the Cold Bay
47 area so that they don't issue permits in the State waters.
48 I mean there is ways that they can get on the State waters
49 without going through your property.

50

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1 MR. OLSEN: Mr. Chairman, would we like to
2 see that in a format here because I believe the Council is
3 pretty much all on the same wavelength there of opening up
4 any commercial guiding without knowing what it's going to do
5 to the subsistence use. But to make it formally addressed,
6 how would we choose to do so?

7
8 CHAIRMAN TUTIAKOFF: That would be our
9 direction at this time but we need to discuss it some more.
10 Della.

11
12 MS. TRUMBLE: Yeah, I agree. But I'd like to
13 discuss it amongst ourselves a little bit, too. The other
14 issue is -- and I get back to this and it's even back to this
15 caribou thing, one of the things that came up last year and
16 this August 1st caribou date was the various user groups,
17 like the bird hunters, the sportfishermen, and then the rural
18 subsistence user wanting to hunt the caribou. Well, the date
19 didn't get changed, it remained the same with the State and
20 they didn't get to go on an August 1st hunt. And I honestly
21 feel it's because you've got all these various groups up in
22 Izembek and around the Cold Bay area and you just don't want
23 -- you know, the impact of having somebody else in there
24 besides the bear hunters in the fall hunt is too much. But
25 if you're promoting this and this is being promoted for the
26 various guiding -- you know, the fishing and the bird hunting
27 and the bears, there's not an even balance here.

28
29 You see -- I know what end we're at on this teeter-
30 totter, I know which end we're on and I don't think it's
31 right.

32
33 MR. POETTER: Yeah, I don't think we have the
34 authority to limit a user group, exclusively. I mean we'll
35 -- I think we have to allow for the opportunity for people
36 from outside to come and utilize their shared resource with
37 you. So that's sort of the dilemma that I'm in, what point
38 does that impinge upon you and then your question, of course,
39 is where does it impinge upon subsistence use.

40
41 CHAIRMAN TUTIAKOFF: Yeah, and I think the
42 whole basis of this -- why we're sitting here is to give to
43 you, the resource the managers, the managers of our
44 resources, what we feel are guidelines that you need to put
45 into effect to when you initiate rules and regulations on
46 hunting for nationwide publication, that this is a resource
47 that affects the subsistence use of the communities. And
48 this affects like seven or eight different communities. Not
49 saying anything about what you're going to do to the bird
50 population that may return to Mexico in three years, which

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1 could be zero, if you allow hunters to come into this
2 community, you're talking not just the dollar here, you need
3 to be considering and take recommendations from this Council
4 of how we want to be part of keeping this resource alive not
5 wiping it out, that's not our intent. Our intent is to be
6 able to use it in the future and also our children. If we're
7 regulated right out of any kind of use by our own regulators
8 then we've got a serious problem here.

9
10 And I do agree that we need to put in some sort of
11 word of notice to the regulators that we are objecting to any
12 permits, whether you have authority or not is not for us to
13 decide here, but we need to let you know that we are going to
14 be objecting and objecting strongly as a community.

15
16 And I think a motion is in order now so we can move
17 on to lunch, I'm getting hungry.

18
19 MR. SQUARTSOFF: I just want to say, I also
20 agree that there should be a survey done prior to issuing
21 more permits for guiding on the Refuge of Izembek.

22
23 CHAIRMAN TUTIAKOFF: Thank you. Is there a
24 motion in regards to this issue?

25
26 MR. OLSEN: So moved.

27
28 MS. TRUMBLE: Second.

29
30 CHAIRMAN TUTIAKOFF: The motion is to limit
31 -- well, what I had written down here and you can take it for
32 what it's worth, it's right here. Okay, that the
33 Kodiak/Aleutians Federal Subsistence Regional Council opposes
34 any new guides -- issuance of guide permits in the Izembek
35 Refuge in regards to guides for hunting birds or any species
36 without an impact on the resource being available to the
37 community. Does that cover it?

38
39 MR. OLSEN: Mr. Chair, did I understand that
40 there has been permits given or there is about to be or how
41 is that at this point?

42
43 MR. POETTER: We are looking at issuing
44 probably up to those five people but, again, we were working
45 closely with the State to see what could be done through
46 their Board of Game as far as maybe setting closure areas,
47 outboard restrictions, whatever to limit the disturbance on
48 the Lagoon but as far as on the rest of the Refuge, yeah,
49 we're probably going to issue -- because it depends on what
50 they come in with on their proposals, you know, how many

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1 clients they say they're going to run through there this
2 year.

3
4 MR. OLSEN: There is a permit already issued
5 then?

6
7 MR. POETTER: No. No, we haven't issued any
8 permits yet this year.

9
10 MR. OLSEN: Thank you. Then Mr. Chairman, I
11 would rather change that -- I'd like to amend that to no
12 permits instead of no new permits.

13
14 CHAIRMAN TUTIAKOFF: No permits be issued in
15 regards to guides on Izembek.

16
17 MR. OLSEN: Yes. Mr. Chair, I also feel that
18 this is not out of order due to the fact that at this time it
19 is open to everybody, just not open to somebody to make a
20 profit off of the resource, so I believe anybody can come
21 from anywhere and still utilize this resource but for
22 somebody to specifically make a profit from this resource at
23 this time is not in the best interest without a study.

24
25 MR. SWETZOF: Mr. Chairman.

26
27 CHAIRMAN TUTIAKOFF: Mike.

28
29 MR. SWETZOF: Yeah, I'd like to ask, how many
30 permits does the State give out?

31
32 MR. POETTER: They don't issue permits for
33 waterfowl hunting on the Lagoon.

34
35 MR. SWETZOF: Okay.

36
37 CHAIRMAN TUTIAKOFF: John.

38
39 MR. FOSTER: Yeah, I got one question.
40 Actually bird permits here, how many other permits here, I
41 see you have two sportfish permits, how about for bear,
42 caribou and the sport guides?

43
44 MR. POETTER: Yeah, the sportfish, air taxi
45 and waterfowl guiding permits are issued annually based on
46 who comes in and applies and we do a compatibility
47 determination, subsistence compatibility analysis of each of
48 those. To answer your question there's just two and we're
49 looking at probably each one of those same operators that's
50 wanting to do waterfowl generally has the same interest of

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1 sportfishing in mind.

2

3 MR. FOSTER: Yeah, the thing of it I see is
4 you could have all these operations going on at the same time
5 in the fall when the birds are there.

6

7 MR. POETTER: Uh-huh.

8

9 MR. FOSTER: When the cohos are there, there
10 after those, you have a caribou season at the same time plus
11 the fall bear season, what kind of impact would all these
12 people have on the Lagoon? What's your limit on the number
13 of people you'd want in there?

14

15 MR. POETTER: Yes, that's yet to be
16 determined on those yearly issued ones. What I was going to
17 say was the caribou and the bear, the big game permits, those
18 are all set, those are five year permits and they went
19 through a prospectus system.

20

21 MR. FOSTER: Yeah, just think of this, you
22 could have an awful lot of people in there at one time in the
23 fall there, I mean if you're worried about the birds being
24 disturbed, I mean there could be an awful lot of traffic
25 there at one time.

26

27 MR. POETTER: I agree, that's why we brought
28 this up.

29

30 MR. OLSEN: I think what happened to the
31 caribou should be an example, you should know that.

32

33 MS. TRUMBLE: I think this needs to be
34 thought through really thoroughly and I want to explain a
35 little bit more why. In the paper yesterday there was this
36 comment made that if this so-called road -- we'll get back to
37 it goes to where it needs to go even just for the hovercraft,
38 the impact of the King Cove hunters or the access that they
39 would have, and it's stated in there and I can pull the paper
40 or we can get a hold of it, was strongly opposed to. This is
41 crazy.

42

43 If you think about -- I know one of the guys in King
44 Cove, his brother is a charter boat, he runs a charter boat
45 service out of Seward, in their meetings recently they're
46 talking about going down into our area and do charter boat
47 service because it's so-called virgin area. You get these
48 people wanting to -- all these other guides and all this
49 thing is, it's just -- the ball is rolling here. There's got
50 to be something to stop this or have some controls on it.

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1 Nothing -- this doesn't make any sense.

2

3 You can't say one thing and promote another thing,
4 it's not right.

5

6 MR. OLSEN: Call for the question, Mr.
7 Chairman.

8

9 CHAIRMAN TUTIAKOFF: Any more discussion.
10 For the record, the motion was made by Mark and seconded by
11 Della. The question's been called. All those in favor say
12 aye.

13

14 IN UNISON: Aye.

15

16 CHAIRMAN TUTIAKOFF: Opposed.

17

18 (No opposing votes)

19

20 CHAIRMAN TUTIAKOFF: Motion carries. At this
21 time we'll break for lunch and be back here at 1:15.

22

23 (Off record)

24

25 (On record)

26

27 CHAIRMAN TUTIAKOFF: I'll call the
28 Kodiak/Aleutians RAC back into order. The next item we had
29 on our agenda is Item 9B, Kodiak Island Wildlife Refuge,
30 Robert Stovall, Tab O.

31

32 MR. STOVALL: Good afternoon,
33 Kodiak/Aleutians Advisory Council. Good to be here for our
34 winter/spring meeting. You've got in your flap.....

35

36 CHAIRMAN TUTIAKOFF: It's under O.

37

38 MR. STOVALL: O.

39

40 CHAIRMAN TUTIAKOFF: Bingo.

41

42 MR. STOVALL:our agency report and it's
43 more or less a review of what we talked about last year and
44 I'll try to keep it as brief as I can so you folks can be
45 available for more questions.

46

47 We have ongoing biological surveys. They include our
48 brown bear stream surveys and intensive area surveys.
49 Usually the intensive area surveys are done in May and --
50 late May and early June. They're a density estimator of the

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1 population. They're completed in specific areas throughout
2 the Refuge and from those counts, aerial survey counts, they
3 are able to get a population estimate for the Kodiak Refuge.
4 This year they'll be done in the Spiridon Peninsula area,
5 which is on the western side of the island.

6
7 Overall the population is around 2,700 to 2,900,
8 bears for the Kodiak Island/Afognak Island Archipelago area,
9 and that is an estimate.

10
11 Stream surveys are done as an index to see whether
12 the population trends are going up or going down and we do
13 those along certain stream systems -- river systems
14 throughout the Refuge, primarily on the southern end of the
15 Refuge. I've had an opportunity to actually do some of those
16 surveys this last year so I know how they're run and what
17 type of information is being gathered.

18
19 Is there any questions about what the Refuge does
20 with the brown bear surveys? Okay.

21
22 Next primary interest spot is waterfowl and seabirds.
23 We have been doing seabird -- winter surveys are done every
24 year, they're usually completed in February. They're done
25 from the Refuge boat as -- an observation platform and there
26 are line transects across space. This survey counts
27 everything from seabirds, large and small to waterfowl to
28 marine mammals. So it's kind of an all inclusive on the
29 water type survey. Waterfowl production surveys are
30 completed in various sorted areas throughout the Refuge for
31 a two to three year period in the same area. The last three
32 years we've done them at the Olga Flats area which is west of
33 Akhiok and north of Sukhoi Lagoon. This is a survey that
34 we're looking for any production that's happened during the
35 year for this particular year. It's usually done in July and
36 I'm not exactly sure where the plan is to for next year, I
37 don't think they're going to do it again in the same area
38 that we've done it the last three years, the Olga Flats area.

39
40 Harlequin ducks is an ongoing survey that was
41 associated with and partially funded by the Exxon Valdez Oil
42 Spill Trustees. A report has been completed on the primary
43 part of the study. We still have leg banded birds still out
44 there so if any waterfowl hunters in any villages around the
45 island or anywhere else happen to find leg bands they should
46 report those to the bird banding laboratory. And the
47 information is on the leg bands.

48
49 Also bald eagle surveys are done yearly and they
50 include nests and production aerial surveys. They're usually

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1 done in the spring and the fall or late summer. We're
2 looking at how many nests there are on the Refuge and then
3 we're looking for the production part of it in the late
4 summer.

5
6 MR. SQUARTSOFF: Before you get into the bald
7 eagle, Robert, I have -- on the seabird winter survey.

8
9 MR. STOVALL: Yes.

10
11 MR. SQUARTSOFF: All that was surveyed was
12 the non-edible birds, what about the sea ducks?

13
14 MR. STOVALL: No. No, I said that the only
15 thing I've got reported here is the non-edible birds. But
16 the survey was all seabird life, from sea ducks to all the
17 seabirds that I have listed here. This is just an example of
18 what type of information they've been gathering.

19
20 MR. SQUARTSOFF: Okay. And at the top you
21 have it listed as stable. Personally, I've lived there all
22 my life and I don't think it's stable, I think we're on a
23 decline in certain species of seabirds.

24
25 MR. STOVALL: Yeah. And I think -- and
26 that's correct. There are certain species of seabirds that
27 are on decline and there are certain species of seabirds that
28 are on an increase.

29
30 MR. SQUARTSOFF: But that doesn't balance it
31 because we hunt a certain type of seabirds and the others we
32 don't, so that doesn't mean it's balanced out where it's
33 stabled.

34
35 MR. STOVALL: Right. Stable is a general
36 term and it's not meant to reflect that the population is not
37 changing because the population, of course, is always
38 changing. There's always good years and there's always bad
39 years. There's always good years to do the surveys and
40 there's always bad years to do the surveys. So the
41 information has to be balanced out from the long-term, and
42 these seabird surveys have been done for a long time.

43
44 I'm not as well versed in what the seabird
45 populations are and if you would like more information on
46 that I can probably get our biologist who does do these
47 surveys to probably give you some information on that. He's
48 probably got information for like a 10 year trend on what
49 the population's doing that he could give you or any member
50 of the Council who would like it.

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1 MR. SQUARTSOFF: I would see a little more
2 put into that, especially the scooters, the black scooter and
3 the white wing, they've definitely been declining.

4
5 MR. STOVALL: Uh-huh.

6
7 MR. SQUARTSOFF: And I don't think just in
8 the north end, I think it's all over the island.

9
10 MR. STOVALL: So you would like to see
11 sometime of a report then?

12
13 MR. SQUARTSOFF: A little more research put
14 into why they're declining.

15
16 MR. STOVALL: Okay. I'll tell the folks at
17 the Refuge that. Ivan.

18
19 MR. LUKIN: Robert, my question is, since the
20 sport charter guys have been in the business here the last
21 couple of years or so has there been any recording on what
22 they're taking?

23
24 MR. STOVALL: Normally that type of recording
25 is going through the Migratory Birds Office. They probably
26 would have numbers for that. Those numbers are not normally
27 given to the Refuge unless it's in a summary report of some
28 nature. So I'm -- and the last report I did get was when I
29 was developing my migratory bird harvest survey form and I
30 did get some information on that. I haven't included that in
31 this report, though. And I can't remember when the last date
32 of that survey was completed. I think it was in the mid-90s
33 though.

34
35 MR. SQUARTSOFF: Yeah, Robert, well, this
36 last duck season the limit for non-residents went to seven
37 with 21 in possession for non-residents on Kodiak.

38
39 MR. STOVALL: Right. That's a change that
40 the State initiated and based on, I think recommendations
41 they had from the Kodiak Fish and Game Advisory Committee.

42
43 MR. SQUARTSOFF: But yet local possession
44 limits stayed the same.

45
46 MR. STOVALL: Right.

47
48 MR. SQUARTSOFF: No, it went to seven a day
49 with three day possession limits, which is 21 for non-
50 residents of the area or just non-residents, I guess.

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1 MR. STOVALL: Yeah, the Kodiak Fish and Game
2 Advisory Committee had some complaints, I do believe that
3 there is overharvesting going on of the seabirds.....

4
5 MR. SQUARTSOFF: By non-residents.

6
7 MR. STOVALL:of waterfowl -- sea ducks
8 in and around Kodiak water so that's why they -- basically
9 the process for any waterfowl regulations is through the
10 Flyaway Councils and the Fish and Wildlife Service. They set
11 the basis and then the state's each pick what they want out
12 of those basis. And that's migratory birds who is usually
13 controlling that. I could probably skip ahead if you wanted
14 me to to talk about the change in the migratory bird harvest.

15
16 MR. CRATTY: That's all right.

17
18 MR. STOVALL: Is there any other questions on
19 waterfowl before I go on? Okay.

20
21 So essentially in 1997, the last year that they did
22 bald eagle -- a Refugewide bald eagle nest survey they found
23 about 530 active nests. The number of active nests have been
24 increasing for the last 10 years on Kodiak for bald eagles.
25 Nesting success last year was spotty, in that, the weather
26 played havoc for not only bald eagles but also for waterfowl
27 nesting in a lot of various areas that have been surveyed.

28
29 Is there any questions about bald eagles?

30
31 MR. CRATTY: I just want to make a remark.
32 I notice down around Old Harbor there's getting to be a lot
33 of them. It seems like they're having a problem getting food
34 to eat.

35
36 MR. OLSEN: Getting food?

37
38 MR. CRATTY: Yeah, there's so many of them.
39 I mean they're ending up in the water swimming in there and
40 they're up on the beaches edge. I think our VPSO has sent in
41 three or four already.

42
43 MR. STOVALL: Already this year?

44
45 MR. CRATTY: Yeah.

46
47 MR. STOVALL: There seems to be more bald
48 eagles throughout the island.

49
50 CHAIRMAN TUTIAKOFF: Mark.

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1 MR. OLSEN: Yes, I agree with that and right
2 down in downtown Kodiak, as you are well aware, that
3 certainly along the hillside above the docks there you can
4 count at least 100 every day right now and all of them are
5 not mature adult eagles telling us that the nesting is very
6 good. I think 530 is hardly even conservative. That brings
7 me to the question what time of the year and how do they
8 determine the nesting?

9
10 MR. STOVALL: When they do their first flight
11 aerial survey in May and -- early May, they look for nests
12 and for eggs in nests. And then they keep track of those
13 things and then they return to those same spots in the fall
14 and see how many young are there. You might want to keep in
15 mind that the birds that you see around town aren't just the
16 -- they're not the birds from Kodiak Island, they're also
17 young birds that are flying or passing through at this point
18 in time. The movements are starting right about now. So
19 besides the mere fact that there's more bald eagles on Kodiak
20 Island there's also more bald eagles flying around to
21 different areas to and from and passing around Kodiak Island.

22
23 MR. OLSEN: Because it's been my certain
24 experience through the many years we certainly fish herring
25 in the inner bays and it's the time of the year before
26 there's any vegetation growth and certainly it's a lot easier
27 to spot eagle nests and, wow, that's what makes me wonder how
28 they come up with this number. It really seems to be on the
29 positive side of being very, very low. And then furthermore,
30 I don't know, is this just Refuge lands that you make this
31 determination on?

32
33 MR. STOVALL: Every five years, like I said,
34 we do do a Refugewide and probably islandwide survey on the
35 way down and on the way back, usually to the Refuge, so we
36 cover, probably from Chiniak Bay all the way down to the
37 south end of the island and back. And in between those
38 years, we do the surveys in certain randomly stratified
39 areas, which are areas that are selected by random sampling
40 methods instead of doing the whole island every year. We do
41 a plot and then we can get an idea of the population trend
42 using those randomly sampled areas.

43
44 MR. OLSEN: By your statements, if these
45 birds are moving, would it be fair to say that they're
46 migratory? I mean I see these eagles year-round.

