

1 BRISTOL BAY ALASKA FEDERAL SUBSISTENCE  
2 REGIONAL ADVISORY COUNCIL MEETING

3  
4 PUBLIC MEETING

5  
6 VOLUME I

7  
8  
9 City Hall Council Chamber  
10 Dillingham, Alaska  
11 October 12, 2011  
12 8:30 a.m.

13  
14  
15 COUNCIL MEMBERS PRESENT:

16  
17 Molly Chythlook, Chairwoman  
18 Peter Abraham  
19 Alvin Boskofsky  
20 Dan Dunaway  
21 Nanci Morris Lyon  
22 Daniel O'Hara  
23 Richard Wilson

24  
25  
26 Regional Council Coordinator, Donald Mike

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1 P R O C E E D I N G S  
2  
3 (Dillingham, Alaska - 10/12/2011)  
4  
5 (On record)  
6  
7 MADAME CHAIR CHYTHLOOK: A quorum on  
8 our Board. Oh, sorry. Yeah, remember to turn your  
9 mics on. I was just reminded and forgot again.  
10  
11 Okay. We've got a quorum now, so we'll  
12 get started. I'll call the meeting to order at -- I  
13 can't see what time it is.  
14  
15 SEVERAL: 8:35.  
16  
17 MADAME CHAIR CHYTHLOOK: At 8:35. And  
18 before we go into the roll call, number 2, I'm going to  
19 ask Abraham to do an invocation. So if we can all  
20 stand, please?  
21  
22 MR. ABRAHAM: (In Yup'ik)  
23  
24 MADAME CHAIR CHYTHLOOK: Okay. Thank  
25 you, Abraham.  
26  
27 We'll go down to the roll call.  
28 Donald.  
29  
30 MR. MIKE: Thank you, Madame Chair.  
31 Roll call for Bristol Bay Regional Advisory Council.  
32  
33 Mr. Pete Abraham.  
34  
35 MR. ABRAHAM: Here.  
36  
37 MR. MIKE: Mr. Dan O'Hara. Madame  
38 Chair. Mr. O'Hara will be in later on today, so he  
39 will be present for the meeting tomorrow.  
40  
41 Ms. Nanci Morris.  
42  
43 MS. MORRIS LYON: Here.  
44  
45 MR. MIKE: Mr. Dale Meyers. Madame  
46 Chair. Mr. Meyers was out in the field hunting.  
47  
48 Mr. Alvin Boskofsky.  
49  
50 MR. BOSKOFSKY: Here.

1 MR. MIKE: Ms. Molly Chythlook.  
2  
3 MADAME CHAIR CHYTHLOOK: Here.  
4  
5 MR. MIKE: Mr. Dan Dunaway.  
6  
7 MR. DUNAWAY: Here.  
8  
9 MR. MIKE: Mr. Moses Toyukak. Madame  
10 Chair. Mr. Toyukak informed me that he won't be able  
11 to make this meeting. He's traveling.  
12  
13 Mr. Thomas Hedlund. Madame Chair. Mr.  
14 Hedlund wasn't able to make it. He's out in the field.  
15  
16 Mr. Richard Wilson.  
17  
18 MR. WILSON: Here.  
19  
20 MR. MIKE: Madame Chair. You have six  
21 members present. You have a quorum.  
22  
23 MADAME CHAIR CHYTHLOOK: Okay. Thank  
24 you. Excuse me. Thank you, Donald.  
25  
26 Then we'll go ahead and go into our  
27 welcome and introduction. I want to welcome each one  
28 of you to Dillingham. We ordered this weather just for  
29 you. We've had so much rain through the summer that  
30 it's been good to see the sun, well, today and  
31 tomorrow, and it sounds like we may get back to rain  
32 again. But anyway, I welcome you to Dillingham.  
33  
34 I'll start the introductions starting  
35 from our Board members. We'll start with you, Richard.  
36 Turn your mic on.  
37  
38 MR. WILSON: Good morning. Richard  
39 Wilson out of Naknek. Pretty busy summer. Fall's  
40 turned out real great. Got a few red fish earlier on,  
41 and a pretty happy camper at the moment.  
42  
43 MR. DUNAWAY: Yeah, I'm Dan Dunaway. I  
44 live here in Dillingham, and I think I sit on here as a  
45 commercial and sport member. I'm pretty happy this  
46 fall. I caught a moose for the first time in five  
47 years.  
48  
49 MS. MORRIS LYON: Nanci Morris Lyon.  
50 I'm from over in King Salmon, and I'm a subsistence and

1 sport user over there. And I'm still busy with my  
2 season, and I'm loving this nice weather as well.  
3 Welcome.  
4  
5 MADAME CHAIR CHYTHLOOK: Good morning.  
6 I'm Molly Chythlook. Originally from Aleknagik, but  
7 I've been residing in Dillingham here for the last  
8 probably 30 years. So welcome again to Dillingham.  
9  
10 MR. ABRAHAM: Peter Abraham, Togiak.  
11 I've been over there for 47? I don't know, it's been  
12 too many years anyway. I come from Bethel, was  
13 supposed to be for two weeks. I'm still working on  
14 that two weeks, so I might as well stay there.  
15  
16 MR. BOSKOFISKY: Alvin Boskofsky from  
17 Chignik Lake.  
18  
19 MADAME CHAIR CHYTHLOOK: Okay. Thank  
20 you, Board members. And then I'll go to the public  
21 there, and we'll start with you, Andy.  
22  
23 MR. ADERMAN: Andy Aderman, wildlife  
24 biologist for the Togiak Refuge here in Dillingham.  
25  
26 MS. GAMACHE: Jean Gamache with the  
27 National Park Service. I'm the Alaska Native liaison  
28 for the Park Service.  
29  
30 MR. VIRDEN: Gene Virden. I'm with the  
31 Bureau of Indian Affairs. I'm the regional director  
32 and a Board member.  
33  
34 MR. CHEN: Good morning, my name is  
35 Glenn Chen. I'm with the Alaska Region of the Bureau  
36 of Indian Affairs. I'm the subsistence management  
37 (indiscernible).  
38  
39 MR. WILSON: Verner Wilson, World  
40 Wildlife Fund. I'm originally from Dillingham, but  
41 (indiscernible).  
42  
43 MR. KRIEG: Ted Krieg with Subsistence  
44 Division, Fish and Game here in Dillingham.  
45  
46 MS. KENNER: Pippa Kenner. I'm an  
47 anthropologist with the Office of Subsistence  
48 Management in Anchorage.  
49  
50 MR. PAPPAS: Good morning. George

1 Pappas, Fish and Game, subsistence liaison.

2

3 MR. McKEE: Good morning. Chris McKee,  
4 wildlife biologist, OSM, Anchorage.

5

6 MR. FRIED: Good morning. Steve Fried  
7 with OSM. Fisheries biologist.

8

9 MADAME CHAIR CHYTHLOOK: Okay. Thank  
10 you. Welcome again to this meeting.

11

12 I'm going to quickly go through our  
13 agenda here. We're down to number 4. Number 4 is  
14 review and adoption of agenda. Number 5, review and  
15 adoption of minutes. Number 6, Chair's Report. Number  
16 7, Council Member's reports. Number 8, Reports on  
17 tribal consultation and ANCSA corporation  
18 teleconferences. Number 9, administrative business.  
19 10, public testimony.

20

21 11, wildlife proposals for Council  
22 review and recommendations to the Federal Subsistence  
23 Board, and we have several. You can see them on upper  
24 sections of Page 2.

25

26 And then number 12, review and make  
27 recommendations on the draft 2012 Fisheries Resource  
28 Monitoring Plan. Number 13, Agency/organization  
29 reports, and there's several agency, excuse me, and  
30 organizational reports under 13. Then 14, there's a  
31 place for other business. Number 15, future meeting  
32 plans. 16 is adjournment.

33

34 And, excuse me, throughout this meeting  
35 I'm going to watch the clock and maybe every hour we'll  
36 take a quick five-minute stretch so that we won't glaze  
37 over. So as people give reports, make comments, you  
38 can keep that in mind.

39

40 Okay. We're to number 4, review and  
41 adoption of agenda. We did that. Is there any  
42 corrections to the agenda at issue.

43

44 Okay. I guess we need to move to adopt  
45 the agenda first. Nanci.

46

47 MS. MORRIS LYON: I move that we adopt  
48 the agenda.

49

50 MR. DUNAWAY: Second.

1 MADAME CHAIR CHYTHLOOK: Okay. There's  
2 been a motion by Nancy and seconded by Dan Dunaway to  
3 adopt the agenda.  
4  
5 MR. MIKE: I'm sorry. Madame Chair.  
6 We need to discuss adoption of the agenda, so there's  
7 some items I'd like to bring forward to the Council.  
8  
9 MADAME CHAIR CHYTHLOOK: Okay. I guess  
10 we're to the point where we need to discuss the agenda.  
11 Any comments.  
12  
13 Donald.  
14  
15 MR. MIKE: Thank you, Madame Chair.  
16 Donald Mike, OSM.  
17  
18 I was contacted by Caroline Woody;  
19 she's a prime contractor with fisheries resources out  
20 of Anchorage, and she would like to do a presentation  
21 in front of the Council on the fisheries program in the  
22 Bristol Bay region, specifically related to Pebble  
23 Mine. So if we can put her after World Wildlife Fund,  
24 we can designate that as item H, Caroline Moody on  
25 fisheries resources.  
26  
27 MS. MORRIS LYON: Did he say agenda  
28 number 8, item number 8?  
29  
30 MR. MIKE: I'm sorry, Madame Chair. It  
31 would be under agency reports. We can designate it as  
32 item number H.  
33  
34 MR. DUNAWAY: H.  
35  
36 MR. MIKE: Yeah, H as Caroline Woody,  
37 fisheries resource relating to Pebble Mine.  
38  
39 MADAME CHAIR CHYTHLOOK: Nanci.  
40  
41 MS. MORRIS LYON: Actually, Richard,  
42 did you want to bring yours forward, the moose?  
43  
44 MR. WILSON: Is this a good time to do  
45 that? Madame Chair. Yeah, once we get on the issues  
46 of our proposal on Unit 9, it would be -- there's going  
47 to be some discussion on further adoptions or  
48 amendments to this proposals.  
49  
50 MADAME CHAIR CHYTHLOOK: Nanci.

1 MS. MORRIS LYON: Yeah. I would  
2 propose perhaps that we would put it ahead of even the  
3 Bristol Bay regional proposals, before we go over them,  
4 because there might possibly be information that we'd  
5 like to hear before we make decisions on proposals. If  
6 it would please the Chair.  
7  
8 MADAME CHAIR CHYTHLOOK: Okay. Nanci,  
9 so they would be before Bristol Bay regional proposals,  
10 item B?  
11  
12 MS. MORRIS LYON: That is correct.  
13 Madame Chair. Let's just make them -- either that or  
14 -- well, yeah, let's just put them B.1 and then we can,  
15 B.5 and then fit in there.  
16  
17 MADAME CHAIR CHYTHLOOK: Okay. Dan.  
18  
19 MR. DUNAWAY: Yeah. Molly, this is a  
20 question for Donald. Do we do disclosures each meeting  
21 or just once a year, or just kind of -- I didn't see  
22 that in the agenda.  
23  
24 MR. MIKE: Madame Chair. Mr. Dunaway.  
25 We don't do any more disclosures. That was decided at  
26 our office level, so we don't do disclosures any more,  
27 unless we hear further from our office on the policy.  
28  
29 Thank you.  
30  
31 MADAME CHAIR CHYTHLOOK: Okay. Any  
32 more additions, corrections to the agenda.  
33  
34 (No comments)  
35  
36 MADAME CHAIR CHYTHLOOK: If not.....  
37  
38 MS. MORRIS LYON: Question.  
39  
40 MADAME CHAIR CHYTHLOOK: There's been a  
41 question called.  
42  
43 MR. ABRAHAM: Second.  
44  
45 MR. DUNAWAY: Just say aye, all for and  
46 all opposed.  
47  
48 MADAME CHAIR CHYTHLOOK: Okay. All in  
49 favor say aye.  
50

1 IN UNISON: Aye.  
2  
3 (No opposing votes)  
4  
5 MADAME CHAIR CHYTHLOOK: Okay. It's --  
6 the review and adoption of agenda is passed.  
7  
8 We'll move on to number 5, review and  
9 adoption of minutes.  
10  
11 MR. DUNAWAY: Move to adopt the  
12 minutes.  
13  
14 MS. MORRIS LYON: Second.  
15  
16 MADAME CHAIR CHYTHLOOK: There's been a  
17 motion and second to review and adopt the minutes.  
18 Discussion.  
19  
20 (No comments)  
21  
22 MS. MORRIS LYON: Question.  
23  
24 MADAME CHAIR CHYTHLOOK: Been a  
25 question called. All in favor to adopt the, let's see,  
26 March 9 to 10, 2011 minutes say aye.  
27  
28 IN UNISON: Aye.  
29  
30 (No opposing votes)  
31  
32 MADAME CHAIR CHYTHLOOK: Thank you.  
33 Then the motion has been carried.  
34  
35 Okay. Moving down to, we're moving  
36 pretty fast, number 6, Chair's report. Donald.  
37  
38 MR. MIKE: Madame Chair. The Chair's  
39 report on 6.A., the Federal Subsistence Board 2010  
40 annual report response. That letter didn't make it  
41 into publication, but the letter was sent out to each  
42 Council member.  
43  
44 And if you recall, the annual report  
45 item was the population management of bears and wolves  
46 in this region. And the Council during its discussion  
47 at this last winter meeting discussed the possibility  
48 of having a joint meeting with the Regional Advisory  
49 Council and the local advisory committee to discuss,  
50 you know, potential, what do you call it, as far as



1 population management of wolves and bears and see how  
2 they can come up with solutions to bring up the moose  
3 and caribou populations. So I think this might be a  
4 good time for the Council to discuss if they still want  
5 to pursue that joint meeting. And I'll leave it up to  
6 the Council.

7

8 Madame Chair.

9

10 MADAME CHAIR CHYTHLOOK: Okay. Is  
11 there any -- Nanci.

12

13 MS. MORRIS LYON: Thank you, Madame  
14 Chair.

15

16 Yes, I have gone over the response, and  
17 I would definitely still be in favor of pursuing this.  
18 I understand that they -- there's a long history of  
19 them not wanting to establish any sort of predator  
20 control, but, you know, I've made a number of notes to  
21 their responses, and, you know, I'd be happy to point  
22 those out if you want me to take the time to do so.

23

24 MADAME CHAIR CHYTHLOOK: Yeah, let's  
25 review it.

26

27 MS. MORRIS LYON: Discuss it? Okay.  
28 Thank you.

29

30 In the first paragraph, one of the last  
31 comments, the last sentence is that establishing  
32 management plans for wolves and bears would be costly  
33 and time consuming, even if there were sufficient  
34 resources available to complete this task. My argument  
35 for that is they would not have to be. That's their  
36 evaluation of it. I do not feel it would have to be  
37 costly or time consuming either way. It's been done  
38 before in a fairly efficient and effective manner.

39

40 On the second paragraph they make  
41 reference to, in the second sentence, the Service is  
42 legally precluded from managing wildlife refuges with a  
43 singular focus to reduce predator populations. And I  
44 would like to point out to them that we are not asking  
45 for a singular focus. It's part of a whole, entire  
46 plan and it's not something that we're trying to make  
47 as a singular focus.

48

49 In the last sentence of the third  
50 paragraph they say that the proposed action would

1 constitute a major Federal action. And I would just  
2 like to know who says that it would be a major Federal  
3 action. It doesn't have to be made into a major  
4 Federal action. It's only if they choose to make it  
5 that way.

6  
7 In the last sentence on the next  
8 paragraph it says, in the end the negative impacts of  
9 wolf control on conservation of fish and wildlife  
10 populations and habitats in their natural diversity and  
11 maintaining wilderness character were deemed to  
12 outweigh the potential benefits of possible future  
13 subsistence uses. And they're referring to the  
14 environmental assessment that they did down in Unimak  
15 Island. And I just feel like this is going to vary by  
16 the human that's making that evaluation. That was  
17 their determination, and my determination might have  
18 been something different. I think that there's a human  
19 reasoning that's involved in a lot of these decisions,  
20 and it's going to depend on the human being whose  
21 making those decisions.