47
48 MR. STOVALL: I can't tell you how many of
49 the eagles, what percent of the eagles are migrating through
50 and what percent of them are on-island residents -- resident

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1 eagles. Our bird biologist might have an answer to that then
2 again he might not, I don't know if he's done a lot of
3 movement studies with eagles.

4
5 MR. OLSEN: Because you see this time of the
6 year versus the fall time it still doesn't seem to change a
7 lot, that's all, that's the only way to put it.

8
9 CHAIRMAN TUTIAKOFF: Is there -- when you do
10 your annual sporadic checks, do you give reports to various
11 community interests other than just doing a report and
12 shelving it?

13
14 MR. STOVALL: All reports are open to the
15 public at any time.

16
17 CHAIRMAN TUTIAKOFF: Well, I think what I'm
18 asking.....

19
20 MR. STOVALL: And no one.....

21
22 CHAIRMAN TUTIAKOFF:what I'm getting
23 to.....

24
25 MR. STOVALL: No one has asked for them so
26 therefore no, we haven't been giving them to anyone.

27
28 CHAIRMAN TUTIAKOFF: I think that in order
29 for those kinds of reports, whether they're eagles or sea
30 otters or whatever you do sporadic checks on, populations,
31 I'd ask that they be submitted as part of our report to the
32 RAC, Kodiak/Aleutians RAC.

33
34 MR. STOVALL: Okay.

35
36 CHAIRMAN TUTIAKOFF: And that would alleviate
37 some of the question and answers that, you know, apparently
38 you don't have, you're not the guy doing the count and it
39 could be available to us. I mean you make a report in
40 regards to the bald eagles and it brings up a concern then we
41 have questions and of course the guy that did the count is
42 not here to answer them, so it would solve some of that if
43 you'd include that report or whatever report that they've
44 done recently to us so that we can be aware of what changes
45 that may be taking place. I'd make that a recommendation for
46 you.

47
48 MR. STOVALL: Okay.

49
50 MR. SQUARTSOFF: Yeah, I also feel that

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1 there's an over amount of eagles on the north end of Kodiak.
2 I feel that they're starving, they're coming right into my
3 backyard now following the crows and whatever where you never
4 seen them, they just sit up in the trees and as soon as you
5 give something to the crows the eagles are right there. But
6 it's -- I would hope there was some way that those excess
7 birds we have, maybe they can be transplanted to some other
8 areas or something instead of having them starve off. I
9 don't know.

10
11 MR. FOSTER: There's a spare project for you.

12
13 MR. SQUARTSOFF: Yeah.

14
15 MR. STOVALL: Essentially Kodiak and for
16 Kodiak City especially, you have many, many fish processing
17 plants in a concentrated area and.....

18
19 MR. SQUARTSOFF: Well, I'm not saying.....

20
21 MR. STOVALL:and that is a magnet.

22
23 MR. SQUARTSOFF:I don't -- I really
24 don't believe in that migratory as much for Kodiak as other
25 areas where you go down to Haines or wherever and eat them
26 fish. Them young birds that we see are the ones that were
27 born that summer, each nest has two young birds and they stay
28 local, they don't leave the island. I don't think they do.
29 You go out duck hunting in the wintertime and set up and
30 shoot a duck and before you can retrieve it there's an eagle.
31 I mean there's a lot of birds that people shoot that are
32 taken by eagles.

33
34 MR. STOVALL: Do you have any idea how many
35 that is?

36
37 MR. SQUARTSOFF: Any where you go on the
38 island it's like that. Wherever you go there's eagles there.
39 I mean it doesn't matter. And right now they're picking up
40 your birds before you can get to them. So there definitely
41 is an over pop -- I believe an over population of eagles on
42 Kodiak.

43
44 MR. STOVALL: Well, I don't know, I'm pretty
45 sure that there's not a lot of studies that have talked about
46 transplanting eagles around that aren't bringing them into a
47 spot versus taking them out of spot. And if they are taking
48 them out of a spot they're taking them out of a spot to
49 transplant someplace else.

50

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1 MR. SQUARTSOFF: Well, it's a national bird,
2 maybe some other area that wants them can come get them.

3
4 MR. CRATTY: What we're looking at is what's
5 the problem of the future? What are you going to start doing
6 when they start harassing kids or dogs and everything else.
7 Because, you know, just like they're saying, they're saying
8 they got them up there, we got them down there in abundance,
9 you know, down around Old Harbor. That's what my concern is.

10
11
12 MR. STOVALL: Kind of a natural order of
13 things, I mean the mere fact that populations have increases
14 and then populations crash and when there's not enough food
15 and that's -- and unfortunately, eagles aren't hunted so
16 that's what's going to happen it's a natural thing. The
17 eagle population goes up, it's going to crash eventually.

18
19 CHAIRMAN TUTIAKOFF: But as soon as the eagle
20 population starts going down in two to three years, then
21 you're going to say that the subsistence hunters have taken
22 their food so therefore we got to stop hunting so we can
23 bring the eagles back up. I mean that's -- what we're saying
24 is we're not -- we don't want to be the cause of the decline
25 of the eagle.

26
27 MR. SQUARTSOFF: And what they're doing, too,
28 is the eagles are taking a lot of the baby birds.

29
30 MR. STOVALL: Uh-huh.

31
32 CHAIRMAN TUTIAKOFF: Any way, I don't think
33 we're going to solve this issue, that will probably have to
34 go to Congress and change the bird to turkey or something.

35
36 MR. SQUARTSOFF: But it is a concern. I mean
37 I think it should be -- it should be looked into a little
38 more.

39
40 MR. STOVALL: The reason for over population
41 are kind of obvious, especially in areas where there is
42 fishing communities.

43
44 CHAIRMAN TUTIAKOFF: Fish, yeah.

45
46 MR. STOVALL: They are a magnet for any bird
47 that's a scavenger type bird and eagles are big scavengers is
48 what they are and they'll take whatever they can get from
49 whoever shot it or whatever before they'll go look for it
50 themselves. Especially at this time of the year when the

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1 normal fish supply is not available until summer. So I'll
2 let that go and I will tell our biologist, though, that maybe
3 we could probably put together -- what, an executive summary
4 of reports that we do, would that be sufficient, do you
5 think, Vince?

6
7 CHAIRMAN TUTIAKOFF: Yes. You know, as you
8 do these surveys, whether it's the eagle, the otter, and you
9 do your annual spot checks, you know, we'd like to have
10 reports. You make comments or reference to them in our
11 reports to us and then we get really concerned because we
12 don't have full information. Either don't reference it or
13 don't tell us about it until it's time for us to stop hunting
14 or don't even -- you know, give us the information.

15
16 MR. STOVALL: Okay. I'll make that
17 suggestion to the folks at the Refuge.

18
19 CHAIRMAN TUTIAKOFF: Thanks.

20
21 MR. STOVALL: Fisheries aerial index stream
22 surveys are ongoing. They're concentrating on chum and coho
23 and minor sockeye river systems, Sturgeon River, Ayakulik and
24 Karluk River systems. They've established -- this will be
25 the third year of the Sturgeon River weir. Counts from last
26 year are in the report here. They're also doing genetic
27 sampling. And they're getting interesting information that
28 the fish going into certain systems are fish just from that
29 system, which is -- can be expected but this is something
30 that's going to be an ongoing stock assessment process in
31 conjunction with ADF&G and the Refuge Fish Genetics Lab.

32
33 That's all I'm going to talk about for fisheries
34 because that's probably one of the weaker parts of my
35 knowledge.

36
37 CHAIRMAN TUTIAKOFF: While I guess while
38 we're on this maybe it would be a good time for -- unless
39 you're going to hit here somewhere, I don't see -- I had a
40 question earlier about subsistence in regards to the fishery
41 -- Mark, do you want to ask that question, maybe it's
42 appropriate right here.

43
44 MR. OLSEN: Well, yeah, my concern is here in
45 the management booklet on Page 33 we have fishing periods.
46 As you read under the first paragraph, the first sentence
47 says, you may not take salmon for subsistence uses in the
48 following locations. The first one says Chiniak Bay, all
49 waters closed to commercial salmon fishing in Chiniak Bay.
50 That has a real concern for me because I guess I don't know

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1 where else you'd consider Buskin River other than in Chiniak
2 Bay, and that has been the pride of the Ireland as far as
3 Kodiak goes as far as subsistence.

4
5 MR. STOVALL: Mark, I do believe that this is
6 speaking to all waters closed commercial salmon fishing in
7 Chiniak Bay. That's primarily the inner bay areas, that does
8 not include the Buskin River -- does not include the Buskin
9 River outside of a line that's been drawn -- I don't know
10 where the.....

11
12 MR. OLSEN: Right, the markers.

13
14 MR. STOVALL:the markers. And it does
15 not include Gibson Cove and Women's Bay area. So the inner
16 bays, there are markers that ADF&G has set out that
17 commercial fishing is -- I hope -- and maybe I'll be
18 corrected here, that they can't fish in or they can fish in.

19
20 MR. CAMPBELL: Well, it says right here they
21 can't subsistence fish in all waters closed to commercial
22 salmon fishing.

23
24 MR. STOVALL: So those inner bay areas that
25 are closed to commercial salmon fishing.

26
27 MR. OLSEN: That's the point I'm getting at,
28 Robert.

29
30 CHAIRMAN TUTIAKOFF: Yeah, that's the whole
31 point of subsistence.

32
33 MR. OLSEN: The point I'm getting at, Robert,
34 is this number 1 is part of Chiniak Bay.

35
36 MR. STOVALL: Uh-huh.

37
38 MR. OLSEN: Secondly, of all, Chiniak Bay is
39 never open for commercial fishing during the sockeye run so
40 that would preclude it as it is written. Normally, Chiniak
41 Bay doesn't open up until July when the humpies start running
42 so it's a point of clarification that, as worded here, I see
43 as long as commercial fishing is closed in Chiniak Bay then
44 subsistence is also as I read it, so that's why I want some
45 clarification because we do all our subsistence harvesting
46 during the May and June -- the time of the year for the reds
47 and that's -- it's always closed to commercial fishing in
48 Chiniak Bay at that time anyway.

49
50 CHAIRMAN TUTIAKOFF: Is there somebody you

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1 can call on to answer that, if you're not aware?

2

3 MR. OLSEN: The way it's written I'm going to
4 jail this spring.

5

6 MR. FOSTER: It's a confusing statement
7 there. What it's saying is the only place you can take
8 subsistence salmon is where you commercial fish.

9

10 MR. OLSEN: That's essentially what it's
11 saying.

12

13 MR. FOSTER: It's just worded really funny.

14

15 MR. CAMPBELL: Excuse me, my name is Rod
16 Campbell. I'm a biologist here for the State for Kodiak.
17 These are the Federal regulations but according to our State
18 regulation, I believe what we're looking at here is that you
19 may not take salmon for subsistence purposes in your Federal
20 guideline. Under areas that are closed to commercial salmon
21 fishing anyway, which would be in our commercial salmon
22 fishing regulation book, those certain areas that are closed,
23 in some cases, they may close 500 yards around the stream
24 mouth, standard closures to commercial fisheries would not be
25 open to subsistence.

26

27 MR. OLSEN: That's what I'm saying.....

28

29 MR. CAMPBELL: Yeah.

30

31 MR. OLSEN:Chiniak.....

32

33 MR. CAMPBELL: That's my understanding here.

34

35 MR. OLSEN:Bay is never open during the
36 spring sockeye run so technically as it's written we'd
37 be.....

38

39 MR. STOVALL: I think that, Mark, the way the
40 it's written is not a change from how it has been written the
41 last eight years.

42

43 MR. OLSEN: As I read it, it is.

44

45 MR. STOVALL: This is directly taken
46 from.....

47

48 MR. OLSEN: I mean if Chiniak Bay is closed
49 to commercial fishing and then we're closed to subsistence;
50 that's what it says, isn't it? Am I reading it wrong?

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1 MR. STOVALL: This booklet doesn't include --
2 it doesn't have a map of what those closed areas would look
3 like. And if you were to look at a map of the Chiniak Bay
4 area, you'd see that just those inner mouths or 500 feet from
5 those mouths are the areas that are actually closed.

6
7 MR. OLSEN: Well, no the whole Chiniak Bay is
8 not open to salmon commercial fishing in the spring, it never
9 has been until after July.

10
11 MR. LLOYD: Excuse me. My name is Denby
12 Lloyd, I'm also with Fish and Game in Kodiak. I think we
13 have a semantic difficulty here. If you look in the State
14 regulations there are specific waters that are always closed
15 to commercial harvest, they are listed in the State
16 regulations as closed waters. These are very specific inner
17 bay areas. I'm hoping that the Federal regulations were
18 intended to mirror those areas, not simply the areas that are
19 sometimes closed and sometimes open, as Chiniak Bay, the
20 majority of Chiniak Bay would be. And I believe that's
21 correct. When we first went through and reviewed the Federal
22 regulations and compared them to the State regulations, the
23 intent was that the Federal regulations would mirror the
24 State ones and put the same restrictions on subsistence in
25 absolutely closed waters off limits. And not to limit you to
26 areas that are either inseason open and closed based on run
27 strength, but simply to mirror those that are always closed
28 in the State regulations. And maybe the difficulty between
29 identifying all of Chiniak Bay which is sometimes opened,
30 sometimes closed versus that area in the stream mouths or
31 adjacent to stream mouths that are always closed.

32
33 MR. OLSEN: Because certainly, common sense,
34 you know, will tell me that but it's not always in accord.

35
36 MR. LLOYD: No, I understand that. I would
37 suggest that you ask your liaison to doublecheck the
38 technical words of the Federal regulations to see if that's
39 the place.

40
41 MR. OLSEN: So especially this I am very
42 aware of, there's been a lot of controversy over due to the
43 fact that the open waters part of the Buskin that are
44 available to subsistence use are, in fact, in the Refuge, so
45 here again, what do we do? Do you get a Refuge permit for
46 subsistence or do you get a State permit, because it's not
47 State waters, although -- I'm just making it clear that it's
48 been controversial ever since this has started and Women's
49 Bay and that area is in the Federal Refuge and I'm just
50 trying to make some sense of it.

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1 MR. STOVALL: Well, Mark, to be perfectly
2 honest with you I haven't had a chance to read over these
3 because this is the first time I've seen the booklet today.
4 I understood that there weren't any changes to what had been
5 going on for the last eight years since subsistence
6 regulations have been written up differently.

7
8 MR. OLSEN: My point is through all this
9 process the waters have been muddied anyway. And I don't
10 want to lose any grounds on this issue because of anything of
11 this nature. And to be perfectly honest with you, it kind of
12 upsets me that the State doesn't have any regulation as far
13 as I can get up at 5:00 in the morning, go set my net to get
14 a good spot, at noon some stray might come out there and sets
15 me down for (indiscernible), ain't nothing I can do about it.
16 And there has to be something done about it. But before
17 something can be done about it, we have to find out who's
18 managing it as far as I can see, as far as the boundary
19 lines, it's under the Refuge. But this has been addressed
20 two years ago and nothing -- it's just been kind of ignored
21 as far as I'm concerned.

22
23 CHAIRMAN TUTIAKOFF: Mark, I think the way I
24 read it and I was getting confused as we went along but the
25 way I read it now is that any waters closed to commercial
26 fishing in Chiniak Bay, and there's a defined boundary
27 already set in place, has been in place for eight years, that
28 will continue to be the case. There are 500 foot boundaries,
29 they spoke to, I guess the river, on each side that's closed
30 to commercial fishing, is also closed to subsistence within
31 that 500 feet; is that correct?

32
33 MR. OLSEN: Sure, I understand that. But my
34 point is that Chiniak Bay has never been opened at that time
35 of the year for commercial fishing.

36
37 MR. STOVALL: But that has nothing to do with
38 the fact that you, as a subsistence user, can go to these
39 areas and subsistence fish. There's nothing that says that
40 -- at least I don't see anything that says you can't go in
41 June and do sockeye salmon fishing because there's nothing
42 here that says you can't do that.

43
44 MR. OLSEN: Well, that's the whole point,
45 where do I go to change it then.

46
47 CHAIRMAN TUTIAKOFF: Well, it says right
48 here, Mark, it says, may not use salmon seine vessels to take
49 subsistence.....

50

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1 MR. OLSEN: I don't argue that point.

2

3 CHAIRMAN TUTIAKOFF:June 1 through
4 September 15th. I mean you have a gillnet off the beach,
5 you're doing subsistence with your permit and everything
6 you're within the bounds to do subsistence fishing. That's
7 what I understood, right, I mean that's what I'm getting out
8 of this.

9

10 You may use purse seine vessels to take salmon, only
11 with gillnet and you may have no other type of salmon gear on
12 board that vessel.

13

14 MR. OLSEN: I'm not contending that part at
15 all.

16

17 MR. SWETZOF: Mr. Chairman.

18

19 CHAIRMAN TUTIAKOFF: Well, I don't know what
20 you're point is other than overall.

21

22 MR. SWETZOF: I think when you look at the
23 regulations it says, Kodiak area and then what he's saying is
24 that Chiniak Bay is closed and it has nothing to do with
25 where you can seine and where you can't seine.

26

27 MR. OLSEN: It specifically says closed
28 waters and Chiniak Bay is closed under that term.

29

30 MR. SWETZOF: And if this is regulated by the
31 Federal government then we should have subsistence use to it.

32

33 MR. STOVALL: It says all waters closed to
34 commercial salmon fishing.

35

36 MR. OLSEN: Right. And Chiniak Bay in May
37 and June is not open to commercial salmon fishing. It never
38 has been in the 50 years I've been in Kodiak.

39

40 MR. CRATTY: But they've always subsisted,
41 Mark, I've seen the nets out in front of Buskin in May.

42

43 MR. OLSEN: I understand this but this is why
44 I'm asking to clarify this language.

45

46 CHAIRMAN TUTIAKOFF: Well, you're not
47 commercial fishing so you must be subsistence fishing.

48

49 MR. OLSEN: Well, it says that I can't
50 subsistence fish in closed waters of Chiniak Bay. I mean

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1 it's just that simple. I agree with you, but the wording
2 here is what's.....

3

4 MR. EDENSHAW: Mr. Chair, you know, and
5 perhaps Tim can help clarify with this. If you look on your
6 map on Page 31, the Kodiak National Wildlife Refuge is
7 delineated in that pink, I believe it's pink, I'm color
8 blind, now those are Refuge lands and the waters that are
9 identified under there are within the Kodiak Refuge so if
10 you'll go to Chiniak Bay, that's under State jurisdiction.
11 And if Mark wants to put forth a proposal then he'd have to
12 go through the local Fish and Game Advisory Committee
13 regarding Chiniak Bay because Chiniak Bay is not under the
14 Kodiak Refuge, at least on this map that we have here.

15

16 MR. OLSEN: If you look in the black dark
17 lines that's the Refuge.....

18

19 MR. EDENSHAW: Refuge, okay.

20

21 MR. OLSEN:which encompasses the
22 Refuge.

23

24 MR. EDENSHAW: Well, then I think that's a
25 good point to bring up because this is the first time we've
26 brought out this regulations and we've been receiving
27 numerous phone calls from all over the state from individuals
28 regarding misprints or errors in here, so I think that's a
29 good point to bring up. And Tim can.....

30

31 MR. OLSEN: So the other side of it here is
32 the State fishing time for subsistence differs from the
33 Federal time, it still has not been established what -- who
34 are we subsistence managing under? Because number 1, I would
35 like to make a proposal as far as distance between gillnets
36 or anything like that, that's going to stop any conflict.
37 But if you don't bark up the right tree then nothing's going
38 to be done and so far I haven't found the right tree.

39

40 MR. STOVALL: Well, Mark, you're sitting on
41 the Regional Advisory Council and I think you can make those
42 proposals to make those types of changes within this booklet.
43 And my suggestion is to read over this booklet very good, the
44 way you've done, obviously, and look for those things that
45 are wrong and then write those proposals up.

46

47 MR. OLSEN: Okay.

48

49 MR. STOVALL: Because the process is just
50 starting.

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1 MR. OLSEN: Okay, the other twist that adds
2 to it then whenever I've addressed a Buskin River regulation
3 it is stated that Buskin River itself is on the Refuge but
4 since the Coast Guard base is there it is then managed by the
5 State, so here, again, I'm thrown into another loop. And it
6 still has not been defined to me is, who is managing this
7 area of the wildlife refuge, so I can know how to make that
8 proposal, Robert? That's -- two years on it now has been
9 frustrating for me.

10
11 CHAIRMAN TUTIAKOFF: Do you have a comment.
12

13 MR. BOYD: Yes, Mr. Chair. Tom Boyd, I'm
14 with the Office of Subsistence Management, Fish and Wildlife
15 Service. I think what we're touching on here and I
16 appreciate your frustration, Mark, is in sort of defining the
17 Federal jurisdiction, particularly in areas around Kodiak and
18 Afognak we ran into a number of situations where there were
19 what we call pre-statehood withdrawals which created some
20 degree, not a lot, but some degree of complexity with regard
21 to Federal jurisdiction; it's just not straight forward that
22 it falls entirely within the Refuge. There's some waters
23 such as Women's Bay and Gibson Cove, the area around Afognak,
24 probably an area off the mouth of the Karluk which we've
25 highlighted which are, some, you know, minor parts of marine
26 jurisdiction that fall within Federal jurisdiction via pre-
27 statehood withdrawals or other pre-statehood land issues. So
28 we also have the Coast Guard base which, at least in my view
29 is Federal jurisdiction, at least, from the water standpoint.
30 There are other issues surrounding the Coast Guard base
31 regarding, you know, how the Coast Guard views that
32 jurisdiction and security issues and that's off the table for
33 now.
34

35 But I think all of that sort of paints the picture of
36 a not so clear picture of jurisdiction and you're touching on
37 it. So what I would suggest we do to try and resolve this is
38 I think, in terms of channeling your concerns for changes to
39 regulations I would suggest that you -- we go forward with
40 some good faith here, make some assumptions that we are
41 dealing with Federal jurisdiction with regard to the Buskin
42 River, and regards to some of these other areas and make your
43 proposals. In the flow of that process we will be examining
44 very closely whether or not some of these areas are Federal
45 jurisdiction and we will try to seek clarification through
46 our legal channels and other channels to make sure what we're
47 doing is going to conform to -- Federal jurisdiction will
48 conform to our desire to make sure that our regulations apply
49 to Federal jurisdiction.
50

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1 So I would say just proceed on good faith that you're
2 kind of in the ball park and we'll try to sort it out as
3 begin to evaluate those proposals.

4
5 MR. OLSEN: And the reason, Tom, that I look
6 at this from this point is because, what has it been,
7 probably four years ago we addressed the king crab
8 subsistence issue of Women's Bay, which was determined.....

9
10 MR. BOYD: Right.

11
12 MR. OLSEN:to be a part of the Refuge,
13 which the boundary lines also included the outside waters of
14 the Buskin River mouth to the markers.

15
16 MR. BOYD: Right.

17
18 MR. OLSEN: So that would tell me then that
19 our subsistence regulation should come from the Federal side.
20 And when I do that, people -- I, as a person that sits on
21 this Council, if I take it as Federal waters and I am out
22 there with my gillnet after the State time of 9:00 o'clock,
23 am I -- is that the way I have to go to find a determination,
24 to be prosecuted first? You know, I want to -- I don't want
25 to get in that trap, if you will.

26
27 MR. BOYD: Right.

28
29 MR. JENNINGS: Mr. Chair, while Tom's looking
30 something up, this is Tim Jennings, Federal Office of
31 Subsistence Management. I just want to make a comment and
32 confirm that Mr. Lloyd from the State made, that that's
33 correct, the Federal regs adopted the State regs as a
34 starting point. This is a summary of those regulations. All
35 the details of the regulations are in the Federal Register,
36 they mirror, with very few differences, the State regs. So
37 if there are instances like this in Federal jurisdiction
38 where you want to make a proposal, this is the appropriate
39 time to do so. The window opportunity is open right now
40 until March 27th. So this would be a good time to work out
41 some language for a proposal.

42
43 We will need to, as Tom mentioned, sort out the
44 jurisdiction issues to make sure we're clear on that Federal
45 jurisdiction and then we can proceed. And then how the
46 proposal system will work on the fisheries side is similar to
47 the wildlife proposals. We will do a Staff analysis, we will
48 come back to this Council in the fall meeting with the Staff
49 analysis, ask for Council recommendations and deliberations
50 on those proposals, and then a December Federal Board meeting

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1 will make the decision in terms of whether to adopt or modify
2 or reject the fisheries proposals.

3

4 MR. OLSEN: Because, yes, I appreciate that.
5 But as I went and tried to explain the proposal I was trying
6 to achieve in the past, this is when the confusion came up,
7 well, no, that's State and I went no, according to my
8 knowledge and the way it's drafted it is not. So it kind of
9 put me on a backburner until i heard some kind of decision
10 made which I feel I can believe before I stick my neck out
11 and get caught in a trap. There's lots of conflict there.

12

13 CHAIRMAN TUTIAKOFF: Ida.

14

15 MS. HILDEBRAND: Thank you, Mr. Chairman.
16 Ida Hildebrand, BIA Staff Committee member. Mark, I can
17 appreciate your frustration because I've heard you raise
18 these issues for two years. However, part of the problem is
19 also the fact that there wasn't really established Federal
20 jurisdiction until October 1, '99. And these booklets
21 literally came out this week. So before they couldn't answer
22 whether there was Federal jurisdiction or not Federal
23 jurisdiction waiting for October 1 to pass. October 1 has
24 come and gone. These booklets are trying to demonstrate
25 where there is Federal jurisdiction. Now your two years of
26 frustration can be stated in a Federal proposal to the
27 Federal Board to address these very issues.

28

29 MR. OLSEN: With all respect, Ida, I hear you
30 there but on the other hand we went ahead and passed
31 regulation on the king crab in the same waters years ago. So
32 that meant that there was Federal jurisdiction if we were
33 able to pass regulation on subsistence of crab.

34

35 CHAIRMAN TUTIAKOFF: Mark, I recommend that
36 you make a recommended proposal in regards to this for
37 subsistence use in the Chiniak Bay. Make a proposal and
38 we'll move in that direction based on what Tom has said, that
39 we need to look at it as a Federal issue and then determine
40 at what point -- by October, is my understanding, is that
41 they'll determine whether we're making the right changes to
42 the right regulations.

43

44 MR. OLSEN: Certainly I appreciate that Vince
45 and this is the first encouragement that I have had that,
46 yes, this will be looked at. But in the meantime, this
47 spring, I certainly don't want to be -- have my net
48 confiscated for having it out after 9:00 o'clock on the State
49 regulation side as well. Because in all the years that we
50 have been there they are the only monitors that have checked

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1 us. So I'll give it another whirl, thank you.

2
3 MR. BOYD: Mr. Chair.

4
5 CHAIRMAN TUTIAKOFF: Yes.

6
7 MR. BOYD: If you look on Page 53 and 54,
8 there are the shellfish regulations. And for the Kodiak area
9 there are -- I think the regulations that you're speaking to
10 that were passed several years ago, Mark, the crab, I hope
11 they're contained within these pages, I'd have to go back and
12 compare them. But maybe you're not focusing on shellfish
13 regs.

14
15 MR. OLSEN: No. Yes, I am because I am the
16 one that made this proposal as far as the pot size limit that
17 would.....

18
19 MR. BOYD: Right. I suggest you review this
20 before you develop your proposal to make sure that we -- I
21 mean we may already have it covered.

22
23 MR. OLSEN: Uh-huh. I just want to hear the
24 defined, yes, that this is within Federal waters and I am
25 making a proposal to the right team.

26
27 CHAIRMAN TUTIAKOFF: Okay, thank you. We'll
28 continue on with your report.

29
30 MR. STOVALL: Okay. Moving to Sitka black-
31 tailed deer and elk, last year as most of the Council members
32 from Kodiak and everyone else is aware of, was a harsh winter
33 for the deer population of Kodiak Island. The deer mortality
34 surveys that I've been doing for the last eight years
35 indicated that that was probably the second or third largest
36 die-off that we've had that's been recorded and that takes in
37 information from the last eight years. A lot of this
38 information I have already told the Council in the, I guess
39 it was the September meeting. So I'm not going to go ahead
40 and repeat it, it's here. I just wanted to let the Council
41 know that we have completed the deer browse survey for 1999
42 report. I've got that available for Council members to look
43 at and review at their leisure. And this will be the fourth
44 year of our doing deer browse surveys. We've now completed
45 the deer browse surveys in all areas of the Refuge that have
46 different habitat types which is what we wanted to do so we
47 can look at how the deer population is affecting all the
48 habitats on Kodiak Island.

49
50 We have initiated also in the last couple of years,

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1 we have two years worth now, aerial deer carcass surveys or
2 aerial hair surveys, and that will continue to be an indexing
3 method that we're going to be using to get an even better
4 handle on how the deer population has handled the winter and
5 what type of mortalities we've had.

6
7 MR. OLSEN: Robert.

8
9 MR. STOVALL: Yes.

10
11 MR. OLSEN: One thing that has my concern
12 here on the deer hair piles is that on Afognak where you've
13 got heavy spruce timber it certainly is not -- you can't see
14 anything, which differs from basically the rest of the island
15 where you can visibly see these hair piles especially from
16 the air. And it is my concern, it seems like this year when
17 all the reports come in that the biggest loss of deer have
18 been in the Afognak area specifically Marmot Bay areas versus
19 the east side south end of Kodiak, even the west side. How
20 do we look at that issue when -- you know, when you have 200
21 foot tall spruce trees, you're certainly not going to see any
22 hair piles.

23
24 MR. STOVALL: We're doing ground surveys on
25 Afognak Island and that basically eliminates the need to do
26 aerial surveys. Aerial surveys, what they do is supplement
27 what we've been doing with our ground surveys for the last
28 eight years. And we can cover more ground and, of course,
29 we're not doing aerial surveys in the spruce forest because
30 of the mere fact of what you just said.

31
32 If we can continue to do the areas that we have been
33 doing we'll be able to use it as an index similar to how we
34 use the ground surveys as an index and we now are doing
35 ground surveys on -- in Blue Fox Bay area. So that's just
36 another part of another area that we can go to and use that
37 information that we find as an index on what the population
38 is doing.

39
40 So does that help you?

41
42 MR. OLSEN: Thank you.

43
44 MR. STOVALL: Any other questions?

45
46 MR. SQUARTSOFF: Yeah, I just had a concern
47 on the overall deer population with that -- this was our
48 third winter in a row having harsh winters for the fawns with
49 last year being the greatest. I think this year maybe a few
50 of the fawns survived but I know we had some or a lot of them

00092

1 die in December and January. Luckily for us it warmed up in
2 February or we probably would have lost the adults, too. So
3 I think, you know, it really needs to be looked into. Three
4 years in a row we've lost a good percentage of the fawns, the
5 ones that should be becoming adults, which we aren't going to
6 have and by leaving the deer limits the same as they have
7 been in the past, with the hunting, those numbers are going
8 to decline really fast with the hunting pressure.

9
10 MR. STOVALL: You are right. We have -- and
11 this has been noticed with us, too, it hasn't been the last
12 -- the last three years -- actually every year we do it the
13 largest percent of what we find is fawns. And that's kind of
14 a standard for wherever you're doing deer mortality surveys
15 at. The last few years have been bad years although in '98
16 it wasn't as bad as it was in '99 and '97.

17
18 When you have fawns dying off every year, there
19 should be another reason for that going off in your head, and
20 that reason happens to be habitat. And the reason why -- and
21 the reason why that is something that has to be looked at and
22 which is what we're doing, if you have a deer population that
23 has grown to size a size that it affects its critical
24 wintering areas, the recovery time frame for that deer
25 population from harsh winters increases in time and that
26 shows up by the loss of fawns in your population.

27
28 MR. SQUARTSOFF: Robert, I don't really agree
29 with that on the fawns. Because the fawns don't have any fat
30 build up like the does -- the does don't die off, the does
31 survive because they have a lot of fat.

32
33 MR. STOVALL: Uh-huh.

34
35 MR. SQUARTSOFF: The fawns, it's from
36 hypothermia, they freeze to death. They stand there and they
37 can't move, pretty soon they just lay over.

38
39 MR. STOVALL: Pete.....

40
41 MR. SQUARTSOFF: I don't really believe it's
42 habitat on the fawns.

43
44 MR. STOVALL: The deer population is not
45 being controlled by hunting, do you agree with that? If the
46 deer population is not being controlled by hunting then the
47 most likely factor that is controlling it is the weather.
48 The hunting pressure that's being put on the deer population
49 rarely affects more than 10 percent of the population in any
50 -- even in the best years when there's lots of deer around.

00093

1 The hunting pressure is not enough to control that deer
2 population. Now, you put hunting pressure and then you put
3 in a very harsh winter like last year, there is definitely an
4 effect, and the effect is is that there are less deer. And
5 how much less, I don't know and I can't give you a
6 percentage. I can give you a guesstimate but that's not what
7 you should want.

8
9 And because of that you have to look at ways of
10 assuring that in the long-term this population remains so
11 that people can get deer. And having an over population,
12 even if that over population has been decreased, the only
13 thing that can come of that is the ability for the range to
14 begin the process of getting back to a state where it can
15 support more deer. Right now with the way the population is
16 now suppressed and lower, that process of the range coming
17 back could start beginning but once again, the fawns eat
18 probably less of the food overall, the adults eat more food
19 because they're bigger. And the adults survive the less
20 harsh winters much better than the fawns and they are the
21 ones who are -- who drive -- who continue to let the
22 population, instead of crashing completely out, to continue
23 to affect its habitat.

24
25 And the browse surveys that we're doing, we're
26 looking at not just how much is being eaten, we're also now
27 trying to look at the quality of that browse to see whether
28 it is being degraded by being overbrowsed.

29
30 MR. SQUARTSOFF: Yeah, well, Robert, when --
31 I mean I've lived down there all my life and the past three
32 winters now we've had a lot of snow and cold. And then when
33 we get the snow in November and December, the deer all move
34 down to the beaches and they're easy access for the hunters
35 and hunters are all going out there getting their four limit,
36 five limit on Refuge land, well, with that and the winter
37 kill on the fawns, the populations are decreasing rapidly and
38 you're trying to say it's just habitat. It's not habitat,
39 it's hunting and winters, both of those together are
40 devastating on the deer population. And I really think that
41 the State is trying to propose that -- or some people are
42 trying to propose that it drop down to two but I guess it
43 lost by one vote, five to six in Kodiak at that advisory
44 board, but there was a lot of concern that talked about the
45 habitat at that meeting, I wasn't there, I didn't make it.

46
47 But I'm worried about the resource. I'm worried
48 about the future of them animals. If we keep having these
49 cold winters early, killing the fawns off, there's nothing
50 coming up.

00094

1 Sure you see in concentrated areas there's going to
2 be a few adults, like what I heard happened in the meeting in
3 Kodiak, they said, well, there's a lot of deer on this point
4 and that point and different parts of the island, because
5 that's where they go to get away from the deep snow. But
6 then if we don't have any young deer growing up to become
7 adults in two or three years from now there isn't going to be
8 any deer when them adults are dying off.

9
10 MR. STOVALL: Pete.....

11
12 MR. SQUARTSOFF: That's my concern. I'm
13 concerned about -- well, I said it two years ago, I'm
14 concerned about five years ago.....

15
16 MR. STOVALL: Right.

17
18 MR. SQUARTSOFF:from now -- I mean in
19 future years.

20
21 MR. STOVALL: Right.

22
23 MR. SQUARTSOFF: We have to protect the
24 resource.

25
26 MR. CRATTY: Excuse me, Peter, I'd just like
27 to say they're going to -- I think the advisory council is
28 going to re-look at this issue this coming fall and deal with
29 it then, I think in October, and that was our plan.

30
31 MR. SQUARTSOFF: I think we should put in a
32 proposal to drop it to two on Refuge.

33
34 MR. CRATTY: Well, in your area but not down
35 around my area.

36
37 MR. SQUARTSOFF: No, I'm not even on Refuge.

38
39 MR. CRATTY: Down in my area it's a different
40 story, we get lots of deer.

41
42 MR. SQUARTSOFF: Yeah, because they're
43 concentrated. That's what I'm saying, Al, but the fawns, is
44 there a lot of fawns? The fawns probably aren't there.

45
46 MR. CRATTY: Well, I think Mother Nature's
47 got something to do with it.

48
49 MR. LUKIN: Maybe you ought to remember why
50 we don't have any king crab left on Kodiak Island, poor

00095

1 management. It's happening to our deer.

2

3 MR. OLSEN: Mr. Stovall, I'd also like to
4 reiterate that. When you look at the harvest of the deer on
5 Kodiak Island, by far, the greatest percentage and I believe
6 it's even up as high as 70 percent are taken from the Marmot
7 Bay area which is most accessible to the city of Kodiak. I
8 have to agree that, especially since we have started having
9 commercial charter outfits, that when we have our big heavy
10 snowfalls when the snow gets five feet deep, the deer all
11 come to the beach and we have literally taken pictures of
12 these charter boats with piles of deer six feet deep on the
13 decks of these vessels, just clearing house on the beaches
14 when they're most vulnerable. Therefore, we, as private
15 landowners have had to take a step further and start closing
16 these lands other than by land use permits only because we
17 are very concerned for these deer populations and this also
18 has, once again, shown that the deer have weathered just fine
19 on the other parts of the island but up on this Marmot Bay
20 area it's not -- it's weather and hunting controlled in that
21 area, I am without a doubt.

22

23 MR. SQUARTSOFF: Well, I talked to Carl and
24 Harold and them, too, and they told me that they think it,
25 you know, it's going to be a problem later on, too, because
26 the fawns don't -- sure there's adults but then just two or
27 three years from now, them adults are going to be all hunted
28 or get their -- die of old age or whatever and there's
29 nothing coming up, so that's the concern. Maybe not this
30 next coming year but maybe the year after and the year after.

31

32 MR. SWETZOF: Are you doing anything to
33 correct their concerns, what they're talking about, the
34 fawns?

35

36 MR. STOVALL: We could probably do a better
37 job of trying to get a look at what the fawns are doing every
38 year, the adult fawn ratio, we don't do any surveys like
39 that. Basically we have attempted to try a technique doing
40 alpine surveys in the summer time where you can get that --
41 gather that type of information but it's aerial surveys that
42 basically are dependent on whether you can get out
43 weatherwise to do them. And we haven't really developed
44 anything of that nature.

45

46 We're monitoring the habitat to see if there is
47 definitely less deer out there and once we've come to that
48 conclusion we can look at limiting -- and it would probably
49 be a limiting of those charter boats, that type of situation
50 where off-island residents would not be allowed to hunt as

00096

1 many deer as they are now on the Refuge at least.