22  
23 And then with the next paragraph, that  
24 they're saying that they're not -- that they also made  
25 it clear that it's not rejecting the use of predator  
26 control as a valid wildlife management tool, but once  
27 again it's only if different judgment calls are made.  
28 Perhaps it's time to try predator control. I have not  
29 seen a change in the caribou herds, neither the  
30 Northern Peninsula nor the Southern Peninsula Herd,  
31 with the management that's currently in place. And  
32 we've had a really, really long dry spell with those  
33 herds. Much longer than history has given us before.  
34 And I think we have a valid case that perhaps it's time  
35 to try a different method.

36  
37 And those were my comments, Madame  
38 Chair.

39  
40 Thank you.

41  
42 MADAME CHAIR CHYTHLOOK: Okay. Thank  
43 you, Nanci.

44  
45 Any other discussions regarding this.  
46 Dan.

47  
48 MR. DUNAWAY: Well, I'm becoming  
49 ambivalent on some predator control some places. I  
50 read this and if there's any place to preserve some

1 diversity of animals, allowing the wolves to nearly  
2 exterminate the caribou on Unimak Island seems to be  
3 contrary to what they're saying right here. And if  
4 there was any place to have predator control, I kind of  
5 think it should have been done down there. The last I  
6 heard after the decision was that there weren't very  
7 many calves survived, but I haven't looked into for  
8 some time. I was really disappointed to see that they  
9 didn't allow the State to act on Unimak Island.

10

11 So, yeah, I don't want to entirely drop  
12 it. We want to be very careful, want to be  
13 biologically sound on it. But there are places where I  
14 think it's necessary. And I don't like getting blown  
15 off sometimes on this.

16

17 Thank you.

18

19 MADAME CHAIR CHYTHLOOK: Okay. Any  
20 other discussions regarding this.

21

22 Nanci.

23

24 MS. MORRIS LYON: Thank you, Madame  
25 Chair.

26

27 You know, one of the other comments  
28 that they had made is that they -- I don't know, in  
29 some ways I read it almost as a challenge, but the next  
30 to the last paragraph says that if the Council believes  
31 these issues can be more effectively addressed through  
32 a joint meeting with the advisory committees in your  
33 area, then perhaps the Board encourages the Council to  
34 pursue this through your coordinator. And I guess I  
35 would be interested to hear what all the other councils  
36 would have to say about it. I certainly don't want our  
37 voice to be the only one that's being voiced, and I  
38 would like to know that we have -- quite frankly I'd  
39 like to know we had 100 percent of the councils behind  
40 us, so I guess -- I think that maybe that would be one  
41 place to start before we responded again. And I don't  
42 know if Mr. Mike could make that possible or not.

43

44 MADAME CHAIR CHYTHLOOK: Donald, do you  
45 have a comment.

46

47 MR. MIKE: Thank you, Madame Chair. If  
48 this joint meeting gets 100 percent support from the  
49 Council, you know, I certainly can pursue it and work  
50 with BBNA and the State advisory committees and start

1 developing a plan. And it's going to be a lengthy  
2 process, but I can report on the progress, you know, in  
3 our winter meeting. And if things move smoothly, you  
4 know, and the advisory committees and the RAC want to  
5 meet earlier before our winter meeting, I mean, we can  
6 make it happen, but I cannot guarantee that it will go  
7 through smoothly, but I can start the planning process  
8 if it's the wish of the Council.

9

10 Thank you, Madame Chair.

11

12 MADAME CHAIR CHYTHLOOK: Okay. Dan.

13

14 MR. DUNAWAY: I think that would be  
15 good. I sit on the Nushagak Advisory Committee.  
16 There's a lot of interest in predator control. There's  
17 some mixed data available right now. I think some of  
18 our guys upriver were really efficient and reducing the  
19 wolves all on their own this winter. But I think at  
20 least the Nushagak Advisory Committee would be eager to  
21 meet.

22

23 We do have a problem in Bristol Bay  
24 right now. The coordinator for those kinds of  
25 meetings, that position's vacant, and I don't know  
26 who's doing that work. I think -- I just heard  
27 yesterday that they're trying to kind of tag team with  
28 some of the other coordinators out of either Bethel or  
29 Anchorage, which will make it a lot more difficult.

30

31 But I would encourage efforts to try to  
32 come together at some time to discuss it. And I'm sure  
33 the advisory committee would be eager to meet.

34

35 Thank you.

36

37 MADAME CHAIR CHYTHLOOK: Okay. Did you  
38 have an additional comment.

39

40 MR. MIKE: madam Chair. Yeah, if it's  
41 the wish of the Council, you know, just give me  
42 direction and I'll go forward with it and I'll work  
43 with, you know, Frank Woods, he's the staff with BBNA.  
44 He's the one that brought it up, and I'd like to have  
45 -- if the Council would like to have him involved, and  
46 I can work with ACs and people from this RAC, and I can  
47 just send a short memo out to the Council and give a  
48 progress report.

49

50 Thank you, Madame Chair.

1 MADAME CHAIR CHYTHLOOK: Yeah. Without  
2 the -- would the actions of the coordinator for  
3 advisory councils, BBNA already kind of has made an  
4 effort to be connected and be information center for  
5 the local regulations, so if it's the wishes of the  
6 Council, Natural Resources Department, BBNA will gladly  
7 work with Mike or Donald to get this coordination  
8 started.  
9  
10 Dan.  
11  
12 MR. DUNAWAY: Do we need to like make a  
13 motion on this or can we just kind of all agree that  
14 we'd like Donald to pursue this?  
15  
16 MS. MORRIS LYON: We need a motion.  
17  
18 MR. MIKE: You don't need a motion, but  
19 -- it's up to the Council, but if you come to a  
20 consensus, that will be fine.  
21  
22 MR. WILSON: Madame Chair. I'm in  
23 agreement. I think this is going to be a good first  
24 step here to -- and it can be -- I think it would be  
25 very well taken over on the Naknek/ Kvichak side also.  
26  
27 MADAME CHAIR CHYTHLOOK: Okay. Allen.  
28  
29 MR. BOSKOFISKY: Yeah, I agree.  
30  
31 MADAME CHAIR CHYTHLOOK: Okay. Allen,  
32 you're -- Pete.  
33  
34 (In Yup'ik)  
35  
36 MR. ABRAHAM: Uh-huh.  
37  
38 MADAME CHAIR CHYTHLOOK: Okay. Pete  
39 says yes.  
40  
41 Okay. With that, Donald, BBNA will be  
42 willing to work with you on this process.  
43  
44 Any more discussions on this, and we'll  
45 move on.  
46  
47 (No comments)  
48  
49 MADAME CHAIR CHYTHLOOK: Any more  
50 information under this item?

1 MR. MIKE: Yes, Madame Chair. Under  
2 the Chair's report there's item B, discussion of 2011  
3 annual report topics. This is the time for the Council  
4 to bring up issues from 2010 for our annual report to  
5 the Federal Subsistence Board. This can be ongoing, if  
6 you want, during the duration of the meeting if you  
7 have some issues, you can bring it up and we can just  
8 make note of that.

9

10 Thank you, Madame Chair.

11

12 MADAME CHAIR CHYTHLOOK: Nanci.

13

14 MS. MORRIS LYON: Thank you, Madame  
15 Chair.

16

17 Donald, I don't -- we don't have  
18 anything on here either with the redfish issue. And I  
19 would definitely like to see that on the spring report.  
20 It's probably not appropriate for the annual report,  
21 but before I forgot it, I wanted to bring that to your  
22 and the rest of the Council's attention.

23

24 MR. MIKE: Madame Chair. We can  
25 include that as part of the annual report as far as the  
26 process going in to see what kind of resolution we can  
27 come up with.

28

29 Thank you, Madame Chair.

30

31 MADAME CHAIR CHYTHLOOK: And with  
32 Donald's suggestion, we will keep this open. And as we  
33 go through our agenda, if anything comes up that we may  
34 want to add, then we'll do that.

35

36 Okay. Are we through with this  
37 section.

38

39 (No comments)

40

41 MADAME CHAIR CHYTHLOOK: Okay. We'll  
42 move on down to number 7, Council member's reports.  
43 Richard.

44

45 MR. WILSON: I guess I come a bit  
46 unprepared here, Madame Chair. Are we just looking for  
47 just an outline of what we discussed in the past year,  
48 what we're looking for as a.....