2

3 MR. CAMPBELL: This is Rod Campbell again
4 with Commercial Fisheries for the State, Kodiak. I may have
5 missed something there but last year the Kodiak Advisory
6 Committee did recommend and I believe Larry Van Daele, who
7 isn't here -- the State did implement emergency measures for
8 deer and limited the harvest to two deer with antlers the
9 last two or three weeks of the season, the State did make
10 those changes. But I don't think the Refuge made anything so
11 I didn't know if.....

12

13 MR. SQUARTSOFF: That did happen but after
14 the end of the season they're going back to the four limit
15 again for next year.

16

17 MR. CRATTY: That's going to come up in
18 October again.

19

20 MR. OLSEN: It just threatens our
21 subsistence.

22

23 MR. SQUARTSOFF: Why drop it down to two and
24 then open it back up for four, I couldn't understand that.

25

26 MR. OLSEN: Easier to get at.

27

28 CHAIRMAN TUTIAKOFF: Easier to get in
29 the.....

30

31 MR. SQUARTSOFF: Because the charter boats
32 said there was lots of deer.

33

34 MR. STOVALL: What I'll do, Pete, is I'll
35 take the concerns that you have expressed to me and will
36 discuss those with -- probably with Larry Van Daele and with
37 Jay and come to some type of consensus on where we should
38 proceed from here. Based on what the weather is doing now,
39 it has milded out a little bit, the fawn crop, once again
40 gets the early hit. But not all of them die.

41

42 MR. SQUARTSOFF: Yeah, I see one out of about
43 10 deer, one was a fawn.

44

45 MR. STOVALL: Right.

46

47 MR. SQUARTSOFF: So one survived in that
48 group.

49

50 MR. STOVALL: And every year there are fawns

00097

1 -- every year the does that survive are having fawns.

2

3 MR. SQUARTSOFF: Three years in a row those
4 fawns have died off.

5

6 MR. STOVALL: But every year they've had
7 fawns, you know, and they'll have fawns again in June.

8

9 MR. SQUARTSOFF: Okay, let's go on.

10

11 MR. STOVALL: Okay. The designated hunter
12 program for Kodiak is we had a total of 24 designated
13 subsistence hunters this last year in 1999, which is down
14 from last -- 1998, 38 designated hunters. And I don't have
15 numbers yet for how many deer were harvested. I need to get
16 that to you folks as soon as I can.

17

18 This is the second full year and the beginning of the
19 third year of subsistence brown bear hunting on Kodiak
20 Island. This December we had four hunters that went afield.
21 They were not successful. Those four hunters will have
22 another opportunity in the spring to hunt brown bear plus one
23 other person who had chose to hunt in the spring. So
24 there'll be a total of five brown bear subsistence hunters
25 this spring starting April 1st through May 15th.

26

27 Last year we had a total of 20 Federal subsistence
28 elk permits issued. And so as far as my knowledge there were
29 no successful hunters. And out of the 20 hunters, I do
30 believe only four or five of them actually hunted during the
31 early season, the September 1 through September 25.

32

33 In 1999 the Refuge has been working on it's
34 comprehensive conservation plan -- management plan for the
35 whole refuge, it will be a revision of a plan that was done
36 10 years ago. Every 10 to 15 years these plans are to be
37 revised. And the process as it stands now is we have come up
38 with draft alternatives on how the Refuge should be managed
39 and have had a public meeting, most recently in Kodiak on the
40 8th of March soliciting comments from the public on those
41 draft alternatives. The process will proceed through
42 analyzing those comments and making changes to alternatives
43 based on the comments. And then a draft plan itself will
44 probably be out by September -- September through December,
45 sometime in that time frame. Right now, considering the
46 comments that we've gotten so far, there's a possibility
47 there will be another public comment period between now and
48 then.

49

50 Last year we implemented a migratory bird harvest

00098

1 survey plan for all the village areas. I trained one person
2 from each village to collect migratory bird harvest survey
3 data and it will be used in a report for the migratory bird
4 management bodies which are being created as we speak. Those
5 management bodies will have the information available to
6 create subsistence spring and summer seasons for migratory
7 birds and bird parts, eggs, things of that nature. And I've
8 gotten -- there's three time periods and the third time
9 period is due in March. And I've gotten information from
10 Port Lions so far. So the rest of the villages will probably
11 be giving me their information here shortly on what they
12 surveyed.

13
14 The Kodiak Summer Science Camp is due to start again
15 for their fifth year, funding permitting, of course. But we
16 got a lot of positive feedback from the community on that
17 camp and we're going to try to make sure that it's allowed to
18 continue.

19
20 That's all I wanted to address, briefly. Are there
21 any other questions.

22
23 CHAIRMAN TUTIAKOFF: Any questions from the
24 Council. Della.

25
26 MS. TRUMBLE: I'm just going to give Robert
27 a bad time and ask him if he'd let us know where those coyote
28 are because Rick won't tell us.

29
30 MR. SQUARTSOFF: I have one, Robert, where
31 are we on this spring and summer subsistence waterfowl
32 harvest?

33
34 MR. STOVALL: Where are we?

35
36 MR. SQUARTSOFF: Yeah, what's the status on
37 that.

38
39 MR. STOVALL: On the harvest?

40
41 MR. SQUARTSOFF: On being able to.....

42
43 MR. STOVALL: On the survey forms?

44
45 MR. SQUARTSOFF: When can we get a permit to
46 hunt spring or.....

47
48 MR. STOVALL: Oh, okay. The management body,
49 the types of management bodies which is bodies that include
50 a Federal, a State and a local subsistence user, those groups

00099

1 are being formed and they'll be sending proposals for not
2 this hunting season but I think the following hunting season
3 in 2001 for spring and summer hunts. So the spring and
4 summer of 2001 would be the first opportunity that some type
5 of proposals or regulations to allow subsistence hunting of
6 waterfowl, spring and summertime would occur. I think that's
7 the earliest.

8

9 MR. SQUARTSOFF: So there is no legal hunting
10 for spring waterfowl right now, subsistence? Because some
11 people tell me there is and some tell me there isn't, so I
12 don't really know, that's why I'm asking or maybe somebody
13 here might know.

14

15 MR. STOVALL: I think the answer to that is,
16 no, there is no legal hunting for year 2000 spring and summer
17 waterfowl besides what is being done in the Yukon-Delta via
18 their waterfowl management plan. That's the best I can say
19 on that.

20

21 CHAIRMAN TUTIAKOFF: Any more discussion. If
22 not, thank you.

23

24 MR. STOVALL: Thank you.

25

26 CHAIRMAN TUTIAKOFF: Tab P, Alaska Fish and
27 Game report, was that going to be given by who?

28

29 MR. SQUARTSOFF: It was supposed to have been
30 Larry Van Daele.

31

32 MR. EDENSHAW: Mr. Chair, Larry Van Daele's
33 not here but if Len Schwarz or any of these other individuals
34 would care to -- you know, like you filled in Port Lions, but
35 I know that Larry said he wouldn't be available but his
36 report is submitted in your booklets.

37

38 CHAIRMAN TUTIAKOFF: I guess before we move
39 on are there any need for the Council members to address
40 Larry Van Daele's area biologist report?

41

42 MR. SQUARTSOFF: It's probably pretty much
43 the same as Robert's.

44

45 CHAIRMAN TUTIAKOFF: Okay. Are there any
46 specific questions in regards to his written report that's
47 been submitted? Hearing none, we'll move on to customary
48 trade. Helen Armstrong.

49

50 MS. H. ARMSTRONG: Thank you, Mr. Chair.

00100

1 Helen Armstrong, Fish and Wildlife Service, Subsistence. We
2 don't actually have anything to report to you except to
3 report that nothing has happened since -- much, since the
4 last meeting you had. We did collect all of the opinions
5 from all of the Councils on what we should do with customary
6 trade. And it, quite honestly, has not had the high priority
7 as developing the fisheries management program and so we
8 except that within a year or year and a half we should get
9 back on working with customary trade. We also lost half of
10 our anthropologists this fall. So we were a little inundated
11 with taking on other people's responsibilities. So customary
12 trade is still on the back-burner and we will get to it but
13 it just hasn't gotten any action yet.

14
15 Thank you.

16
17 CHAIRMAN TUTIAKOFF: Okay, thank you. Update
18 on Federal Subsistence Fisheries Management Plan; Tom Boyd,
19 Tim Jennings and Ida Hildebrand. You're all here. It was
20 the meeting held in January, which is under QRST -- under
21 QRS, the reports are in that part.

22
23 MS. HILDEBRAND: Mr. Chairman, the
24 information in your book on the update portion under Q, the
25 first page is just informational only, and if you'd like I
26 could give you a summary of the developments.

27
28 CHAIRMAN TUTIAKOFF: Okay. No objection,
29 we'll have a summary report.

30
31 MS. HILDEBRAND: Excuse me.

32
33 MR. BOYD: Could I sit next to you?

34
35 MS. HILDEBRAND: No, in fact, you could give
36 the update of the fish part and I'll go into the rest of it.

37
38 MR. BOYD: Which one?

39
40 MS. HILDEBRAND: Fisheries management update.
41 I'm deferring to Tom because he's the director of the Office
42 of Subsistence Management.

43
44 MR. BOYD: Do you want to just do this.

45
46 MS. HILDEBRAND: The fisheries management
47 update, briefly, we began last year with the 14-point plan of
48 things that needed to be done, what were the hot issues since
49 this was the first time the Feds were going into fisheries
50 management. And since then we've developed a staffing plan

00101

1 that has taken on all kinds of a life of its own and fighting
2 over positions with Washington, D.C. Recently they approved
3 partially, the staffing plan for in-house and then we had to
4 go back to Washington to fight for the field positions.

5
6 And would you like to take it from there? No?

7
8 MR. BOYD: And we succeeded.

9
10 MS. HILDEBRAND: And we succeeded in getting
11 all but six.

12
13 MR. BOYD: Okay. I think that's a pretty
14 good summary. There are several items on the agenda, I
15 guess, that we're going to talk about in specifics. One is
16 the memorandum of agreement that we're currently developing
17 with the State. Another item is the tribal consultation --
18 tribal involvement in the Federal program, and then there's
19 the resource monitoring program. And also inseason
20 management, which is sort of a looming issue for us with the
21 pending season. I'll talk about inseason management and the
22 tribal involvement, and you're going to talk about MOA and
23 the resource monitoring projects. So Ida, why don't you go
24 ahead and start with the -- we'll just follow it in sequence.

25
26 MS. HILDEBRAND: Okay. Starting with the
27 memorandum of agreement, that's in your text under Tab Q on
28 the second page. This memorandum of -- it was first called
29 a memorandum of understanding, it was presented to the
30 Councils during the training in January, which most of you
31 were at in Anchorage. And during that time all of the
32 Councils reviewed this document and made recommended changes.
33 The language that's underlined was what it was, the language
34 in brackets is the recommendations of the Councils.

35
36 The majority of the Councils recommended that it be
37 changed from memorandum of understanding to memorandum of
38 agreement. So throughout the text, all the bolded language
39 reflects those changes and the majority of the bolded
40 language is just over that very subject of changing that word
41 to agreement.

42
43 Another item that the Councils felt very strongly
44 about is that they wanted to be reflected more explicitly in
45 the document. And since this is a document that's between
46 the Federal and the State agencies, the State agencies in the
47 beginning section also emphasized that they rely on their
48 advisory councils. And parts that referred to the Federal
49 portion of the agreement, they added language to explicitly
50 state the Regional Advisory Councils. And when the Board

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1 reviewed this document, and talking with other people, the
2 Federal Subsistence Board again, reemphasized its reliance
3 and support of the role of the Regional Councils, they stated
4 they will not relinquish that role and that relationship.

5
6 So if you like I could go page by page or just refer
7 to the ones that are more different than just saying change
8 the MOA or add on Regional Advisory Councils.

9
10 CHAIRMAN TUTIAKOFF: Is there any Council
11 members that would like -- would like to just hit the
12 bracketed ones or do you want to go item by item through
13 this? I've pretty much read this whole thing and most of you
14 have been at that -- were at the fishery Council meetings and
15 unless the Council has specific issues to a particular issue
16 then maybe you ought to bring it up now as we go section by
17 section, I, II, III, IV such as and then move on through.
18 I've been through this several times and we're not going to
19 change it here.

20
21 MR. SQUARTSOFF: I would just like to say
22 that at the January meeting, I was there and I just got
23 totally confused on the whole thing because the RAC
24 committee's picked two of their Chairmen to represent them
25 and then when we go -- it seems like it was totally ignored
26 that them two -- the two Chairs helped work on this. I
27 couldn't understand it, it just confused me. Maybe Tom
28 could.....

29
30 CHAIRMAN TUTIAKOFF: The process, you're
31 talking about?

32
33 MR. SQUARTSOFF: Yeah, the way it came about
34 at that meeting in January. After the RAC Chairs picked two
35 people to represent them to when they worked on this.

36
37 MR. BOYD: I'm not exactly sure what the
38 issue is but let me see if I can hit it.

39
40 MR. SQUARTSOFF: I don't -- I mean I didn't
41 see anything wrong with it and I was wondering why they got
42 all this other stuff put in there, I mean wanting to change
43 it, to get tribal councils involved and everything.

44
45 MR. BOYD: Go ahead.

46
47 MS. HILDEBRAND: The reason that the issue of
48 the tribal councils came up was because of four or five
49 tribal organizations, statewide organizations wrote
50 specifically to the Office of Subsistence Management and to

00103

1 Mitch Demientieff saying that they wanted to be involved or
2 they wanted to be reflected or they wanted to be part of the
3 document. And the Federal Board did meet with those letter
4 writers at a subsequent time and stated to them that the
5 Board will not relinquish its relationship with this Council
6 and the other Regional Advisory Councils. And that since the
7 majority of the Regional Advisory Councils are already tribal
8 members, tribal officers, they felt that the tribes and
9 tribal interests were being represented by this and all
10 Councils and recommended that all tribes who wanted to be --
11 to participate more fully contact their Regional Councils,
12 participate in their meetings, bring their recommendations to
13 the Councils and seek Council support.

14
15 Based on that, and on the Regional Council
16 recommendations in the January meeting, some suggested
17 putting tribes on the front of the document or as
18 signatories, most of the Councils refused to do so and
19 instead, on Page 5, under Section 6e, they added the word,
20 tribes, to that section. And the Regional Councils felt that
21 that was sufficient for tribal involvement, the Federal Board
22 again reaffirmed its support of the Regional Council system.

23
24 So the question came up, why did tribes -- the issue
25 of tribes become involved, was because they wrote letters to
26 the Office and to the Federal -- Chairman of the Board and to
27 the Secretary of the Interior.

28
29 CHAIRMAN TUTIAKOFF: You know, I think it
30 should -- I wasn't at that meeting I had to attend another
31 meeting, but it seems to me that everyone here, through the
32 process of being identified as a subsistence user and sitting
33 on this Council, we're appointed by the tribal entities.
34 Their names were submitted by the tribal entities, not the
35 corporations, not the for-profits, they were submitted by the
36 tribal governments. I think a lot of this may have come out
37 from the feeling that the tribes quote/unquote, need to be
38 asserted or whatever. But they need to understand, every one
39 of us sitting at this table here were put in by the tribal
40 governments or recommendations by the tribal governments. So
41 I guess I would agree with the decision that they should not
42 be signatures since they are the main -- we are the group
43 that's representing their interests.

44
45 MR. BOYD: Mr. Chair, if I might, I think
46 Ida's explanation was pretty clear and concise but yet
47 comprehensive with regard to this and it pretty much aligns
48 with what you were just saying. I'm going to talk about this
49 in a minute but I think that the statewide tribal
50 organizations, if you will, there were AFN, AITC, and

00104

1 RuralCAp.....

2

3 MS. HILDEBRAND: And AVCP.

4

5 MR. BOYD:and AVCP also, they're the
6 ones that submitted the letters back in January that -- and
7 I think we've -- over the last couple of months have
8 undergone somewhat of a learning process. As they became, I
9 think, more acutely aware of your role as Councils and then
10 in the early February meeting with the Federal Subsistence
11 Board representatives from those groups, as Ida has pointed
12 out, I think, clearly sort of came around in their
13 understanding of the strength of the role of the Regional
14 Advisory Councils, their direct ties into the Native and
15 tribal community and how, in a sense, you're one in the same.
16 And I think that understanding was very -- they came to a
17 common understanding where we are and where the program is
18 going and where your involvement and the strength of the
19 program is in the Regional Advisory Councils.

20

21 So if I could just underscore what you're saying and
22 what Ida is saying, I think, we've had sort of a meeting of
23 the minds on this already and it seems to be resolving.

24

25 CHAIRMAN TUTIAKOFF: Okay.

26

27 MS. HILDEBRAND: And the other thing that the
28 Board emphasized and many Regional Councils also emphasized
29 that, although there is heavy tribal involvement, the
30 language of ANILCA says for both Native and non-Natives and
31 the Councils felt that they did represent both Native and
32 non-Native subsistence interests.

33

34 MR. BOYD: I might also add that as a -- you
35 know, there's a lot of dialogue going on both at this level
36 and in Washington, D.C., with the tribal entities that I just
37 mentioned. There's been a desire by the administration for
38 a long time to create a more formal tie into the Native
39 community with this program. I think they've realized also
40 that that is, in fact, the case with the Regional Advisory
41 Councils. However, I think to try to strengthen that even
42 more, Ida has touched on our staffing plan that was finally
43 approved last Friday, March the 17th, and we were directed by
44 the Department to establish a Native liaison position in my
45 office. So I don't think that that is there at all to create
46 a parallel track with the Regional Advisory Councils and our
47 program, I think it's there to help tie-in the Native
48 interests into the Council process and to use the system as
49 it's currently operating and working to make it stronger,
50 actually.

00105

1 So we're going to be in the near term, recruiting to
2 fill that position. So I mean I'm kind of excited about it,
3 I think it's a very positive step and I just wanted to
4 mention that because I think it ties into some of the things
5 we're talking about here.

6
7 Are we through with the MOA.

8
9 CHAIRMAN TUTIAKOFF: If there's.....

10
11 MR. OLSEN: Yes, I.....

12
13 CHAIRMAN TUTIAKOFF: Mark.

14
15 MR. OLSEN: Yes, I'd just like to comment on
16 this issue here, I believe in the heart of it or what I
17 believe to be in the heart of this but not necessarily the
18 context of it for the reasons of -- that I have served on a
19 State advisory council as a subsistence person for the State
20 in my early years and from that 20 years up until now nothing
21 has changed with the State. We were totally ignored. So now
22 we come to the Federal takeovers and we have donated our time
23 and took our bruises and kicks to come to a situation that is
24 workable, what I feel is working for the needs of the
25 subsistence use. But to look at language that says, to use
26 State management plans as the initial basis for any
27 management actions so long as they provide for subsistence
28 priorities under State and Federal law, I think -- under
29 State or Federal law. These are questions that I have to ask
30 myself because they conflict in so many ways and a lot of
31 times we have had to prove the methods that are used to even
32 determine the amount of a resource. And I don't need to go
33 into detail of how many great resources we have lost in these
34 times of past.

35
36 So where my heart wants to work and I think we should
37 work with the State, I don't believe they fully want to work
38 with us on this issue. And it has created such a distrust in
39 fiber that after this many years it's hard to just say, okay,
40 you're saying things I wanted to hear and go along with it.
41 So that's basically my heartache with it. It was just kind
42 of thrown on us at this last meeting without any former
43 knowledge of it coming on us. It kind of acted like a real
44 slap in the face for everything that we have tried to
45 participate and put together and work on this project.