49

50 MS. MORRIS LYON: What you've heard

1 from, you know, people in your area.

2

3 MR. WILSON: Because, excuse me,  
4 there's been a lot of effort in our area over there,  
5 excuse me, in the last month of September and part of  
6 August for moose in our area over there, and there's a  
7 lot of no-shows. A lot of effort went out and the  
8 moose typically in the last few years haven't been  
9 moving very early on anyways. We started getting them  
10 a little later on in the season, but right towards the  
11 end of closure there was a few more taken, but we  
12 really aren't seeing the numbers over there. Everybody  
13 I'm talking to, I just came out of a couple villages  
14 from the lakeside there, and there's just not a whole  
15 lot of population out there it seems to be found.

16

17 And the bears very abundant. Got them  
18 chewing on our fourwheeler seats sitting next to the  
19 cabin, and, you know, just generally being a nuisance.  
20 And they're actually, you know, the old males are  
21 killing the sows and the cubs, you know, right in front  
22 of people. So, there's plenty there.

23

24 The fish stocks this summer, we thought  
25 we did very well over in our area. It was nice to hear  
26 Alvin yesterday about him still getting fish down in  
27 the creeks down where he's at. It looks like the place  
28 to be here today.

29

30 Thank you.

31

32 MADAME CHAIR CHYTHLOOK: Okay. Thank  
33 you, Richard.

34

35 Dan.

36

37 MR. DUNAWAY: I don't have a whole lot.  
38 I asked around a little bit. I don't know of really  
39 any burning issues other than I did have one person  
40 from upriver express that they were wondering where the  
41 predator control effort was going to go by the State,  
42 and there was apparently some survey results from this  
43 summer, but I haven't heard them, but this person  
44 indicated that he was concerned whether we could push  
45 forward with predator control or not.

46

47 Other things, listening to Richard, on  
48 thing several of us noticed while we were moose hunting  
49 is we didn't see very many small moose calves. We saw  
50 yearlings, but not -- I think I saw one small one.

1 I think in our area with the much  
2 relaxed bear season, I think there's been an increase  
3 harvest, but that's just my gut feeling. I haven't had  
4 a chance to talk to Jim Wellington, but I know of a few  
5 bears that were shot during moose season this year,  
6 which in the past we couldn't do. So maybe we're  
7 making a little inroads.

8  
9 That's all I have. Thanks.

10  
11 MADAME CHAIR CHYTHLOOK: Thank you,  
12 Dan.

13  
14 Richard.

15  
16 MR. WILSON: Madame Chair. I'm sorry,  
17 I did bring up another thought here. On the redfish  
18 issue, you know, in our area there, that's something  
19 we've been trying to connect with with the park over  
20 there, and we haven't. I don't know if it's, you know,  
21 lack of effort coming from the community or lack of  
22 effort coming out of the Feds there, but we haven't --  
23 that list that they claim that they need to, you know  
24 -- for things to function there, we haven't -- nobody's  
25 come up with that list yet. And I would really like to  
26 be talking more like with Jean, you know, liaison here  
27 on possibly, you know, some sort of better  
28 communication with the system that we have over there,  
29 because it's very difficult. And it's just very  
30 difficult to deal with with the Park there.

31  
32 MADAME CHAIR CHYTHLOOK: Okay. Thank  
33 you, Richard.

34  
35 Okay. Pete.

36  
37 MR. ABRAHAM: I just want to thank the  
38 office people, well done on the moose count. And I  
39 like to think back and say, yeah, when they first  
40 started the moratorium in Togiak Refuge, I thought for  
41 a while it's not going to work, but now today, I'd like  
42 to thank Andy and the Staff for the moose population we  
43 have over there.

44  
45 And then the moose season, the moose  
46 hunt over there was successful it seems like this year.  
47 And then we have one citation over there, but it wasn't  
48 from our department.

49  
50 The people frown on the State coming



1 with the helicopter over in the area there, because the  
2 hunters don't have access beyond the corridor of the  
3 river or it's maybe a mile or so. I don't think it's  
4 fair for law enforcement to use a helicopter to do the  
5 job over there.

6

7 Not only that, the State coordinated  
8 with our law enforcement over there. So people are  
9 complaining about that. I think we're going to have --  
10 you're going to hear a couple complaints from the  
11 traditional council from somewhere else over there.

12

13 But anyway, the moose hunt was  
14 successful over there. And we have younger hunters,  
15 not like me, you know, the old guys stay back and stay  
16 home, and watch them hunt. But I'd like to say we've  
17 done a good job over there, and even goose hunting,  
18 too, over there.

19

20 The other thing we have, we've been  
21 having problem like from Quinhagak, Goodnews, Togiak,  
22 we've been having bear problem over there. The young  
23 ones, three, four-year olds that come into the village  
24 begging for food practically, you know. And this fall  
25 I think one went to the porch looking for something to  
26 eat. And I think about three or four were eliminated  
27 by local people over there. I have not even pursue who  
28 done it, because they're getting too dangerous, they're  
29 getting too close to the village over there.

30

31 So that's all I have from Togiak, but  
32 the chum salmon didn't show up to the river over there,  
33 just only a few of them. So therefore the Arctic char,  
34 Dolly Varden, that connected to a lot of fish, they're  
35 not so healthy over there. You catch Arctic char in  
36 the river, it's skinny, because they feed on chum eggs  
37 for the summer. So does the Dolly Varden. I hope next  
38 year they show up. The chum I mean.

39

40 Although the red salmon was very  
41 healthy over there this summer. The count -- I checked  
42 with the counting tower over there a couple of times.  
43 Well, they're beyond, the cup's overflowing over there.

44

45 Quyana.

46

47 MADAME CHAIR CHYTHLOOK: Okay. Thank  
48 you, David. Any -- I'm sorry. Pete. Any questions  
49 for Pete.

50

1 (No comments)

2

3 MADAME CHAIR CHYTHLOOK: I'd like to  
4 expound on the helicopter issue, because several of --  
5 well, as NR director and dealing with the resources for  
6 all of our 31 communities, we had -- both Frank and I  
7 had several calls from Togiak regarding the helicopter  
8 harassment. Well, it was considered harassment,  
9 because there were three known hunters camped out along  
10 the river, and the one, the helicopter hovered over and  
11 permitted the moose to escape. The hunters weren't too  
12 happy with that, because once the helicopter left, then  
13 that animal was never relocated again.

14

15 And the other issue was that the  
16 helicopter landed where the two elders were -- had been  
17 -- or stayed behind. After the kill, the younger  
18 person that was with them took their harvest back, and  
19 that the two elders stayed behind to probably deal with  
20 fish and whatever else. But it so happened the  
21 helicopter landed while they were there and pursued to  
22 look for proof of the harvest being a bull. And it was  
23 embarrassing for the two elders to -- having to talk  
24 between themselves about the moose parts that --  
25 especially the elders don't discuss.

26

27 So I am working now with Jim  
28 Wellington, an Jim Wellington, the wildlife biologist  
29 for ADF&G is in the process of working something out so  
30 that this could be corrected.

31

32 And the concern that I had, many years  
33 that we've built positive relationships for Togiak, I  
34 didn't want this incident to erode that, so hopefully  
35 once the issue and the problem is addressed with  
36 Togiak, that things will cool back down again. But I'm  
37 sure that this is going to come up when the Togiak  
38 regional council meets. And any other time that BBNA  
39 staff travel over there, it will probably come up, but  
40 hopefully it will resolve with the help of Jim and  
41 others.

42

43 Thank you.

44

45 Any other expounding Pete's report.

46

47 (No comments)

48

49 MADAME CHAIR CHYTHLOOK: If not, Allen.

50

1 MR. BOSKOFISKY: Yeah, we had a healthy  
2 salmon season, our fall season seems to be going pretty  
3 good. The fish we get for subsistence, usually just --  
4 people have been doing pretty good.

5  
6 A lot of bear problems. Bears around  
7 the village every night. I think one was gotten rid  
8 of, because it wouldn't even leave. The guy was  
9 shooting right by his head, and he wouldn't even budge.  
10 He was trying to break into his fish house.

11  
12 Moose. It would be interesting to hear  
13 reports on what this permitting process came up with,  
14 because we had one local catch, one local from the Bay  
15 got one, and that was by accident the day before the  
16 season closed. And I think we had like four sport  
17 hunter that got moose. Nobody else has seen any. So  
18 it's been pretty quiet.

19  
20 And that's pretty much it.

21  
22 MADAME CHAIR CHYTHLOOK: Thank you,  
23 Allen.

24  
25 Any questions for Allen. Dan.

26  
27 MR. DUNAWAY: Yeah. How about caribou  
28 down in your area? Do you have any comments on that?

29  
30 MR. BOSKOFISKY: Over the summer we've  
31 seen one running on the beach. More than likely was  
32 being chased by wolves, because they don't usually come  
33 around summer homes unless there's a wolf chasing them.  
34 But we seen a few up in the mountains. You know,  
35 there's always little patches here and there that  
36 manage to hang around in a certain area. And there's  
37 always may a dozen or so up in the mountains during the  
38 summer. We've seen some on the mountains about the  
39 lake there across from the village. There was a few  
40 there. Not very many. But I haven't heard much on  
41 anything increasing to any great numbers. I hear  
42 there's like 8,000 bear in Unit 9E, I guess more bears  
43 than people.

44  
45 MADAME CHAIR CHYTHLOOK: Okay. Nanci.

46  
47 MS. MORRIS LYON: Thank you, Madame  
48 Chair.

49  
50 Yeah, I would -- my report pretty much

1 echoes Richard. I've heard very sparse reports about  
2 success in moose hunting from my end of the road as  
3 well. And the bear hunters, every single person that  
4 wanted one, got one that I know of thus far. I've even  
5 had a little bit of contact with some of the sport  
6 hunters that were flown out, and they were, all except  
7 for one group, was fairly successful, and they admitted  
8 they didn't know what they were doing and they scared  
9 to death and just wanted to come in. So I don't really  
10 count them, because then they sat at the lodge and  
11 watched one cross the creek right in front of them, and  
12 I told them they were welcome to take it, and nobody  
13 went to get their gun.

14

15 (Laughter)

16

17 MS. MORRIS LYON: But I will say that I  
18 agree with Alvin. There are a ton of bears. I hear a  
19 lot of complaints about it in the areas that I go out  
20 to. And there was also a lot more wolf sightings that  
21 I heard from people this past winter after our spring  
22 meeting in March. And I know I saw a heck of a lot  
23 more on the river in March and April than I'm used to  
24 seeing. they're usually a r are sightings, and it was  
25 something that probably happened at least once every  
26 three days, we'd see wolves out there. So definitely  
27 seems to be an increase in that population, or the  
28 packs that are in the areas are migrating to different  
29 areas. I'm not sure which it is, but I know the  
30 predators are there.

31

32 Fisheries, the one thing that Richard  
33 didn't touch on were the king fisheries in the area.  
34 The king fisheries were still in my opinion, and  
35 according to my records, only moderate in their  
36 returns. They were not something that I guess you  
37 would say fell on their face by any means, but I  
38 wouldn't all them real healthy either.

39

40 And with that, my other thing that I  
41 don't know if we should put it on the annual report, I  
42 don't know where we'd like to place it, but I think  
43 that we need to continue to pursue and monitor what the  
44 North Pacific Fisheries are doing with bycatch, and  
45 make sure that our voices are constantly heard in front  
46 of them about lowering those numbers.

47

48 Thank you, Madame Chair.

49

50 MADAME CHAIR CHYTHLOOK: Okay. Any

1 questions for Nanci. Dan.

2

3 MR. DUNAWAY: It's not really a  
4 question for Nanci so much as other comments remind me  
5 that the early summer is kind of faint in my memory,  
6 but, yeah, kings were a real concern here in the  
7 Nushagak. In the end I think we got 65,000, which  
8 isn't good, but it's better than what we thought it  
9 would be. I know the commercial fishermen were really  
10 discouraged that they didn't have more. And, yeah, the  
11 high sea intercept issue is -- I'd lost track of it.  
12 That's a bit concern in this area. So I agree, if  
13 that could be an annual report item, or an item we  
14 could keep track of, we'd sure appreciate it.

15

16 Thanks.

17

18 MADAME CHAIR CHYTHLOOK: Okay. Any  
19 other discussions.

20

21 (No comments)

22

23 MADAME CHAIR CHYTHLOOK: I'll give my  
24 report.

25

26 You know, when the resources are sparse  
27 in one area, it seems like they kind of domino to the  
28 other regions. This year our five lake systems in  
29 Aleknagik, Wood River, I guess the Wood River system,  
30 we weren't able to -- during the moose season we  
31 weren't able to reach -- we barely made -- the  
32 harvesters, the hunters, barely made it to third lake,  
33 to Agulukpok, because of the low water. And it's been  
34 a while, my husband and I do hunt up in the lake system  
35 every year. I can't remember when the moose population  
36 is so sparse up there. I know that people from  
37 Aleknagik, the harvesters, the key harvesters from  
38 Aleknagik didn't harvest any moose. When Joe and I  
39 were up there for a week after the opener, we came home  
40 empty handed. And we just thought that this was going  
41 to be the year that we didn't harvest a moose, but Joe  
42 decided to go one weekend, and behold, he harvested a  
43 moose. And the hunters from Aleknagik have been  
44 telling him that he saw and killed the last moose from  
45 the Wood River system.

46

47 (Laughter)

48

49 MADAME CHAIR CHYTHLOOK: In tracking  
50 for moose, we saw more wolves, wolf tracks than we did

1 moose. But we also were able to see a few caribou, but  
2 on the onset of the season, Joe wasn't interested in  
3 caribou. He did see two caribou that he would have  
4 been able to harvest, but his aim was to harvest that  
5 moose first. And so in going to the prime moose  
6 locations, we did see a few caribou kills in those  
7 locations. And I'm sure that in desperation for  
8 harvesting moose, the people from Aleknagik and a few  
9 from Dillingham did harvest a few caribou.

10

11 And like Dan said, the king salmon,  
12 subsistence king salmon was sparse. I was happy to  
13 harvest -- I was happy for the 15 that we were able to  
14 harvest, but that 10 to 20 fish less than we normally  
15 harvest.

16

17 Other than that, the -- I know that  
18 people from Aleknagik are hurting for meat this fall.  
19 And they're probably looking forward to possibly  
20 hunting the December opener this winter.

21

22 And the other thing that I'd like to  
23 bring out is the last two years the Bristol Bay  
24 Partners, all the BBs in this area along with BBNA have  
25 had this Bristol Bay Visioning Commission going. And  
26 the main point to that was to have the commissioners  
27 travel to the majority of the Bristol Bay communities.  
28 And I don't have the number, you know, but we, the  
29 commissioners, I'm one of them, I wasn't able to travel  
30 to each and every one that we were able to get -- the  
31 commissioners were able to get into, but I think it was  
32 a success.

33

34 And the purpose of this commission was  
35 to gather information from the people, from the  
36 communities to get their priority vision for the  
37 region, because I think in the past we've had I guess  
38 pockets of areas that different regions have tried to  
39 accomplish, but those visions, or those projects  
40 haven't really been put into one -- I guess one vision  
41 to encompass all the communities here. And so that has  
42 been done.

43

44 And there's a plan in November 3 and 4  
45 to get everybody together including the agencies, we're  
46 also hoping to get some of our legislators in, to put  
47 the wishes of the communities that we visited, to  
48 encapsulate it into priorities. And one of the  
49 priorities that the communities was, of course, the  
50 natural resources. And we have, in our department,

1 BBNA has put in our two cents as to how we've  
2 experienced working with the communities to I guess put  
3 the concerns and the issues so that people will be able  
4 to work with those.

5  
6 So if you're around and able, November  
7 3 and 4, in here in Dillingham, is going to be the  
8 roundup for the regional visioning process.

9  
10 And that's all I have, if there's any  
11 questions. Richard.

12  
13 MR. WILSON: Madame Chair, is there --  
14 coming from the east side of the bay, is there any --  
15 is it just a volunteer kind of thing, or is there any  
16 monies out there yet that can bring people in from  
17 other areas, other parts of the region, or how is that  
18 working out?

19  
20 MADAME CHAIR CHYTHLOOK: I haven't  
21 heard of -- the best person to contact right now is  
22 Patty Heyano. She is coordinating the Visioning  
23 Program. And I can also check with her on that and get  
24 back with you.