46
47 So I just wanted to put that in that it's really
48 still not easy to overcome these.

49
50 MS. HILDEBRAND: Mr. Chairman, if I may.

00106

1 CHAIRMAN TUTIAKOFF: Yes.

2

3

4 MS. HILDEBRAND: Last year, when we were
5 first thinking about it, the State regs were placed before
6 this Council and all Councils and asked to look at, is there
7 something just terribly egregious that we don't want in these
8 to go into the State [sic] regs. The Council had time to
9 comment on those. And before we went into developing or even
10 beginning to develop the MOA with the State, we sent the 14-
11 point plan to everybody, all Councils. Willie and Dan and
12 even Ron, the alternate worked with us on these plans and
13 worked with us when working with the State. When they first
14 -- the first draft with the State was terminated by the
15 Federal Board, they didn't like the direction it was going in
16 and then a whole new working group was developed with State
17 and Federal people. And I agree, that the State has had a
18 difficult time dealing with the Federal program and dealing
19 with tribal rights, et cetera, however, October 1, 1999 did
20 make a difference that's unique in the history of this state,
21 and unique in the history of the Alaska Native people. Since
22 then there has been a tremendous change in the State people
23 we're working with.

23

24 There has been real direction from the Federal Board
25 that they will not relinquish their role with the Regional
26 Advisory Councils. They will not relinquish the Title VIII
27 mandate which is a priority for subsistence use. That was
28 stated emphatically, the State heard them, even if they
29 didn't like it they agreed. And there has been a real
30 different working relationship.

31

32 And when we send these things to you, it isn't trying
33 to put you at a loss for words or to embarrass you in any way
34 but to keep you informed. And we realize that your time is
35 valuable and you have a hundred other things to do and you're
36 not being paid so we try to do as much of the work as much,
37 as the battling that needs to be done before it's presented
38 to you; it's not meant as a slight to you or to embarrass you
39 or to defeat your interests in any way. I think all members
40 of the working group and I'm a part of the working group on
41 this particular issue, have acted in good faith. And if I
42 felt anyone on the State part was not I confronted them at
43 that time. I have never done anything to put subsistence
44 users in bad light or to defeat their purposes.

45

46 So this document is before you in good faith and in
47 sincerity.

48

49 CHAIRMAN TUTIAKOFF: Are you -- so I guess
50 what you're -- what I have to ask, maybe the rest of the

00107

1 Board is probably asking right now, are we asking -- or are
2 you asking that this Board approve the MOA?

3
4 MS. HILDEBRAND: Yes, we're presenting to
5 you, like I said the bracketed comments are the comments that
6 are going to be added and at this time are there anything
7 else -- is there anything else that you see that's
8 egregiously wrong that you don't want to see go forward? And
9 the working group will meet again and will again present this
10 to the Board and back to the Councils.

11
12 MR. SWETZOF: Could I ask about General
13 Provisions Number 4?

14
15 CHAIRMAN TUTIAKOFF: Go ahead, what it is you
16 mean?

17
18 MR. SWETZOF: Well, don't we have conflicts
19 with the State and the local -- on subsistence, is that part
20 of this?

21
22 CHAIRMAN TUTIAKOFF: Paul.

23
24 MR. GUNDERSON: I'd like to make a comment on
25 this MOA. I think it will be a fairly good working document.
26 My concern and a lot of the other people I've spoke with is
27 that there has been a wealth of information collected by the
28 State, they've got some excellent programs in certain areas,
29 and, you know, especially in the fisheries department in the
30 fin fish. I think, you know, by sharing this knowledge of
31 these different resources with the different partners, we
32 were afraid there was going to be a bunch of duplication, you
33 know, by the Feds to do the same thing. It would be time
34 consuming for us, frustrating and everything else. I was
35 glad to see a document like this come down the way so that we
36 know that they're going to try to work in the best interest
37 of the people in both the commercial and subsistence.
38 Myself, plus, I know, a number of the other people on this
39 Board both sit on the State advisory committee and on this
40 committee, on the State we're basically operating as
41 commercial operators, here we're subsistence, so you got to
42 wear both hats. So we're one in the same people.

43
44 Like I was saying, my biggest concern is that all
45 this information wasn't going to be shared and it would just
46 be duplicated.

47
48 MS. HILDEBRAND: Mr. Chairman, if I may, in
49 response to Paul before Mr. Swetzof, the effort of the
50 document is to ensure that we don't duplicate. And where we

00108

1 do use a reference state material, if it's contrary to or
2 defeats subsistence purposes, certainly we would revise it
3 and it would come before the Councils for those kinds of
4 revisions. We are not carte blanche adopting the State's
5 everything. We're looking at their information. If it's
6 lacking with subsistence information then those are the areas
7 we'd recommend studies. If it's not relevant to subsistence,
8 certainly it isn't -- we're not tied solely to that. It is
9 looking at subsistence, if there is any State data on
10 subsistence it's looking to add traditional knowledge, it's
11 looking to add additional Federal studies and knowledge on
12 subsistence. It isn't, by any means, selling out subsistence
13 just to whatever the State has. It's only -- referring to
14 the State, it's only so we won't recreate the wheel in areas
15 that we don't need to recreate the wheel.

16
17 And in reference to Mr. Swetzof, I wasn't clear on
18 what section you were talking about, are you talking about
19 the signatories mutually agree?

20
21 CHAIRMAN TUTIAKOFF: No.

22
23 MS. HILDEBRAND: What page please?

24
25 CHAIRMAN TUTIAKOFF: It's under General
26 Provisions, Page 6, number 4.

27
28 MR. SWETZOF: Where you have conflicts on
29 subsistence with respect to the State and the local.

30
31 MS. HILDEBRAND: Got it.

32
33 MR. BOYD: I think that statement that you
34 refer to is more of a recognition that we will recognize each
35 other's respective mandates.

36
37 MR. SWETZOF: In some areas subsistence
38 supersedes that way?

39
40 MR. BOYD: Right.

41
42 MS. HILDEBRAND: Right.

43
44 MR. BOYD: Right.

45
46 MR. SWETZOF: Okay.

47
48 MS. TRUMBLE: Vince, just to make a comment.
49 When we looked at this in January, I think some of us were a
50 little lost. And I think what I heard at that meeting and

00109

1 what a lot of us heard was a need for the Regional Advisory
2 Councils to have -- be a part of this because this looked
3 like an agreement between the Federal government and the
4 State government. And from looking at this and reviewing it
5 it appears those have been taken into consideration.

6
7 The other thing that Paul brought to my attention is
8 they're asking that the Department of Fish and Game, Alaska
9 Board of Fish and Alaska Board of Game to be a part of this,
10 so in my mind this whole draft looks, you know, if we have to
11 approve it at this point it looks fine to me.

12
13 CHAIRMAN TUTIAKOFF: Any more comments.

14
15 MR. OLSEN: I have.....

16
17 CHAIRMAN TUTIAKOFF: Mark.

18
19 MR. OLSEN:number 1, I wasn't intended
20 -- Ida, I know that the Federal Staff has worked
21 exceptionally hard to make these things come about and to
22 which is my highest praise that this is has transpired to
23 this. I guess when I look at an MOA such as this, my biggest
24 heartache that I have with the State management is that the
25 cycling of the different fisheries and the game. I don't
26 believe that two years, the resource, when it's in trouble
27 can wait two years before an action is taken because it's no
28 on the cycle year. So things of that nature, if they can be
29 addressed, you know, if they are emergencies, which they
30 usually are designated to be by the time it gets around to
31 the Boards and it's usually too late. And so on the general
32 concept, yes, I do agree, but I do believe that it can use
33 some modifications such as being able to address the fish or
34 game as they arise not on the cycle year.

35
36 Thank you.

37
38 MS. HILDEBRAND: If I may, Mr. Chairman, we
39 didn't adopt the State's fish cycle. At this meeting you're
40 free to put in proposals for fish regulation revisions and we
41 would review that in the winter, your proposals and the Board
42 would act on them in December to be effective in 2001. So
43 we're still, at this point on a yearly cycle. One set of
44 meetings will address game regulations and another set of
45 meetings will address fish regulations.

46
47 MR. OLSEN: We would have the opportunity
48 then in the future, if the Federal government felt, they
49 should go with the cycle with the State, would we have a
50 chance then to.....

00110

1 MS. HILDEBRAND: That change wouldn't happen
2 without the recommendation of the Councils and the Federal
3 Subsistence Board.

4
5 MR. OLSEN: Thank you.

6
7 CHAIRMAN TUTIAKOFF: Della.

8
9 MS. TRUMBLE: I'd like to make a motion to
10 adopt the second version of the MOA that's before us as
11 amended.

12
13 CHAIRMAN TUTIAKOFF: It's been moved.
14 Second.

15
16 MR. SWETZOF: Second.

17
18 CHAIRMAN TUTIAKOFF: Discussion. And that
19 would include all the bold print which would change it from
20 MOU to basically MOA, with the additions in bold print; is
21 that correct?

22
23 MS. TRUMBLE: (Nods affirmatively)

24
25 CHAIRMAN TUTIAKOFF: Do I hear a call for the
26 question.

27
28 MR. SWETZOF: Question.

29
30 CHAIRMAN TUTIAKOFF: All those in favor say
31 aye.

32
33 IN UNISON: Aye.

34
35 CHAIRMAN TUTIAKOFF: Opposed.

36
37 (No opposing votes)

38
39 CHAIRMAN TUTIAKOFF: Motion carries to adopt
40 the Memorandum of Agreement dated 2/14.

41
42 MR. BOYD: If I may, Mr. Chair.....

43
44 CHAIRMAN TUTIAKOFF: There's a call for a
45 five minute break, excuse us, five minute break and then
46 we're on to fisheries again.

47
48 (Off record)

49
50 (On record)

00111

1 CHAIRMAN TUTIAKOFF: Please take your seats
2 and we'll get started again. We'll have the continued
3 report.

4
5 MR. BOYD: Thank you, Mr. Chair. I'm Tom
6 Boyd. Sort of an intro into this topic, inseason management,
7 I think the previous discussion in the Memorandum of
8 Agreement probably was a good place to start. That MOA
9 itself is a statement of general principles in how we're
10 going to cooperate or work with the State. Within the body
11 of that is a provision for setting up more detailed, what we
12 call protocols and there will be several protocols developed
13 dealing with specific topics on how we're going to coordinate
14 certain activities within our various responsibilities. One
15 of those happens to be inseason management which is the topic
16 I'm going to talk on now.

17
18 We have just started that process of developing that
19 protocol. I think recognizing that the 2000 fishing season
20 is fast approaching, the Federal Subsistence Board, I think
21 is very concerned that we address this topic fairly quickly
22 even though the first year, 2000, the first year of our
23 program will probably not be -- we'll probably not have all
24 of the Staff we need on board or the presence we need in the
25 field to address this topic adequately but we are underway of
26 getting our planning done and trying to establish a mechanism
27 of dealing with making inseason regulatory decisions where
28 they are needed in the Federal program.

29
30 I think we've recognized that we're going to have to
31 work fairly closely with the State because they also have
32 managers on the ground and will be making, as they usually do
33 a number of these decisions. Most of you probably know what
34 I mean when I say inseason decisions. Obviously these are
35 the regulatory decisions that are made inseason that
36 basically come through emergency orders that open and close
37 fisheries for the purposes, particularly with salmon of
38 allowing adequate escapements for both spawning and
39 subsistence.

40
41 And in some areas of the state this is going to be
42 more of an issue than it is going to be in other areas of the
43 State. I believe that in your region, and you may correct me
44 in the discussion that follows, but in your region, at least,
45 it's my view that it's not going to be something that
46 significantly affects your region. In general the emergency
47 orders that are issued inseason by the Alaska Department of
48 Fish and Game are largely beyond Federal jurisdiction and so
49 it will be something that we want to be keenly aware of but
50 because it's outside of our jurisdiction there will be very

00112

1 -- we will have very little influence over those decisions.
2 So you might note in the -- and I should have pointed it out
3 already, under Tab R is where the briefing paper is on
4 inseason management.

5
6 So let me begin with that as a preface. The Board is
7 concerned that we make a smooth transition and provide for
8 participation in the inseason management process. We want to
9 initially, because of some of the limitations I mentioned
10 already getting Staff underway, not having the protocol in
11 place, establish an interim inseason management decision-
12 making process that will involve the Councils.

13
14 We're still getting our information management
15 infrastructure in place. We're still developing the
16 protocols for inseason management with the State and we've
17 been delayed from hiring key Staff positions so we're going
18 to continue to move and hopefully have some things in place
19 this season. But what this calls for, I think, is some
20 interim step for the year 2000 looking out to the year 2001
21 before we have sort of the full array of inseason management
22 capability in place. And as I've said, I think the potential
23 for an emergency order management of salmon fisheries in your
24 region is probably not high in terms of where Federal
25 jurisdiction exists. So I'm not sure how this will affect
26 your region except I believe it's probably not going to be
27 significant as far as Federal management goes because of the
28 jurisdictional issues.

29
30 What we're doing, I think, if I can point out under
31 the heading Delegation of Federal Subsistence Board
32 Authority. I think clearly that's needed. Our current
33 regulations in place provide that the Board delegate
34 decision-making authority to agency field officials. We're
35 considering two approaches. First that we delegate authority
36 to a land manager, i.e., like a Refuge manager or a Park
37 superintendent when an emergency order affects a single
38 conservation system unit, i.e., a Refuge or a Park or
39 something like that. And the second approach would be for
40 areas that cover several jurisdictions such as the Yukon
41 River, where we delegate authority by run or by species to
42 fishery managers that will be new Staff that we put in place
43 out there. And these managers, we would basically try to
44 mirror what the State is currently doing so that we have a
45 Federal and a State manager working together with the same
46 information and hopefully collaborating so that we can
47 minimize confusion and make decisions that are similar or the
48 same for the most part.

49
50 I think clearly we're going to keep in front of us

00113

1 the
2 subsistence mandates so the idea is to work closely with the
3 State, they also have a subsistence mandate and hopefully
4 head off any conflicts in inseason decisions.
5

6 Our intent in the future is to develop guidelines
7 that the Board will issue to the delegated officials in the
8 field that would be making these decisions. Guidelines will
9 include defining admissible circumstances for review of an
10 emergency order requiring information analysis supporting
11 decisions requiring consultation, timely decisions,
12 communications and other types of guidelines.
13

14 A third point in this briefing is strategies to
15 reduce Federal intervention with ADF&G emergency orders. And
16 I think the idea is we want to minimize conflicting
17 regulatory decisions being made by Federal managers and State
18 managers where we got two different systems out there issuing
19 different emergency orders or different orders. And the idea
20 is to proactively manage to reduce direct involvement on the
21 Federal side with inseason management. And on that second
22 page under R, you can see a list of six items that we want to
23 emphasize in order to minimize conflicting management
24 decisions. One is participation in pre- and post-season
25 planning evaluation so the subsistence concerns can be
26 communicated and considered. Second, is direct participation
27 in the emergency order decision-making process prior to a
28 final decision and announcement so that we can ensure that
29 the Federal concerns are brought to bear on that decision.
30 Third, participation and long-term fishery and species and
31 river plans to establish escapement goals that trigger
32 inseason decisions. We want an up front participation in
33 that so that subsistence fishery needs on the Federal
34 jurisdiction are included in plan development. Fourth,
35 obviously we want to know what's going on and what the
36 concerns of the users are so that we can factor that into the
37 process. Fifth, restrict special action requests to only
38 addressing conservation or subsistence harvest issues.
39 That's the -- special action is the tool that we use on the
40 Federal side to deal with regulatory issues inseason outside
41 the regular -- annual regulatory process. And six, special
42 action requests should be required to have a burden of proof
43 that extenuating circumstances exist that mandates Federal
44 intervention.
45

46 So I think what we're trying to do is get out in
47 front of these decisions so that State decisions, in fact,
48 mirror or reflect subsistence concerns that the Federal side
49 has.
50

00114

1 For the 2000 fishing season, as I mentioned earlier,
2 we still got a lot of gearing up to do so how do we address
3 this year. I think the Board has yet to decide on how to
4 proceed on this but what we're considering and that's on the
5 second page again, we're determining the feasibility of
6 adding inseason decision-making to the existing
7 responsibilities of current field officials. As I mentioned
8 earlier, the managers, the Refuge managers. I think the
9 Board would need to identify and designate by region, a lead
10 Federal agency personnel to whom delegation would occur and
11 technical support strategies to those designated. So we're
12 waiting approval to establish and recruit currently for a
13 fishery management biologist positions that we'll place on
14 the Yukon River, in particular, because that's where we find
15 our most acute issues for fisheries management. We just
16 recently, on Friday, March 17th, received approval to recruit
17 and hire those positions. So we'll be moving out on that.

18
19 The second item is at least for this year, defer any
20 special action requests concerning inseason decision-making
21 until 2001. Without the adequate technical support and key
22 Staff in place, I think we're going to find it difficult to
23 constructively respond to these requests following the
24 issuance of an emergency order. So what we really want to do
25 is focus on those pro-active or preventative measures that I
26 mentioned earlier, those six items up at the top of the page.

27
28 Third, is the role of the Regional Councils. I think
29 clearly we want to get the Councils involved in participation
30 in pre-season, inseason and post-season decision-making
31 processes. I think it's going to take us a while to get that
32 fully in place but we're already doing that in some areas of
33 the state where they -- for example, out in the Yukon area.
34 There have been -- I don't know if those meetings have
35 already taken place or not, they have, where we've involved
36 Council members in those meetings, pre-season meetings
37 looking at the run forecasts and some of the management
38 considerations for those runs.

39
40 Go ahead.

41
42 MS. HILDEBRAND: Mr. Chairman, if I may
43 interject. This is Ida, BIA Staff Committee member. The
44 pre-season and post-season are what the State is doing when
45 they're doing their projects and I'm sure, as commercial
46 fishermen, you're aware of, they come up with numbers from
47 last year and make projections for the coming year. In those
48 meetings, in different parts of the State are happening at
49 different times. And the difference with this year is in the
50 Interior, the Regional, not the whole Regional Council but

00115

1 designated members of the Regional Council came in to sit
2 with ADF&G in those discussions and brought up issues on
3 those numbers that were relevant or that would impact the
4 subsistence users. In this area it would be -- the pre-
5 season/inseason discussions with ADF&G in this area that some
6 members of your Council would be designated to meet with and
7 it wouldn't be just your Council it would be members from the
8 Office of Subsistence Management as well. And it's to ensure
9 that they're going to consider when you're at the pre-season
10 and the post-season, you're planning for the next year to
11 ensure that subsistence concerns are raised and then the
12 emergency order on the State only lasts for a given number of
13 days and then it's over, then they go back to their regular
14 regulations. By the same token, in the Federal system, when
15 the Federal -- when the Councils make a special section
16 request, that action is only good for one year and then it
17 reverts back to whatever the regulations were.

18
19 So if we get involved in the pre-season and in the
20 post-season discussions, we've minimized the negative impact
21 on subsistence and that's the focus and the State has been
22 agreeing to do that. I've attended only one pre-season
23 meeting thus far but it really went well for -- there was a
24 little bit of getting to know each other but after we
25 realized we basically had the same concerns which is
26 conservation of the resource, then it went really well.