25  
26 But with the hopes of getting as many  
27 people into one room to discuss the findings and to  
28 encapsulate the wishes of, you know, the process that  
29 we went through to put it into concrete points for  
30 everybody to use. Well, we're hoping for a good  
31 participation from the public.

32  
33 Okay. Any other questions.

34  
35 (No comments)

36  
37 MADAME CHAIR CHYTHLOOK: If not, let's  
38 take about a five-minute stretcher, and then we'll get  
39 to our next -- Dan, did you have.....

40  
41 MR. DUNAWAY: No, he asked mine.

42  
43 MADAME CHAIR CHYTHLOOK: Okay. Take a  
44 five-minute stretcher, and then we'll get back and then  
45 start on our other agenda items.

46  
47 (Off record)

48  
49 (On record)

50

1 MADAME CHAIR CHYTHLOOK: Okay. Our  
2 next agenda item, we've just finished the Council  
3 reports. We'll move on down to number, reports on  
4 tribal consultation, ANCSA corporation teleconferences.  
5 Okay. You're on.

6  
7 MR. CHEN: Good morning, Madame Chair  
8 and Council members. My name is Glenn Chen. I'm the  
9 subsistence branch manager for the Bureau of Indian  
10 Affairs, and I've been asked to give this presentation  
11 today on tribal consultation.

12  
13 My presentation will actually be  
14 composed of two parts. I will start with a summary of  
15 what's taken place since the RAC meeting on this issue  
16 of tribal consultation, what the Board has done. And  
17 then the second part of my presentation will focus on  
18 the specific tribal consultation that we held for the  
19 Bristol Bay region. That was just done last Friday by  
20 teleconference.

21  
22 I'd like to turn your attention to Page  
23 144 in your book. This is the summary of the tribal  
24 consultation developments that have taken place since  
25 the last winter RAC meeting. I'll give you a moment  
26 there to get to Page 144.

27  
28 As you heard during your winter  
29 meeting, the Federal Subsistence Program.....

30  
31 MR. ABRAHAM: 124?

32  
33 MR. CHEN: 144.

34  
35 MR. ABRAHAM: Go ahead.

36  
37 MR. CHEN: As you heard at your last  
38 meeting, the Federal Subsistence Program, the direction  
39 from our current Obama administration and from our  
40 Secretaries of Interior and Agriculture, decided to  
41 renew their emphasis on tribal consultation. This was  
42 an executive order issued quite some time ago, but the  
43 follow up on the executive order has not been really  
44 taken place until this current administration.

45  
46 A lot of Councils discussed the role of  
47 tribal consultation in the Federal Subsistence Program  
48 process during the winter meetings, and probably the  
49 overriding comment that we heard during the winter  
50 meetings was the hope that the Board would remember to



1 include and maintain the current role of the Councils  
2 as mandated by ANILCA Title VIII. So Council deference  
3 in all those issues were a controversial topic when the  
4 issue of tribal consultation was discussed during the  
5 winter meetings.

6

7 So back in January the Federal  
8 Subsistence Board during its winter regulatory meeting  
9 held two sessions to include tribal consultation the  
10 first day of the winter meeting in January, gave tribes  
11 an opportunity to comment on the 2011 to 2013 fisheries  
12 regulatory proposals. We did hear some testimony from  
13 tribes about some of the proposals, fisheries  
14 proposals.

15

16 And then the last day of the meeting  
17 was set aside as a listening session where all tribes  
18 in Alaska were invited to Anchorage to give their  
19 feedback and viewpoints on how the Federal Subsistence  
20 Program should engage in tribal consultation. That  
21 took the better part of Friday. And again it was a  
22 listening session where we heard comments and  
23 viewpoints from many, many tribes.

24

25 Following the January meeting, then in  
26 May the Board held other meetings and reviewed the  
27 comments received from the tribes in January. And then  
28 the Board decided to establish and direct a work group  
29 comprised of a small number of Federal and tribal  
30 representatives be formed to develop a draft protocol  
31 on consultation, and then this protocol would then be  
32 subjected to the Board's review.

33

34 The work group then had meetings in  
35 June to develop the program -- the protocol. There  
36 were in-person meetings held in Anchorage. And  
37 following those there were a number of teleconferences  
38 among the work group to work out the specifics of this  
39 draft protocol.

40

41 Following this, then in July the Board  
42 approved two interim protocols. One separately for  
43 tribes and then another protocol designed for  
44 consultation with ANCSA corporations. And then these  
45 were intended to be implemented during this current  
46 wildlife cycle.

47

48 The protocols, you will find those on  
49 Pages 145 to 46. That's the one for tribal  
50 consultation; and then on Page 147 is the interim

1 protocol for ANCSA corporations.

2

3 A couple of events and key dates to  
4 mention to the Council here. Next week as part of the  
5 AFN convention in Anchorage, on October 20th in the  
6 afternoon, I believe starting at 1:00 in the Egan  
7 Center, there will be an opportunity for ANCSA  
8 corporations to consult face-to-face with  
9 representatives of the Federal Subsistence Board. And  
10 this is scheduled next week to coincide with the AFN  
11 convention so the corporation folks could be there.  
12 And again there will an opportunity for ANCSA  
13 corporations to give their feedback input directly to  
14 the Federal Subsistence Board next Thursday.

15

16 Following this on December 1st, the BIA  
17 is holding its annual service providers conference, and  
18 December 1st is Thursday of that week. And the  
19 afternoon we've set aside for an opportunity for tribes  
20 to consult directly with the Federal Subsistence Board  
21 on the protocol and the review points and perspectives  
22 on how the fall interim protocol has been working, what  
23 may need to be changed or revised or corrected. So  
24 that's December 1st in the Dena'ina Center during the  
25 providers conference.

26

27 And then in January, next January when  
28 the Board meets again to discuss some of these wildlife  
29 proposals and take action on them, there will be  
30 another opportunity for tribes and corporations to  
31 provide feedback and comments to the Board on  
32 consultation.

33

34 If you look on Page 145, down toward  
35 the bottom of the page here, in item 2, there's mention  
36 of teleconferences for which tribes from each region  
37 can provide consultation, or the Board will provide  
38 consultation opportunities for tribes in each region to  
39 speak about specific wildlife proposals.

40

41 So there's been series of  
42 teleconferences that have been held so far, a couple  
43 for ANCSA corporations and a number for each of the  
44 regions represented by the program. These are wrapping  
45 up at present.

46

47 The one held for the Bristol Bay region  
48 took place last Friday. And if I could, I'd like to  
49 segue that into a discussion of what took place during  
50 last Friday's Bristol Bay region tribal consultation

1 session.

2

3

4 This was held last Friday. The Bureau  
5 of Indian Affairs was the sponsor of this  
6 teleconference. Each of the agencies was asked to take  
7 on some of the responsibilities for hosting some of  
8 these teleconferences, so the Bureau in addition to the  
9 Bristol Bay region, also hosted a teleconference for  
10 the Western Interior Region.

11

12 The teleconference started at 10:00  
13 a.m. last Friday. went for about an hour, and we did  
14 hear and participation by one tribe in the Bristol Bay  
15 region. Mr. Bobby Andrew from the Ekwok Village  
16 Council, he called in to provide his tribe's  
17 perspective on the wildlife proposals.

18

19 I'll give you a rundown of the Federal  
20 Board members who attended this consultation session  
21 last Friday. There was Mr. Virden, our Bureau's  
22 regional director for the BIA. And in addition we had  
23 Jerry Berg who represented the Fish and Wildlife  
24 Service in lieu of Regional Director Geoff Haskett.  
25 Mr. Dan Sharp, he represented Mr. Bud Cribley from the  
26 Bureau of Land Management. And Mr. Wayne Owen  
27 represented the Forest Service for Regional Forester  
28 Beth Pendleton. And then Ms. Deb Cooper represented  
29 Regional Director Sue Masica for National Park Service.

30

31 In addition to these Federal Board  
32 members, we also had a number of Federal Staff. Myself  
33 was there, Ms. Pat Petrivelli, she's our subsistence  
34 anthropologist for the Bureau of Indian Affairs, she  
35 was the official note-taker. We also had Crystal  
36 Leonetti, she is U.S. Fish and Wildlife Service's  
37 Native liaison. And we had Mary McBurney; she's  
38 National Park Service -- as you know, her role is the  
39 Lake Clark/Katmai National Park subsistence  
40 coordinator. She was also on this teleconference. Our  
41 deputy regional director for Native services, Ms.  
42 Kristen K'eit, who also sometimes serves as the  
43 Bureau's Federal Subsistence Board member, she served  
44 as the facilitator for this teleconference.

45

46 I'd like to now summarize some of the  
47 comments that Mr. Andrew provided on some of these  
48 specific proposals, starting with Proposal WP12-39 and  
49 40, dealing with moose, and also some of the deferred  
50 proposals relating to Unit 9 moose. In general Mr.  
51 Andrew felt that it was a good idea to simplify our

1 Federal subsistence regulations. And as you know,  
2 there's been a working group assigned to some of these  
3 problems, assigned the task of resolving some of these  
4 issues. He agreed with the working group's  
5 recommendation for the Federal subsistence program to  
6 use regulations similar to those of the State of Alaska  
7 for the Unit 9 moose hunt in an effort to simplify  
8 things for the users.

9  
10 He was unable to download from the  
11 internet the documents for Proposal 12-39. In fact, he  
12 was only able to get these documents toward the end of  
13 our teleconference when they finally appeared on his  
14 computer, due to the slow internet services in his  
15 village.

16  
17 So he mentioned that he would be  
18 reviewing these at a later time and then he would be  
19 faxing written comments to OSM. We provided him with  
20 the fax number to OSM for him to send in his comments.

21  
22  
23 We asked if he would be present at  
24 today's meeting with the RAC. He wasn't sure if he was  
25 going to be able to. And to date we have not received  
26 his faxed comments or any other input from Mr. Andrew  
27 about these specific proposals.

28  
29 With regard to the cross-over proposals  
30 for Unit 18, and these would be WP12-42 as well as  
31 WP12-53, Mr. Andrew had no comments on these proposals.

32  
33 We then engaged in discussion of some  
34 of the statewide proposals with Mr. Andrew, starting  
35 with WP12-01, and this is addressing the sale of  
36 handicrafts made from brown bear parts harvested under  
37 Federal subsistence regulations. Mr. Andrew expressed  
38 some concern about placing additional restrictions on  
39 the users, and what the proposed regulations might have  
40 in terms of impacting the abilities of the artist to  
41 make handicrafts and sell them if they were adopted.

42  
43 As expressed by the Council today, he  
44 also concurred with viewpoints mentioned that brown  
45 bears are very abundant in the region, and in fact  
46 their abundance has resulted in what he called barriers  
47 for success by subsistence hunters in obtaining moose  
48 and other large game animals.

49  
50 During discussions on Proposal 12-01,

1 there was questions raised about the sealing of bears  
2 harvested under Federal subsistence regulations. The  
3 Federal Staff that were there on teleconference replied  
4 that bears taken our regulations do not require  
5 sealing. Mr. Andrew then asked the question again  
6 about what would the impacts of the proposed  
7 regulations have on Federal subsistence users. And our  
8 subsistence anthropologist, Ms. Petrivelli replied that  
9 the proposed documentation procedures outlined in the  
10 proposal would actually assist sellers with their  
11 transactions involving brown bear claws, especially for  
12 those transactions taking place with purchasers outside  
13 the state or outside the country due to the CITES  
14 regulations.

15

16 Also, Mr. Berg, he's from the Fish and  
17 Wildlife Service, he explained that the proposed  
18 handicraft regulations would not restrict harvest  
19 limits or brown bear harvest seasons. It would only  
20 pertain to the use of brown bear claws which took place  
21 after they were harvested as they're used for  
22 handicrafts or being sold.

23

24 With regard to Proposal WP12-02, and  
25 this speaks to the proposed changes to the designated  
26 hunting regulations, Mr. Andrew indicated that he  
27 agreed with the proposal, and that subsistence harvest  
28 taking under these designated hunter provisions should  
29 indeed be shared with people.

30

31 He did ask a question about whether or  
32 not the proposal would limit the number of elders the  
33 Federal subsistence harvest could be shared with. Mr.  
34 Petrivelli from our agency replied, no, that would not  
35 limit -- that there wouldn't be limits on sharing.  
36 There is, however, provision in our Federal regulations  
37 that limit the number of bag limits that could be  
38 possessed in the field by the designated hunter, so  
39 what could be possessed by a designated hunter would be  
40 his or bag limit plus one other bag limit from the  
41 person he's designated to hunt for.

42

43 On Proposal WP12-03, this is a  
44 statewide proposal again, to talk about the need to  
45 move traps if the incidently harvest a moose or deer or  
46 caribou, Mr. Andrew had some questions about the  
47 disposition of the meat of animals taken incidently  
48 caught by traps. And he wanted to ensure that the  
49 regulatory language included provisions that the food  
50 be distributed, the salvaged meat distributed among

1 community members so people could use this meat source.  
2 And Mr. Berg from Fish and Wildlife Service indicated  
3 that, yes, as a general practice, when salvaged meat is  
4 turned over to an agency following its salvage, it is  
5 typically redistributed back to communities members.

6

7                   Towards the end of the teleconference,  
8 he reiterated that he would be providing comments on  
9 Proposals 12-39 and 40 via fax. I guess, Donald, we  
10 haven't received those yet as of today or yesterday,  
11 right? Okay.

12

13                   And he apologized for his internet  
14 service being slow and not having the chance to review  
15 the documents in time for the consultation session.

16

17                   We then gave Mr. Andrew some of the --  
18 the schedule for the upcoming ANCSA and tribal  
19 consultation sessions on the 20th of October as well as  
20 December 1st. And in case Council members aren't  
21 aware, Mr. Andrew was one of the members from the  
22 tribes, a tribal representative who also served on this  
23 consultation work group along with myself and Ms. Jean  
24 Gamache from the Park Service who's behind me.

25

26                   I do have copies of the notes from the  
27 consultation session. Our process talks about having  
28 the notes reviewed by the tribes involved in the  
29 consultation session. We did send these notes to him a  
30 couple time via email. And since the consultation just  
31 took place last Friday, Mr. Andrew probably hasn't had  
32 time to review them. So I can't give you -- I can give  
33 you copies of these notes, but with the caveat that  
34 they are considered interim and have not been reviewed  
35 by Mr. Andrew yet. So if it would help the Council in  
36 its deliberation on these proposals, I can make these  
37 copies available as long as you realize that Mr. Andrew  
38 has not had a chance to weight in on what -- the  
39 accuracy or the correctness of these notes.

40

41                   I will say a few things else about  
42 comments received from ANCSA corporations on the  
43 proposals as well from other tribes within the regions.  
44 And these speak mostly to the statewide proposals that  
45 I led off with, 1, 2 and 3. There's been sort of a  
46 mixed review of these proposals by corporations and  
47 tribes around the State.

48

49                   For example, on the handicraft  
50 proposal, I believe a number of the tribes are opposed

1 to adopting this proposal. Some are in support, some  
2 are opposed.

3  
4 The designated hunter one, we have  
5 groups who are again, mixed reviews. Some are opposed  
6 and some support the designated hunter one. Some of  
7 the comments we received on the designated hunter  
8 proposal are -- well, the concerns were mainly about  
9 restricting designated hunter provision to people who  
10 are 60 years of age or older. A number of folks have  
11 commented on the fact that there may be situations  
12 where there are single mothers under the age of 60 who  
13 need to have meat for their families who would like to  
14 be able to designate someone to hunt for them; but if  
15 this regulation were adopted, they would not be  
16 eligible to designate someone, because they're under  
17 the age of 60.

18  
19 For the most part, most of the tribes,  
20 and I believe the corporations, are not in favor of the  
21 Proposal 3, the need to move the traps if they  
22 incidently harvest a moose or large game animal.

23  
24 We haven't had an opportunity to  
25 summarize all the comments from all the various  
26 regional tribal consultation sessions as well as the  
27 ANCSA sessions that were held. There were two held for  
28 ANCSA corporations earlier on. So this doesn't  
29 represent a formal summary of the comments received,  
30 just those that I've been aware of.

31  
32 And, Madame Chair, that concludes my  
33 presentation.