27
28 MR. BOYD: Under the role of Regional
29 Council, the last item I mentioned, would be the -- it's the
30 one I started with, the participation and development of a
31 protocol for inseason management. And this will be sort of
32 the next step in the MOA process. Clearly, as we develop
33 these protocols to involve the Councils in reviewing those
34 and commenting on those and giving us direction on those
35 protocols and how that might affect your region. And we're
36 just getting that started so that will be coming your way as
37 soon as it's drafted and available.

38
39 That's a quick overview of what we're doing with
40 regard to inseason management. As I said earlier, it varies
41 across the state. I'm not sure but I don't think that your
42 region is going to be directly affected by that because of
43 the way the jurisdiction lays out in your region. However,
44 if you do have comments or concerns on this briefing or how
45 we're going with this, I think we want to hear about them.

46
47 CHAIRMAN TUTIAKOFF: Well, thanks for your
48 report but I think this would be a -- what I'm trying to get
49 out of this is that you're asking, that possibly there would
50 be representatives from this Council that would attend a pre-

00116

1 season and inseason meeting with Fish and Game, the
2 Department of Fish and Game?

3
4 MR. BOYD: Right.

5
6 MS. HILDEBRAND: Uh-huh.

7
8 MR. BOYD: And there would be Federal
9 officials involved as well.

10
11 CHAIRMAN TUTIAKOFF: And are you talking
12 other Regional Council members at this meeting also?

13
14 MR. BOYD: Yes.

15
16 MS. HILDEBRAND: The State Fish and Game does
17 its pre-season and post-season by its various districts. And
18 if your Council was in the district that ADF&G is discussing,
19 then you or members of your Council would be -- we'd suggest
20 that you'd attend. For instance, the Interior Region
21 involved the Eastern, Western and YK-Delta Regional Councils.
22 YK-Delta chose not to attend because they were preparing for
23 their own meeting, but Eastern and Western Interior Council
24 members did attend. And they were just talking about fish on
25 the Yukon, that's all that pre-season discussion was. So
26 when they're discussing -- when ADF&G is discussing pre-
27 season or post-season that affects the Kodiak/Aleutians
28 that's when we'd ask someone from this Council to sit on
29 those discussions and participate.

30
31 CHAIRMAN TUTIAKOFF: Well, I think our
32 primary concern in our RAC is the decision-making process
33 that affects our ability to fish and I know that this is a
34 very critical issue. Because in our region, especially the
35 Aleutian region, if you are aware, that our policy on
36 subsistence regarding fisheries includes the inclusion that
37 subsistence is also part of our commercial fisheries. In
38 other words, without a commercial fishery and our history
39 shows that in a certain part of the area of the Aleutians,
40 without subsistence fishing there would be very little
41 commercial fishing and vice versa, both ways.

42
43 So our policy in the Aleut region has been to include
44 commercial fisheries as part of or including subsistence.
45 And going on that note, I received a resolution from YK,
46 Interior and Northern Interior that proposes to shut down --
47 I don't know it didn't have a number and we added it to our
48 agenda but I think this is an appropriate time to discuss it.
49 Because it says here, the appropriate Federation halt the
50 distant marine intercept of commercial fishing that would

00117

1 allow supplement escapements in both rivers, Yukon and
2 Kuskokwim. It was signed by the Eastern Interior, Western
3 Interior and Yukon-Kuskokwim Chairs of the RAC. We are
4 prepared to submit a resolution and put a number to it, not
5 like what they've done here where they didn't have a number
6 to it so we have no way to address it, but we feel it's in a
7 spirit of cooperation and working together as a RAC within
8 region-to-region, that this kind of a decision should have
9 allowed the Kodiak/Aleutians RAC to be part of the decision-
10 making process of what you talked about here where it's being
11 proposed, participation in a post-season planning evaluation
12 for the subsistence concerns. And I read it as being in all
13 regions.

14
15 I agree that in the role of the Advisory Council,
16 we'd be in the pre-season, inseason, post-season decision-
17 making process consultations prior to announcements of a
18 decision on an emergency order, and I look at this as an
19 emergency order that's being requested for a whole season
20 prior to even allowing the Kodiak/Aleutians RAC to meet with
21 the Department of Fish and Game. And for the participation
22 and development of protocol. I mean we're talking exactly
23 that at this point where we need to get this resolution
24 passed by this RAC and we'll address that after this
25 discussion.

26
27 If there are any more Council comments in regards to
28 inseason management.

29
30 MS. HILDEBRAND: Mr. Chairman, before you go
31 to your Councils on those resolutions, I'd like to put a bit
32 of clarification on the record. I attended those meetings
33 and the reason that particular draft doesn't have a number on
34 it is because they did it during the -- they drafted it
35 during the January training caucus, and they wanted to
36 bring it back to their respective Councils to see if they
37 were in agreement and their Councils had the right to vote
38 them down. In addition, these are only trying to set their
39 priorities. They are not proposals to close down the
40 fishery. They were intended as resolutions from their
41 respective Councils to show the Federal Board their
42 seriousness about the River, and when they refer to -- I
43 forgot the exact language, some kind of ocean or deep sea,
44 they said that they were not targeting Area M, but all the
45 ocean. And that if there was going to be more specifics than
46 that, they would recommend specific proposals be drafted.
47 They also agreed that if they were going to take action that
48 would impact Area M, they would invite members of this
49 Council to be in attendance.

50

00118

1 CHAIRMAN TUTIAKOFF: Yeah, that was my
2 understanding in the early meetings a year and a half ago
3 with the Chairs of all the Regional Advisory Councils when
4 they appointed the, fisheries committee, quote/unquote for
5 developing the fisheries regulations for the Federal
6 Subsistence Board. I argued strongly that the
7 Kodiak/Aleutians should have a seat and was voted -- and was
8 not a vote of confidence at that meeting or at that level and
9 they assured us that we would have input in regards to the
10 fisheries. And I'm still kind of upset that the fisheries
11 proposals that are being provided or being brought forward
12 under the guise of subsistence are attacking certain regions
13 whether it's Area M or Kodiak or going to Southeast.

14
15 I still feel that there needs to be a meeting of the
16 minds regarding all the Chairs as to where this is going and
17 bring it out front. There's an underlying statement that
18 says that, well, we have enough votes and we're going to just
19 do what we want anyway, and I think that's not fair to the
20 rest of the communities that are not sitting at this Board --
21 or not sitting at the RACs within their own region. It's
22 kind of like a political movement.

23
24 But anyhow, we have a non-controversial resolution
25 that addresses involvement by the Kodiak/Aleutians RAC. And
26 when it is appropriate after we get through the discussions
27 regarding the inseason management for 2000 season, I'd ask
28 the Council to consider that resolution. Because it is a
29 non-controversial, it is what -- what it is asking, is that,
30 if you are talking about Kodiak/Aleutians or any other area,
31 any other RAC, that you invite that RAC before you make that
32 decision. That has not been put down on paper, that's been
33 talked about. And we'd like to have all the other RACs
34 follow the same suit and put a similar resolution forward so
35 that we don't end up in a legal dispute involving our
36 subsistence users over an issue that's underlying.

37
38 Any more comments on the 2000 inseason management
39 proposal.

40
41 John.

42
43 MR. FOSTER: On participation in pre-season
44 and inseason and post-season decision-making, I don't know,
45 maybe this goes to you guys a little bit more, but what
46 exactly would that be in our area? We're kind of -- I guess
47 we're special. But we have so many different management
48 plans and restrictions in place, most of them are fairly
49 inflexible, how could we be involved in anything? I mean
50 what exactly would we be involved in?

00119

1 MR. BOYD: I'm assuming, Mr. Chair, that
2 you're directing that at some of our State people?

3
4 MR. FOSTER: Well, whoever can answer it.

5
6 CHAIRMAN TUTIAKOFF: Whoever can answer it.

7
8 MR. BOYD: I know I can't answer it with
9 specificity. I think the idea is that this is the concept we
10 want to pursue. And in some areas of the state we've already
11 had overtures from the state for involvement, obviously not
12 in your area. And I'm currently learning myself what
13 processes the State follows with regard to this issue and
14 maybe they can help shed some light on it, if they choose to.

15
16 MR. LLOYD: Thank you, Mr. Chairman. Again,
17 for the record, I'm Denby Lloyd with Western Region Fish and
18 Game. Fortunately there's a little bit of a disconnect
19 between the policy level discussions and some of the Staff
20 level implementation here. So, although, we more than
21 welcome discussions with various members of the RAC when we
22 lay out plans for pre-season exercises and prepare forecasts
23 and all that, at a Staff level, we don't know exactly what's
24 being intended or when we would have these meetings. So I
25 don't know how we can deal with it, specifically, at this
26 point until we get direction from our headquarters on what
27 they think these policy level agreements actually mean.

28
29 So, in short, I think there's a spirit of intent to
30 cooperate but we don't know what we're cooperating with at
31 this point.

32
33 CHAIRMAN TUTIAKOFF: Yes.

34
35 MS. HILDEBRAND: Mr. Chairman, if I may. On
36 the material that Tom was referring you to in your text under
37 Tab R, it says the highest priority is on the Yukon. And the
38 reason that was stated in that manner is because they have
39 commercial openings, subsistence closures, commercial
40 closures, subsistence openings, et cetera, and your area is
41 listed as a low risk because you didn't have that dance of
42 opening and closing the way the Yukon and other subsistence
43 areas have. But they were placed -- you were placed in the
44 low category in the event that there are areas and some of
45 the discussion regarding the Buskin River this morning would
46 lead me to believe there may be problems in those areas. And
47 those are the kinds of issues that would be addressed by this
48 group.

49
50 And it wouldn't be setting up a new meeting. The way

00120

1 it's worked in other parts of the State, where your ADF&G
2 people are, on your regular scheduled discussions when these
3 other issues were brought in. And it was, like I said, more
4 heavily on the Yukon because there was that immediate dance
5 of opening and closings. And if that doesn't happen here,
6 then it won't happen.

7
8 MR. BOYD: I think what I'm learning, Mr.
9 Foster, is that as Mr. Lloyd just said, there are areas of
10 the state where they don't have regular pre-season meetings
11 because there's simply not a need to. Once the plan is
12 established it sort of functions. And probably the way, as
13 Mr. Tutiakoff said, the way your region, at least some of
14 your region conducts its subsistence use in concert with the
15 commercial harvest, it's probably outside of Federal
16 jurisdiction anyway, but it's still a concern for you and
17 perhaps it's not called for, the kind of practice that you
18 have, doesn't lend itself to this kind of pre-season
19 discussion. But clearly, in some areas of the state it's
20 very important. So that's why that's in here.

21
22 And again, I'm learning a lot of this as we go along.
23 I'm sure we're going to have a pretty good foundation once
24 the first year is behind us, of where it's important that we
25 do these sorts of things. This briefing was intended for all
26 of the Councils, so parts of it may not apply to your
27 Council. Maybe you can help us where you think it might.

28
29 MR. FOSTER: That's actually why I asked the
30 question because I didn't see any place where it would.

31
32 MR. BOYD: Okay.

33
34 CHAIRMAN TUTIAKOFF: Well, I think what's
35 being suggested here is that we have a rep, whether they go
36 to pre-season or whether we have them in certain areas within
37 our region or not, that we have representation attend the
38 RACs of Bristol Bay, Norton Sound, Eastern Interior, wherever
39 they're affecting -- could affect the use of fish or delivery
40 of fish; that we have representation and we have a contact of
41 individuals that can be made available to attend these
42 sessions for -- you know, these inter-RAC meetings type
43 things.

44
45 I'd like to make a recommendation at this time that
46 Al Cratty, Della and Paul be the points of contact in regards
47 to fishery meetings for Kodiak/Aleutians, either all three or
48 at least one of these individuals attend these RACs. I know
49 they're going to have several RAC meetings, they may be at
50 different times so we may have to split up our representation

00121

1 because I notice that a couple of these are overlapping RAC
2 meetings. The fisheries committee that's been appointed now
3 by the Federal Board, would be curious to know who the
4 representatives are so that they could contact them to attend
5 the regional meetings that they may be putting out, like
6 Bristol Bay or up in Kuskokwim, wherever that's at this
7 summer, and through the fall. But if there's no objections
8 from the Council, I'd ask that these members be appointed.

9
10 No objection? So appointed for these inseason, pre-
11 season, or RAC inter-meetings on fisheries. Any more
12 comments on the 2000 fishing season pre-season, inseason
13 thing?

14
15 MS. TRUMBLE: Are we going to do this
16 resolution later?

17
18 CHAIRMAN TUTIAKOFF: We'll do it after we
19 finish this.

20
21 MS. TRUMBLE: Okay.

22
23 CHAIRMAN TUTIAKOFF: Okay. We'd like to
24 maybe at this time to go ahead and ask that the resolution be
25 brought forward, and do you want to read it Della.

26
27 MS. TRUMBLE: Do we have a number for this
28 resolution?

29
30 CHAIRMAN TUTIAKOFF: It would be 0001.

31
32 MS. TRUMBLE: Okay.

33
34 CHAIRMAN TUTIAKOFF: We haven't had a meeting
35 since November so.....

36
37 MS. TRUMBLE: Okay. Okay. Resolution 0001.
38 The resolution in support of a cooperative Regional Council
39 representation whenever an issue arises between two or more
40 regions. Whereas the Kodiak/Aleutian RAC is duly appointed
41 by the Secretary of Interior pursuant to Section .805 of the
42 Alaska National Interest Land Conservation Act, ANILCA Title
43 VIII; and whereas, the RACs are charged with making
44 recommendations on subsistence users to the Federal
45 Subsistence Board; whereas, the Kodiak/Aleutians RAC is
46 concerned that decisions may be made that may have a direct
47 impact on their livelihood or continued ability to remain
48 living within the region without a collaborative effort made;
49 whereas; the Kodiak/Aleutians RAC is also concerned with
50 other areas that may be having a lack of resources to fulfill

00122

1 their subsistence needs; whereas, the Kodiak/Aleutians RAC
2 strongly supports a collaborative effort with all affected
3 agencies in regard to declining resources; therefore, be it
4 resolved that one RAC may not make a decision that would
5 affect another RAC unless the affected RAC is part of the
6 decision-making process. And this is basically what we asked
7 for in January, and the concern that has been brought up is
8 in reading this resolution, and I realize that this
9 resolution hasn't been taken to the respective Advisory
10 Council but it does have a strong statement in there in
11 regard to the decline in in-river subsistence, commercial,
12 sports, or recreational uses on the Yukon and Kuskokwim
13 Rivers not be a part of their regional -- or the people in
14 the region and that does give us a lot of concern, but we
15 would like this to be a part of that effort.

16
17 CHAIRMAN TUTIAKOFF: Is there a motion to
18 adopt.

19
20 MR. OLSEN: Move to adopt.

21
22 CHAIRMAN TUTIAKOFF: Second.

23
24 MR. FOSTER: Second.

25
26 CHAIRMAN TUTIAKOFF: Discussion.

27
28 MR. SWETZOF: Question.

29
30 CHAIRMAN TUTIAKOFF: Question's been called.
31 All those in favor say aye.

32
33 IN UNISON: Aye.

34
35 CHAIRMAN TUTIAKOFF: Opposed.

36
37 (No opposing votes)

38
39 CHAIRMAN TUTIAKOFF: The motion carries. The
40 resolution 0001 is adopted. And I ask that it be passed to
41 all the other RACs for consideration to try and get resolved
42 the issues of fisheries without too much bloodshed.

43
44 Mark.

45
46 MR. OLSEN: Mr. Chairman, just to clarify
47 this maybe this resolution should be RAC-Region 3. I don't
48 know if the others have resolutions as well that might have
49 the same numbers or maybe this would identify it as our
50 resolution.

00123

1 CHAIRMAN TUTIAKOFF: Region 3,
2 Kodiak/Aleutians, so noted.

3
4 MR. OLSEN: And also, Mr. Chairman,
5 recognizing the high efficiency of this Council and realizing
6 that we have been given three days to take up all our agenda,
7 noting that we are almost through number 9 and whereas we
8 have two more days to fulfill this, I respectfully request
9 that we recess until tomorrow at 9:00 o'clock.

10
11 CHAIRMAN TUTIAKOFF: Well, we're given three
12 days, doesn't necessarily mean we have to take three days.
13 It's up to the Council. I know that we do have an issue that
14 needs to be taken care of out of session and off the record,
15 and in discussion with the Director, we will do that in the
16 morning. And we should be able to finish up our agenda
17 tomorrow, if that's okay with the Council, unless they'd like
18 to take about a five hour recess. We'll finish up tomorrow.
19 We still have another hour, I'm not saying we can.....

20
21 MR. OLSEN: I don't believe we'll finish in
22 one hour, though.

23
24 CHAIRMAN TUTIAKOFF: Well, I know that. I
25 don't expect we'll finish today.....

26
27 MR. OLSEN: Okay.

28
29 CHAIRMAN TUTIAKOFF:is what I'm saying,
30 Mark.

31
32 MR. OLSEN: Yeah.

33
34 CHAIRMAN TUTIAKOFF: We'll just keep plugging
35 ahead here. The next one is the tribal involvement in the
36 Federal Subsistence Management Program which is Tab S. And
37 we'll have -- okay.

38
39 MR. BOYD: This is an item that I talked
40 about earlier this afternoon as Ida and I came to the seat
41 here and so I won't go into a lot of detail on this. Except
42 that you and the Council and other Councils were given
43 letters from the three tribal entities or statewide tribal
44 entities that are listed here and this is all under Tab --
45 I'm sorry, Tab S, excuse me, I'll let you turn there.
46 There's a briefing statement there for you.

47
48 CHAIRMAN TUTIAKOFF: Okay.

49
50 MR. BOYD: The Councils were provided letters

00124

1 from AVCP, AFN and AITC, RuralCAP concerning some of their
2 concerns about the way the fisheries program planning was
3 going. Just to sort of summarize, they basically said that
4 there was a lack of meaningful participation by Alaska Native
5 tribes in the early stages of program planning for the
6 subsistence fishing management.

7
8 They specifically referred to the absence of tribal
9 participation in the process for identifying resource
10 monitoring projects, in preparing the Federal/State
11 Memorandum of Understanding or Agreement that we changed it
12 to, and third, in drafting the operational strategy for
13 information management. An additional issue is that they
14 were not provided a role either as a liaison or staff to the
15 Regional Advisory Councils. And they had some specific ways
16 of remedying these problems. Those are listed in your
17 briefing packet, I won't go into those.

18
19 You met and caucus to sort of address those letters.
20 And you, sort of as a composite of all of the Council
21 comments during the January orientation session, I can just
22 sort of list the general comments. It's not in your book but
23 I brought it with me. Basically what the Councils told us
24 was don't interfere with the current regulatory process, the
25 door has always been open for the tribes to be involved
26 through the Regional Advisory Councils. You also said use
27 the protocols and funding agreements to strengthen the tribal
28 role; in other words, the resource monitoring projects, to
29 get them involved. But keep the program as it exists moving
30 forward. Another comment that we heard loud and clear was
31 that the State and regional organizations don't represent the
32 tribes themselves. Felt that the letters were decisive and
33 didn't recognize Alaska Native tribal membership on the
34 Regional Advisory Council and what we heard was that
35 consultation does occur, opportunities are available and the
36 tribes just need to get involved. The Regional Councils have
37 a unique interest with regard to the mandate -- the
38 subsistence mandate under Title VIII, and the tribes have
39 many interests and so the idea there was to maintain the
40 focus through -- of the program through the Councils in the
41 regulatory process and to encourage tribal input through the
42 Councils. Some wanted the tribes to have equal status with
43 the State in our program, i.e., through government-to-
44 government relationship. Another concern was that -- and
45 this is getting a little overlapping now but to use funding
46 to support tribal role in fisheries through the projects is
47 the way I would interpret that. Tribes have natural resource
48 departments, make them workable, fully functional so they can
49 participate actively. Another comment was want to see high
50 level of involvement of tribes with the Federal program and

00125

1 the Regional Councils, I'm getting overlapping comments here
2 again.

3
4 But some Regional Councils wanted the issue of tribal
5 consultation taken up at the winter meetings, so we're here
6 bringing this issue back before you to see if there were
7 further discussion and comments. I mentioned earlier that we
8 had a meeting with representatives of AVCP, AFN, AITC and
9 RuralCap on February 3rd with the Federal Subsistence Board
10 to discuss their concerns and promote, I think, more
11 collaborative constructive discussion. That did occur, in
12 that meeting, I would add. And I think what we saw was a
13 coming around of those entities in understanding how we
14 operate. I think they clearly got an earful from you, from
15 the Councils, at the orientation session. And I sense that
16 they were -- you know, they were truly in a conciliatory
17 mode. They wanted to repair any damage that had been done
18 and wanted to work with the system and the Councils as they
19 are currently structured.

20
21 So there's been sort of a two or three month long
22 road here but I think we've developed some understanding
23 about how the Councils function. And from those
24 organizations, they want to get involved with the system as
25 it exists, that's the message that I'm hearing. I don't know
26 if you want to add to that Ida.

27
28 MS. HILDEBRAND: Mr. Chairman, it's the same
29 statement we made in the beginning. That again, the Federal
30 Board, confirmed its relationship and intent to maintain its
31 relationship with the Regional Councils, that the tribes were
32 free to come before the Councils and participate by bringing
33 their issues to the Councils.

34
35 MR. BOYD: So that concludes our report. And
36 again, it's by your request that we're bringing this back up
37 to see if there further issues or concerns.

38
39 CHAIRMAN TUTIAKOFF: I guess in the tribal
40 representation on the Federal Subsistence Board, we have that
41 in the Chair right now.....

42
43 MS. HILDEBRAND: Niles Cesar.

44
45 CHAIRMAN TUTIAKOFF:that's Mitch,
46 right?

47
48 MR. BOYD: Well.....

49
50 CHAIRMAN TUTIAKOFF: Because we have all the

00126

1 other agencies represented, he is a tribal representative,
2 quote/unquote because he is appointed by the tribal entities.

3
4 MR. BOYD: Well, I think the way I would sort
5 of word that is certainly Chairman Demientieff is a tribal
6 member but he's also the Chair of the Federal Subsistence
7 Board and I think some could view that as tribal
8 representation. We can't overtly make that statement.

9
10 CHAIRMAN TUTIAKOFF: Yeah.

11
12 MR. BOYD: But I mean clearly that's in
13 practice when.....

14
15 CHAIRMAN TUTIAKOFF: Well, I guess what I'm
16 getting to, did the tribal entities, such as AFN, AITC, AVCP
17 and RuralCap, did they ask specifically for a representative
18 from each entity to be on the Federal Board or on the RACs?

19
20 MR. BOYD: No. Let me.....

21
22 MS. HILDEBRAND: They asked for a liaison.

23
24 MR. BOYD:kind of go into that.

25
26 CHAIRMAN TUTIAKOFF: Because I'm having a
27 hard time understanding why AFN and RuralCap feel they have
28 to have -- and are supporting the roles of the tribal
29 entities when it's only been recently, within the last two
30 years, that they have even acknowledged the tribal entities.
31 They've acknowledged the regionals, the villages, and within
32 the last couple of years have actually come out and
33 acknowledged the tribal entities as a group to deal with.

34
35 MR. BOYD: What they specifically asked for
36 is in the third paragraph, that statement under Tab S.
37 There's six items that they specifically asked for, and I
38 listed them there. They asked for five tribal
39 representatives to be added to the inter-agency technical
40 committee and that is in reference to the committee that was
41 putting together the list of projects for the resource
42 monitoring plan. They asked, number 2, that Federal managers
43 immediately convene a meeting of tribal leaders to seek
44 Native recommendations for priority research and information
45 projects. Three, no action -- further action be taken on any
46 of this until we go back and revisit, you know, the whole
47 strategy that we were going to operate under, basically stop
48 the presses, we want to get in on the beginning. Four, that
49 the -- they were really focused, if you will, on the projects
50 that we were developing for information gathering. Four,

00127

1 that the draft project planning process for 2001 be put on
2 hold until tribes obtain representation in the drafting
3 process. This is similar to number 1, that there be tribal
4 involvement in the committee. And five, that tribal
5 representation be included on future MOU discussions between
6 State and Federal representatives. And six, that Federal
7 managers contract with tribes for liaison and Staff support
8 to the Federal Board and for administratively staffing for
9 the 10 Regional Advisory Councils. I think that latter
10 statement has to do with wanting to contract out the, if you
11 will, the coordinator role for the Councils.

12
13 Those were what they specifically asked for, Mr.
14 Chair.

15
16 CHAIRMAN TUTIAKOFF: Okay.

17
18 MS. HILDEBRAND: Mr. Chairman, if I may.
19 Part of the problem that evolved with all the discussions and
20 meetings it became evident that these tribal organizations
21 didn't do their homework and didn't realize the great
22 involvement of the Regional Councils and the fact that most
23 of the Regional Councils are tribal members. But when they
24 did come before the Federal Subsistence Board, the Board made
25 that very clear. In fact, Mitch stated both to them and at
26 the AFN special convention, the Regional Councils are us, so
27 if you don't think that's tribal involvement, then what is?
28 And that's when they started back peddling, so to speak, and
29 became more agreeable to trying to work within the system and
30 within the program as it exists.

31
32 CHAIRMAN TUTIAKOFF: Any more comments from
33 the Council regarding this issue. It's very clear to me that
34 tribal entities do have a voice here in this process. Thank
35 you.

36
37 All right, next item.

38
39 MS. HILDEBRAND: The next item is resource
40 monitoring projects.

41
42 CHAIRMAN TUTIAKOFF: Unified Fisheries
43 Resource Monitoring Program Status, it's under.....

44
45 MS. HILDEBRAND: It isn't in your books
46 but.....

47
48 CHAIRMAN TUTIAKOFF: It's not under any tab,
49 okay.

50

00128

1 MS. HILDEBRAND:it's a handout that
2 your coordinator handed to you this morning.

3
4 CHAIRMAN TUTIAKOFF: Oh, okay, yeah.

5
6 MS. HILDEBRAND: I can do the brief and then
7 go to the more specifics just so we'll all be speaking off
8 the same page. On the second page inside there's a project;
9 sockeye the Buskin River. This is similar to those 17
10 projects that you looked at during the January training
11 session. This is called a one-page pre-proposal. This is
12 when somebody comes up with an idea of something that needs
13 to be done, they give you the name of the project, a slight
14 description, what they're trying to study and the most
15 important part is consultation. The consultation will
16 involve this Council and the local people wherever the site
17 of the project is, and the bottom part refers to the budget.

18
19 And the main thing that we want the Council, you, to
20 understand is that anyone can propose anything but when you
21 look at it, your question is, is this serving subsistence in
22 some way? Is it addressing a subsistence issue? Is that
23 issue important in our region. And the process for 2001 was
24 abbreviated because we couldn't do anything by Federal
25 mandate and the moratorium language to plan for fisheries
26 because the moratorium said we couldn't do anything until
27 October 1. So there's been a made scramble from after
28 October 1 to before the fish hit in May or June, whenever
29 they hit out here, to try to get something that will not only
30 work but that is relevant to subsistence.

31
32 So part of the 14-point plan, we called all the
33 regions to see if there were any projects or any studies that
34 were ongoing that tribes or local people were involved in.
35 Did ADF&G have any project that was relevant to anything that
36 was dealing with subsistence. Were there issues that this
37 Council raised that they wanted information on. And wrote up
38 about 50 statements on it. And in this packet of
39 information, I'm hoping that it was given to you, there's
40 this breakdown of columns. This is from when we called
41 everybody in all the regions to see what were the issues or
42 non-issues, was there information lacking, were there
43 specific species in danger that we needed more information
44 on, were there studies that were ongoing or interrupted
45 because of the lack of funds and put them in just rough
46 categories of how to decide projects.

47
48 And then the 17 projects that came before you during
49 the training session, that's the same process that was used,
50 and it's called the accelerated process, just so we could

00129

1 have something on the ground for 2000.

2

3 I'll stop there. Am I confusing you or are you
4 following me so far? Okay. That was the 2000. The 2000
5 abbreviated process was look at something that can work. Do
6 we have to buy equipment, like do we have to buy the material
7 for a weir that we can get going this spring. Is there a
8 project that's ongoing but needs more money to continue to
9 finish the study. Is there a burning issue that this stock
10 has been destroyed or is in danger or is heavily or
11 negatively impacting subsistence. That's for 2000.

12

13 For the 2001 process, that's beginning right now at
14 this meeting. That, not only are you asked to make
15 regulatory proposals to change the regulations, but to begin
16 to look at issues in your region that relate to subsistence.
17 Is this an issue now or is it going to be an issue in the
18 near future that the Federal Board is going to have to deal
19 with which means you're going to have to deal with. And in
20 your packet is this process, it's called Spring 2001, which
21 begins at this meeting of looking at information needs for
22 this region.

23

24 And the reason the Buskin weir was one of the
25 projects that is cited for this year in this region is
26 because it's an issue that's been raised by this Council for
27 about two years now so it was an easy -- you've already
28 expressed interest so we just went forward with that. But
29 that isn't the end of it. There's three submissions to the
30 Federal Board. The one you saw in January went before the
31 Board, those 17 years were approved in February. Another
32 packet is going before the Board for approval on April 6th,
33 that includes the Buskin River weir one. And there may be
34 another one in May for the year 2000. But after that, we
35 have -- this winter or beginning now to decide what are the
36 projects we want for 2001, and this is the schedule that
37 begins what we're expecting to do. How we expect the process
38 to unfold.

39

40 By identifying issues that are relative to
41 subsistence needs or relative to is there a conservation
42 issue like the stock is diminished or you need to know what
43 is the subsistence take in a village which would be harvest
44 monitoring, how many of this species is actually being used
45 by subsistence, and that would generally be a project by
46 local people or a tribal entity or a fish organization or
47 anybody in the community that can gather that information.
48 But it has to meet the criteria of the program. You can't
49 just be -- I can't just wander into your village and say, I'm
50 going to ask the questions, there has to be a proposal and

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1 you have to show that you can ask -- you can use the
2 methodology that the program approves of that you all will
3 end up with the same kind of information.

4
5 Are you wanting to study stock or stock trends or the
6 other one is, traditional knowledge. Do you feel that
7 there's a need for traditional knowledge in your specific
8 area on some given species. And it is -- we tried to be
9 species specific and tributary specific because it's easier
10 to measure as opposed to just a general statement. And for
11 example, on traditional knowledge, some Arctic Councils were
12 concerned about the decline in one of their resident species
13 but they didn't know which particular tributary to put the
14 study in, so they began with a traditional knowledge project.
15 With that tribal council and ADF&G going into that community
16 and beginning interviews with the elders and the people of
17 that village of where did they traditionally go and what were
18 the fluctuations in that species over time. And after they
19 get that information, hopefully, they also have identified
20 the streams that they use, and then the next year they would
21 propose a more scientific based study on the particular river
22 that was identified by the local people. So you know that's
23 -- there are three areas of studies. One, was to stock
24 status and trends, one was traditional knowledge, and the
25 other was for harvest monitoring. Harvest monitoring is
26 basically how much subsistence fish is taken of a particular
27 species.

28
29 So those were the kinds of areas that the program is
30 looking at. In the 17 projects that you looked at in
31 January, there was one for a state harvest monitoring project
32 and that is with ADF&G and Alaska Inter-tribal Council, to
33 look at how it's been done by the State, what needs to be
34 improved, what can be added, what wasn't relevant, so that
35 all harvest monitoring projects after that time will use the
36 same criteria and the same methodology so you'd have the same
37 kind of data being fed in regardless of who's doing the
38 study, regardless if it's a tribal study or if it's an ADF&G
39 study or if it's a Federal study. So harvest monitoring was
40 somewhat put on hold because of that so we'd all be using the
41 same information to put into the same data base so that
42 everybody can access, users and Councils and the State and
43 the Feds. In addition to thinking of those general broad
44 criteria as coming down into a time frame of when we can do
45 this, it takes you back to this list of time frame of
46 February and March was to identify and prioritize projects in
47 your area. That's what we're hoping that at some time during
48 this Council meeting you'll begin to think about those or if
49 you have some that just come to mind immediately, to state
50 them. But certainly this isn't the last opportunity you'll

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1 have to make that statement.

2

3 And then to develop the proposals is -- for instance,
4 if you say, this needs to be studied, then it would require
5 a one page -- somebody bringing up a one page, it doesn't
6 have to be you but some community working with the Office of
7 Subsistence Management Fish Staff or ADF&G Staff to say, how
8 are we going to do this one page to be submitted. And then
9 you, as Council, would come back at some point and review
10 that one page and if that one page is supported by the
11 Council and by the Board as a relevant study, then that
12 group, for instance, King Cove Tribal Council, if they did
13 the one pager and if this Council and the Board approved of
14 it and said it was a great project, then they would ask King
15 Cove to come up with a full proposal, and in the full
16 proposal you would have to state who was going to do this,
17 how are they going to do that, what's the methods, what's the
18 standards of review, when are they going to do this, where
19 exactly are they going to do this, how much is it going to
20 cost, and what are the end products, what kinds of reports
21 will we be getting. And again, you'd have technical
22 assistance from the Office of Subsistence Management
23 personnel and ADF&G if you are partnering with them.

24

25 Let me see, I've gotten down to -- and those projects
26 that are all approved at the end would become a part of a
27 draft monitoring plan that the Office of Subsistence
28 Management personnel would have to say these are all the
29 projects and these are the things you learned or didn't learn
30 from them and make a report to the Federal Board. And that
31 draft plan -- or that draft plan, first of all, excuse me,
32 these are the projects that we think are great and should go
33 forward, would come again before you, the whole package and
34 say, we think these should go forward and then you vote them
35 up or down or whatever, and then it goes before the Federal
36 Board and they become the projects for 2001. At the end of
37 the year, in December, the Office of Subsistence Management
38 personnel will have to take all those projects and write a
39 report on their success or failure or lackings or whatever,
40 how to modify or improve them. And that also will come
41 before you again for review.

42

43 Those projects that are accepted and they have full
44 proposals also have to be implemented and they'll be
45 implemented by .809 agreements. And example of that is the
46 statewide harvest monitoring to develop the methodology, it
47 will be an .809 agreement. One agreement with ADF&G to do
48 their part and another .809 agreement with Alaska Inter-
49 tribal Council. So whoever designs the project and jumps
50 through all the right hoops ends up with an .809 agreement

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1 with the Federal government.

2

3 So that's the process.

4

5 MR. BOYD: It's essentially a cooperative
6 agreement. I mean we've used the word, contract,
7 interchangeably. But it's not technically a contract but
8 it's a mechanism to provide funding to an entity for
9 conducting the project.

10

11 CHAIRMAN TUTIAKOFF: Any comments Council.

12

13 MS. TRUMBLE: Ida, you did say that this
14 process had to go first -- the request had to go to this
15 Regional Council and if they approve it then the respective
16 entity has to go back and go through the whole process even
17 before it can be submitted?

18

19 MS. HILDEBRAND: Well, no, on the -- okay,
20 for 2001, we're hoping that you'll give us the -- at this
21 meeting or sometime soon after this meeting, you'll say these
22 are the things we think that should be studied in fish in
23 this program; we need information on this, and these are the
24 priority issues. An example is, one of those resolutions
25 from those Interior Councils, that thing about salmon, that's
26 just telling the Board, salmon is our biggest priority but
27 there's no program and there's no proposal with it, it's just
28 a statement of priority. But if you know -- if you already
29 know that there's a project or some study that you think
30 should be done, now is the time to state it and then a one
31 page proposal statement would be developed and then that one
32 page proposal statement would come before you as is -- let me
33 open this -- I'm sorry, I didn't state this earlier, this
34 Buskin River proposal project is number 32. That's something
35 that we need your comments on. I mean you've already stated
36 it but we need it on the record that this is your idea. And
37 comments on it could be that these are the kinds of the
38 project that you've recommended in the past and if you know
39 some other projects, a one page document of this style would
40 be developed on whatever else you add.

41

42 CHAIRMAN TUTIAKOFF: You've got a comment.

43

44 MR. SCHWARZ: Thank you, Mr. Chair. For the
45 record, my name is Len Schwarz and I'm the area biologists
46 for Sportfish over in Kodiak. And I think this would be
47 really helpful, I'd like to go ahead and submit this, Mr.
48 Chairman, just so you have a synopsis of what's gone on with
49 the Buskin weir.

50

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1 I prepared this for Robert Stovall, and Robert I
2 think you turned this into the committee that was considering
3 funding the Buskin because it did get brought to their
4 attention. But this has just brief outline of what's
5 happened. In 1998, the Regional Advisory Council met and at
6 that time I told them that we were going to lose funding for
7 the Buskin weir. We've been operating that weir since 1985.
8 And for those of you not familiar with the Buskin, it's right
9 there in Kodiak, right next to the airport. It gets about a
10 little less than 20,000 fish, sockeye every year. The major
11 harvester is the subsistence fishery. There's about 5,000
12 sockeye harvested by subsistence users, usually about four to
13 500 fishermen fish it. The second user is sport fishermen,
14 the harvest about 2,000. And the escapement into that system
15 is about 10,000 sockeye, so it is a small sockeye run, it's
16 right there on the road system.

17
18 And we barely -- usually each year we barely get our
19 escapement, we get about 10,000 sockeye in there and that's
20 just about what we want. But it's been kind of just nip and
21 tuck. But just as a review of what's happened, in '98 I
22 brought to the Regional Advisory Council's attention. At
23 that time this Council wrote a letter to Jay Bellenger of the
24 Kodiak National Wildlife Refuge asking for funding. And that
25 letter from the minutes is incorporated in this packet. And
26 then Jay got that letter from the Refuge and he said it
27 wasn't within the Kodiak National Wildlife Refuge boundaries
28 so he sent the letter on to the Subsistence Board, the main
29 Subsistence Board, they got the letter and sent a letter back
30 to the Regional Advisory Committee stating that it wasn't
31 within their jurisdiction and I think there was some
32 confusion on that because the Buskin does flow into the
33 Alaska Maritime Refuge which is in their jurisdiction. The
34 subsistence fishery occurs 100 percent within the Maritime
35 Refuge. And finally, there's a budget on how much it costs.

36
37 But I'll just go ahead and give you this packet, Mr.
38 Chairman, it's kind of a paper trail of what this Regional
39 Advisory Council has forwarded on in way of letters and
40 recommendations for funding.

41
42 CHAIRMAN TUTIAKOFF: Thank you. That will be
43 good for past history regarding the Buskin. Mark, you have
44 a comment. Where did he go?

45
46 MS. TRUMBLE: He's not here.

47
48 CHAIRMAN TUTIAKOFF: He's not there, he left.
49 It was his proposal that initiated this early in 1998 in Port
50 Lions, I believe, he brought this up.

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1 MS. TRUMBLE: Yeah.

2

3 CHAIRMAN TUTIAKOFF: Yes.

4

5 MS. HILDEBRAND: I mentioned that this was
6 already in -- we took it out of your previous annual reports.
7 And previously on the annual reports the Board often stated
8 they didn't have money to do the study and this is the first
9 year that the Board does have money to do studies on
10 fisheries. So there are several concerns that were raised
11 earlier today from this Council that I would recommend you
12 put those kinds of concerns in your annual report as well as
13 in your proposals, even your resolution.

14

15 But this proposal is generated by this Council, and
16 that's why it's in the packet without having consulted you
17 prior.

18

19 CHAIRMAN TUTIAKOFF: Okay. Questions or
20 comments from the Council on how you would like to move this
21 number -- Spring 2000, number 32, package. Now, as I
22 understand it at this time, this Council needs to move this
23 package forward to the Federal Board for consideration?

24

25 MS. HILDEBRAND: Right. This is the only
26 proposal in the package that is from this area, and you can
27 do it by unanimous consent if there are no objections. But
28 I'm also very interested in hearing if there are any other
29 projects this Council would like to see beginning or the
30 beginning of preparations for other projects in this region.

31

32 CHAIRMAN TUTIAKOFF: Okay. Are there any
33 objections from the Council to moving this forward to the
34 Federal Board? Not hearing none, then would ask that this be
35 brought before the Federal Board for funding.

36

37 Are there any projects that are needed or needed
38 within the region that we can start or initiate a paper trail
39 to possibly get some future funding on? If not, we have
40 until what April -- what is it, I read here someplace that we
41 have until April. Well, there's a deadline or there's a
42 schedule here in order to make proposals, March 30th.

43

44 MS. HILDEBRAND: That's correct.

45

46 CHAIRMAN TUTIAKOFF: March 30th, April 1st,
47 yeah for this year.

48

49 MR. BOYD: I think the first step is simply
50 issues identification and information needs. I think

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1 recognizing that the Council is living in the region and has
2 probably a better idea of what some of the big fisheries
3 issues are out there with regard to subsistence. The idea is
4 where we might have some management issues that we need to
5 bring some new information to bear on those issues. If
6 you've got some idea about that, that's what we want to know
7 right now. We can then take those and develop them into pre-
8 proposals and do it with the appropriate consultation that's
9 necessary.

10
11 CHAIRMAN TUTIAKOFF: I think it will take
12 this Council a couple of days to possibly respond. But they
13 may have some issues but are not quite sure as to how they
14 should -- if it is an issue, it may be a non-issue because it
15 may be State waters we're dealing with and not Federal. So
16 they need to look at each proposal that they may have and
17 bring it to the attention of our coordinator for final
18 resolve whether -- even if it is within State waters, and you
19 don't know, it may be on the boundary, I suggest that you
20 make it known so that we can move ahead with some sort of
21 proposal.

22
23 MR. BOYD: I would concur with that, Mr.
24 Chairman.

25
26 CHAIRMAN TUTIAKOFF: Mike.

27
28 MR. SWETZOF: I was going to bring up
29 Whistlow, you know, where we've been doing subsistence and it
30 seems to be not being managed and it's over -- it's being
31 damaged. And I think that that used to be a good red salmon
32 stream and there's a lot of residents, not necessary locals
33 but residents that are abusing that system and there is no
34 control from Fish and Game or anybody to stop the waste
35 that's been going on out there and they're destroying it.

36
37 CHAIRMAN TUTIAKOFF: He's talking about the
38 Unalaska area, which is -- I was just reading it because I
39 thought it might have been an issue.

40
41 MR. BOYD: If I might, Mr. Chair, add
42 something while you're looking?

43
44 CHAIRMAN TUTIAKOFF: Yeah.

45
46 MR. BOYD: Something I'm saying to the
47 Councils that I visit is what you're seeing here is the
48 beginning of an annual process, a cycle that we're going to
49 go through time and again, it's not just a one-time shot, we
50 hope it's not a one-time shot, anyway. I mean hopefully

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1 Congress is going to bless us with the funding to keep this
2 going. But the idea is that we want to start something here
3 that works with the local entities, the Councils to sort of
4 elevate issues so that we can, through a fairly lengthy
5 process, develop appropriate projects that address those
6 issues. And obviously there's a prioritization that will
7 occur throughout the process. And you're engaged in the
8 dialogue and ultimately the Board develops the plan that we
9 then implement for that coming year. This won't be the last
10 time, hopefully you'll get to see this, there'll be an annual
11 cycle of things that we're trying to set up here.

12
13 CHAIRMAN TUTIAKOFF: In regards to your
14 comments, Mike, I think that what you need to do is draft a
15 plan for the Reese Bay, which is the real terms, Reese Bay
16 subsistence fishery. At the present time they have a closure
17 for eight days and the rest of the time it's open and that's
18 our concern, is that, the openings are not being regulated.
19 I mean they're just -- so you need to submit some kind of a
20 proposal to change that if that's what you're intending to
21 do. You can do it during this period.

22
23 MR. SWETZOF: I think Unalaska Tribe has been
24 wanting to do that for a long time and, you know, I think if
25 we know the mechanism and I know Amel Barancuf (ph) and them
26 have been wanting to do some kind of -- something set in
27 place or reestablish -- or I guess refill it or, you know,
28 it's getting destroyed and we need to stop it.

29
30 MS. HILDEBRAND: Mr. Chairman, Mr. Swetzof,
31 are you speaking of a regulatory change or are you speaking
32 of you need a study to see what is happening with this
33 fishery?

34
35 MR. SWETZOF: Yeah, a study so that we can
36 bring it back up. It's being destroyed and we need to do
37 something before it's too late.

38
39 CHAIRMAN TUTIAKOFF: Okay. Yes.

40
41 MR. CAMPBELL: Rod Campbell with Fish and
42 Game in Kodiak. Just for the record Arnie Shaul, Fish and
43 Game area biologist in Cold Bay also is in charge of the
44 Aleutian Islands salmon fisheries and he's also, for several,
45 I believe, trying to get funding to put a weir, do some
46 additional work out there.....

47
48 MR. SWETZOF: Then you know what I'm talking
49 about then.

50

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1 MR. CAMPBELL:for several years. So he
2 would be.....

3
4 MR. SWETZOF: Okay.

5
6 MR. CAMPBELL:familiar with that and
7 probably would be a good contact person.

8
9 MS. HILDEBRAND: What's his name?

10
11 MR. CAMPBELL: Shaul, S-H-A-U-L.

12
13 MR. SWETZOF: At this point, I think just
14 doing an investigation on it and then go from there.

15
16 MR. BOYD: Okay. That's exactly what we're
17 looking for.

18
19 MR. SWETZOF: Yeah, okay.

20
21 CHAIRMAN TUTIAKOFF: Any more comments. And
22 if any more Council members have any more high priority
23 issues they need to be brought forward to the Staff.

24
25 MR. BOYD: I think -- yeah, Cliff, will
26 definitely be your conduit for that information to get it
27 into our system.

28
29 CHAIRMAN TUTIAKOFF: Okay.

30
31 MR. BOYD: Okay.

32
33 CHAIRMAN TUTIAKOFF: Okay, thank you. As
34 you know this is a new process for us so hopefully we can get
35 a better handle on it as we move along as we're meeting.

36
37 MR. BOYD: In that regard, I know we have
38 hard deadlines for administration purposes, but at any time
39 you got an idea like this, elevate it and we'll try to make
40 it work for you but, I mean, obviously we have to follow a
41 process so that everyone has an equal chance of
42 participating. I don't mean that to say, you know, if it's
43 March 30th, you know, tell us about it because whether we get
44 it in this year, whether we can fit it into this process or
45 the following process it's always good to know where the
46 burning issues are. We don't want to let time limits be sort
47 of a deterrent in getting good ideas.

48
49 CHAIRMAN TUTIAKOFF: Okay, before you leave
50 we were going to discuss the Adak rural and non-rural issue

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1 and I think it would be appropriate before we break for the
2 day.

3
4 MR. BOYD: Yeah.

5
6 CHAIRMAN TUTIAKOFF: I'm sure it's a very
7 short informational thing regarding the census so maybe we
8 can just get it on the record why it was a deferred issue.

9
10 MR. BOYD: I think we understand the
11 motivation behind the proposal to make Adak rural. I think
12 it's very clear to us that there is some major change going
13 on regarding Adak with the base closure and clearly a change
14 in the population status out there. And that, you know, I
15 think your proposal in that regard certainly makes a great
16 deal of sense.

17
18 This has been discussed with the Board, and I think
19 they've taken the subject seriously, rural determinations are
20 sort of the cornerstone decisions because it sort of sets
21 forth who's eligible for the program in a very basic way.
22 And in making those determinations there are very important
23 steps in our process. There is a lot of time and work, Staff
24 work involved, and a lot of time and intensive process that
25 we go through. And as we discussed this with the Board,
26 their direction and guidance is that we, barring any
27 unforeseen information that we didn't have in front of the
28 Board, that we proceed with this evaluation in concert with
29 our regulatory requirement that we evaluate all of the rural
30 determinations that are currently on the books following the
31 new 2000 census. In other words, when we receive that data,
32 which will be, I hope in a year or so, two years, 2002, is
33 sort of the time frame, that then we would go through a
34 process of evaluating all rural determinations statewide.
35 And I think the reason that the Board would not deal with
36 Adak at the present is that they did not, at least, perceive
37 at this point that there would be significant harm to the
38 community by waiting until that -- until we did the whole
39 process statewide.

40
41 What we understand, for caribou, for instance, on
42 Adak Island, there's currently no limitation on harvest for
43 State regulations and so if we didn't declare it a
44 subsistence community you could still get as many caribou as
45 you wanted. What the Board wanted to know is, you know, is
46 there a perceived harm to the community if we don't take
47 immediate action on the Adak proposal?

48
49 CHAIRMAN TUTIAKOFF: I believe that we made
50 that request under the -- to get a rural determination or

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1 non-rural, was to facilitate the proposals that we have -- I
2 speak as Aleut Corporation has in regards to fish catch and
3 seasons at Adak. Adak being a closed facility or within the
4 three to 12 mile area for fishing and has now been opened by
5 the State, we have a proposal to the State to close three
6 mile limit around Adak to commercial fishing with boats under
7 60 feet. It's now being considered and is in committee at
8 the Department of Fish and Game.

9
10 One of the basis that they're going to use is that
11 Adak is considered, according to their books and everything
12 else as having 6,000 people. And of course, everyone knows
13 and is aware, even the State, that it is a population of
14 subsistence users that are beginning to fill that population
15 out of the 250 -- I would estimate over 100 are subsistence
16 are community users in that community. The class of
17 quote/unquote population went from military to what is now
18 considered, we feel, a community or village community. And
19 so we have concerns that if we do not get a designation to
20 non-rural status that we could be harmed in our future
21 development of Adak. Two years from now, maybe we foresee
22 the population to be no more than five to 800 people, if
23 that. So that was one of our reasons for requesting the
24 change mid-term to non-rural status. Because it would help
25 our abilities to, not only through the process of fishing,
26 subsistence but also through with the State, to have them
27 recognize that the Federal government recognizes Adak as a
28 non-rural area. But we will continue to move forward and
29 hopefully we'll emphasize with the State that Adak is not a
30 seven or 8,000 population community as it was on their
31 records right now based on the census.

32
33 MR. SWETZOF: Mr. Chairman.

34
35 CHAIRMAN TUTIAKOFF: Mike.

36
37 MR. SWETZOF: I'd like to add, too, that with
38 the 900 caribou that we have on Adak and with the Fish and
39 Wildlife's attitude of kill them all, we want that for
40 subsistence use. And being a non-rural community, you know,
41 they got that attitude and it hurts us because everybody's
42 trying to come out there because they can't get a permit up
43 here to go fishing -- or to catch caribou up here so they're
44 all trying to come out there and Fish and Wildlife's saying,
45 sure, come on out, and we're saying no, stay out, we don't
46 want them out there.

47
48 CHAIRMAN TUTIAKOFF: Well, we did ask for and
49 we're still pursuing under the Adak land transfer agreement
50 is to have a co-management agreement on Fish and Wildlife

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1 lands along with the lands that are being transferred to the
2 Aleut Corporation, that's what Mike is referring to.

3

4 MR. SWETZOF: And they don't even want to do
5 that. You know, we need some kind of a co-management because
6 we're both living on the island.

7

8 CHAIRMAN TUTIAKOFF: But we will address that
9 issue and continue to do so from the Aleut Corporation's
10 perspective and hopefully we'll get a decision through the
11 regulatory means, if not, through this process that we've
12 proposed.

13

14 MR. BOYD: I'd like to get a little more
15 information, Mr. Chair, you mentioned the proposal with
16 regard to closing the area around Adak, the marine area?

17

18 CHAIRMAN TUTIAKOFF: Marine waters.

19

20 MR. BOYD: Is that a proposal that's
21 currently in the -- before the Board of Fish?

22

23 CHAIRMAN TUTIAKOFF: Yes, it's in committee
24 today, I believe.

25

26 MR. BOYD: Okay. And it's specifically to do
27 what, again, I didn't catch all of it.

28

29 CHAIRMAN TUTIAKOFF: Close an area within
30 three mile area around Adak to vessels over 60 feet.

31

32 MR. BOYD: Okay.

33

34 CHAIRMAN TUTIAKOFF: Primarily to encourage
35 a development of a community year-round fisheries and not
36 have a boom/bust delivery fish piled up on the beaches rather
37 than being processed.

38

39 MR. BOYD: I'm struggling with the connection
40 with the rural determination.

41

42 CHAIRMAN TUTIAKOFF: Because it has a -- when
43 we went to try and get a subsistence definition for Adak,
44 they said, no, you can not have subsistence at Adak because
45 you are considered a rural area.

46

47 MR. SWETZOF: Non-rural.

48

49 MS. TRUMBLE: Non-rural.

50

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1 CHAIRMAN TUTIAKOFF: Considered non-rural.

2

3 MR. BOYD: The State said that?

4

5 CHAIRMAN TUTIAKOFF: Yeah.

6

7 MR. BOYD: I didn't realize.....

8

9 CHAIRMAN TUTIAKOFF: And through that process
10 we have received a 25 per person or 25 per family subsistence
11 net catch which is allowed now and I, myself, have
12 participated in that fishery -- subsistence fishery for the
13 last three and a half or four years, so we feel there is a
14 definite stigma being attached to Adak, that there is certain
15 parts of the State government feel that because we haven't
16 been given the opportunity to be redefined because it was a
17 big population base, it was the fourth largest city in the
18 state.

19

20 MR. BOYD: Right.

21

22 CHAIRMAN TUTIAKOFF: And some agencies still
23 feel there is that population out there and so we're being
24 pushed from one corner, to one office to another office. And
25 without the determination being made that Adak is a smaller
26 community and a village type community, then we won't benefit
27 or don't get benefits from the State.

28

29 MR. BOYD: If I may, Mr. Chair, the concern
30 that you raise, I don't think the Board disputes the change
31 in the population or that sort of thing. I think it's more
32 of a practical means of trying to fold this process in with
33 what we're going to do statewide. It's trying to more
34 efficiently deal with this issue in terms of the new
35 information that we're going to be generating for the
36 statewide.....

37

38 CHAIRMAN TUTIAKOFF: When the recommendation
39 to defer, what does that mean? When can it come back up on
40 for.....

41

42 MR. BOYD: Well, what I'm asking you is, is
43 there more than what we're seeing in terms of this sense of
44 urgency to move it forward immediately and I'm hearing you
45 say that there are these issues that you've just articulated,
46 that you feel like it should be dealt with prior to the 2000
47 census so I'm hearing what you're saying. And I think we
48 want to look into these issues to see if.....

49

50 CHAIRMAN TUTIAKOFF: Well, see what the

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1 impacts are.....

2

3 MR. BOYD:see what the impacts are.

4

5 CHAIRMAN TUTIAKOFF:waiting for two
6 years.....

7

8 MR. BOYD: Right.

9

10 CHAIRMAN TUTIAKOFF:to be concluded
11 into the State by evaluation, Adak, in the process of its
12 economic development could be hindered because of a non-
13 decision is what I'm saying. There are implications.

14

15 MR. BOYD: Okay.

16

17 CHAIRMAN TUTIAKOFF: And we're looking at all
18 avenues to make Adak work for the state of Alaska and for the
19 community in the Aleutians. That's all. And I guess my
20 question was and you didn't answer it is, upon making this a
21 deferral on this proposal, when, deferred until the census
22 has been taken and that means 2002 evaluation?

23

24 MR. BOYD: We don't have a schedule yet but
25 that's when we anticipate that we will have the data and that
26 Adak would be considered along with all other communities in
27 the state in the reevaluation of the determinations that we
28 currently have on the books.

29

30 CHAIRMAN TUTIAKOFF: Thank you.

31

32 MR. BOYD: That's where we are right now but
33 I'm hearing you say there are other reasons to look at this.
34 I'm going to look these other reasons, I'll have Staff.....

35

36 CHAIRMAN TUTIAKOFF: Okay.

37

38 MR. BOYD:and if there is a sense of
39 urgency, then we'll elevate it back to the Board.

40

41 CHAIRMAN TUTIAKOFF: Okay, appreciate it.

42

43 MS. HILDEBRAND: Then the recommend would be
44 based upon your sense of urgency of the Council. It would go
45 back before the Board and ask them to reconsider reviewing it
46 earlier than 2002.

47

48 CHAIRMAN TUTIAKOFF: When you talk about the
49 Board, was it the Federal Board that you discussed it with?

50

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1 MR. BOYD: Right.

2

3 CHAIRMAN TUTIAKOFF: Okay. I was not
4 available for that.

5

6 MR. BOYD: Right.

7

8 CHAIRMAN TUTIAKOFF: Thanks. We'll move to
9 recess until 9:00 a.m., is there a move to recess.

10

11 MR. SWETZOF: Moved.

12

13 MR. CRATTY: Second.

14

15 CHAIRMAN TUTIAKOFF: All those in favor say
16 aye.

17

18 IN UNISON: Aye.

19

20 CHAIRMAN TUTIAKOFF: Recess.

21

22 (PROCEEDINGS TO BE CONTINUED)

23

* * * * *

C E R T I F I C A T E

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UNITED STATES OF AMERICA)
) ss.
STATE OF ALASKA)

I, Joseph P. Kolasinski, Notary Public in and for the State of Alaska and Owner of Computer Matrix, do hereby certify:

THAT the foregoing pages numbered 02 through 143 contain a full, true and correct Transcript of the VOLUME I, KODIAK/ALEUTIANS FEDERAL SUBSISTENCE REGIONAL ADVISORY COUNCIL MEETING, taken electronically by Salena Hile on the 21st day of March, 2000, beginning at the hour of 9:00 o'clock a.m. at the Hawthorne Suites, Anchorage, Alaska;

THAT the transcript is a true and correct transcript requested to be transcribed and thereafter transcribed by under my direction and reduced to print to the best of our knowledge and ability;

THAT I am not an employee, attorney, or party interested in any way in this action.

DATED at Anchorage, Alaska, this 31st day of March, 2000.

Joseph P. Kolasinski
Notary Public in and for Alaska
My Commission Expires: 4/17/00