34  
35 Thank you.

36  
37 MADAME CHAIR CHYTHLOOK: Okay. Thank  
38 you.

39  
40 Any questions from the Board. Nanci.

41  
42 MS. MORRIS LYON: Thank you, Madame  
43 Chair.

44  
45 Mr. Chen I've just got one. You didn't  
46 expound on those that were opposed to the handicraft  
47 proposal. What was their main concerns?

48  
49 MR. CHEN: Madame Chair. Ms. Lyon.  
50 Some of the tribes that, and this is -- for example, I

1 attended the Southeast meeting at Wrangell, and the  
2 Organized Village of Kasaan had expressed a number of  
3 concerns about the complexity that this would add to  
4 the users requiring the documentation of the harvest  
5 and the sale require -- the documentation requirements  
6 following the sale of the claws. They expressed  
7 concerns about the fact that they didn't -- the  
8 regulations had a number of potential loopholes that  
9 people could then exploit. For example, people might  
10 be able to use what they claimed was tag or permit from  
11 a legally harvested bear, reproduce this many times,  
12 and use this to sell handicrafts from another bear that  
13 was not legally harvested.

14

15 So for some of the tribes, it seemed to  
16 raise more questions than answered the questions that  
17 were intended to be dealt with by the proposal.

18

19 MS. MORRIS LYON: Thank you.

20

21 MADAME CHAIR CHYTHLOOK: Any additional  
22 questions. Comment. Dan. No?

23

24 (No comments)

25

26 MADAME CHAIR CHYTHLOOK: Okay. I've  
27 got one. The consultation process, I was involved with  
28 this in January at the meeting. I guess I'm used to  
29 doing researches within communities, and making sure  
30 that anything that we propose to the communities are  
31 understood 100 percent. And I just felt from the very  
32 beginning that this process isn't that. The January I  
33 guess consultation that the Federal Subsistence Board  
34 made an effort to hold, I guess the tribes were  
35 contacted that there was going to be a tribal  
36 consultation, but because of being held in Anchorage,  
37 and no funds to get to that meeting, we didn't have --  
38 there wasn't too many people. Well, there wasn't too  
39 many people from the surrounding communities.

40

41 And I think another thing that people,  
42 the tribes weren't really impressed to attend is  
43 because they didn't know what it was. And when people  
44 don't have an understanding of the urgency of anything,  
45 they don't make an effort to attend.

46

47 And so far the teleconferences, the  
48 attempts, from my observation, of being kind of a  
49 faceless process. Like, for instance, the  
50 teleconference that was held here in Bristol Bay, from



1 your report, it sounds like there was just that one.  
2 And I don't consider that a true tribal consultation  
3 when just one tribe is making -- was able to attend.  
4 And I don't know, again, people -- the tribes do not  
5 get overly anxious to be a part of anything when they  
6 don't have a clue of the importance to themselves and  
7 the community. And from the results of the  
8 teleconferences, from the meetings, that's the case.

9  
10 And I hope -- and it looks like the  
11 tribal consultations that are going to be taking place  
12 for the corporations during AFN is going to be just  
13 that. Normally people feel more comfortable in making  
14 comments when they're in their in their own  
15 surroundings. The tribes that are going to be -- the  
16 corporations that are going to be -- that are going to  
17 be at AFN are going to be surrounded by a lot of  
18 people. And there might be a few vocal people that  
19 will make comments, and I'm afraid that that's going to  
20 be considered a tribal consultation. Again, I don't  
21 think so.

22  
23 So I hope that -- as well as the one  
24 that's going to be delivered to the tribes during BIA  
25 providers, again that's kind of a faceless attempt  
26 around in the area that people aren't familiar with.  
27 Again, only people that are vocal will probably  
28 participate.

29  
30 But I urge anybody to make sure that  
31 people understand the pros and cons of tribal  
32 consultation. Tribal consultation, I don't have  
33 anything against. You know, we've tried government-to-  
34 government, and that worked some. But my vision for  
35 the tribal consultation I was hoping would be more  
36 personal to where people will understand exactly what  
37 implications, the importance of it would be to the  
38 tribal members so that they can make use of it. And  
39 just from my observation to this date, I don't think  
40 that the tribes, because I haven't seen any urgencies  
41 for their participation hasn't really been understood.

42  
43 Thank you.

44  
45 Pete.

46  
47 MR. ABRAHAM: I agree with Molly,  
48 because I had personal experience with U.S. Fish and  
49 Wildlife and the State of Alaska and local people.  
50 Molly worked hard, so did I work hard to make even

1 simple thing like U.S. Fish and Wildlife proposal, all  
2 the things without consulting the tribal people. And  
3 when it became through, there was confusion all the  
4 time. Where did this come from? How did -- I mean,  
5 anything, look at State of Alaska, look at the  
6 government, making these decisions without consulting  
7 who would be affected mostly.

8

9 Like this tribal consultation over  
10 here, this is the first time I ever heard it.

11

12 When U.S. Fish and Wildlife propose a  
13 lot of things, there's a lot of opposition from the  
14 tribal people or local people. In fact, it took 20  
15 years to make things work with them, to make them  
16 understand. If we start something like this again,  
17 it's going to another many years to untangle what was  
18 tangled the first time.

19

20 So I urge somebody, you, to meet with  
21 tribal people, local people, and consult and see if it  
22 will work, because every village is different from the  
23 other, by their understanding, by their subsistence way  
24 of life. It's all very different. We've got 13  
25 regions. We have different seasons for everything they  
26 do. And if you try to make it one, it's the only way  
27 to do it. Make it one. Molly knows, Pippa knows, Ted  
28 knows, Lyla (ph) know about these things. You have to  
29 make the people understand. Otherwise you have a chaos  
30 again.

31

32 Thank you.

33

34 (In Yup'ik)

35

36 MADAME CHAIR CHYTHLOOK: Thank you,  
37 Pete.

38

39 You have a responding comment.

40

41 MR. CHEN: Thank you, Madame Chair and  
42 Mr. Abraham. I concur wholeheartedly with some of your  
43 viewpoints and concerns and issues expressed here. And  
44 these have been some of the big challenges that have  
45 been facing the Federal Subsistence Board as well as  
46 this tribal consultation work group. How do we create  
47 opportunities for meaningful consultation, right,  
48 instead of just inviting people to participate in a  
49 faceless way and call that consultation. That's, I  
50 would think, all the tribes in Alaska would agree that

1 does not comprise meaningful consultation. So it's  
2 been a big challenge to find some process that can be  
3 applied both at the regional and local level as well as  
4 at the statewide level which can result in effective,  
5 meaningful consultation.

6  
7                   Some of the ideas, and, Ms. Chythlook,  
8 you mentioned the difficulties for people to come up  
9 with the funds to travel to Anchorage. So, for  
10 example, if a consultation session was held in  
11 Anchorage, many people could possibly not participate  
12 just simply because of lack of funds.

13  
14                   And so there have been a number of  
15 alternatives explored. For example, actually having  
16 the Federal Subsistence Board travel to rural hubs, or  
17 even to some rural villages. Given the Federal budget  
18 situation and the complexity of scheduling, you know,  
19 Board members' participation, we thought we could try  
20 as an interim process, these regional teleconferences.

21  
22                   And as you pointed out, I think -- both  
23 of you pointed out, the word has not gone out very  
24 well, has not been well circulated about these  
25 conferences. There are many tribes who have come to us  
26 afterwards and said, you know, I wish I'd known about  
27 that teleconference that was held of the state, we  
28 didn't hear about it. And some tribes participate only  
29 because maybe local refuge staff called them the day  
30 before and said, hey, there's a tribal consultation  
31 session tomorrow, make sure you participate. So in  
32 spite of the fact that there were letters sent and  
33 efforts made to contact each of the tribes in Alaska,  
34 you know, people are busy, they have a lot on their  
35 plates, a lot of things that they're trying to handle,  
36 and there's many, many consultation requests, not only  
37 no subsistence, but on all federal matters that the  
38 tribes have to weed through on a daily or weekly basis.  
39 So I think things get lost in the shuffle.

40  
41                   And perhaps it's fair to say that this  
42 consultation process, the key word there to use is  
43 interim, right? And we're trying to discover and  
44 evaluate, and assess, what does work, what doesn't  
45 work, what needs to be changed to make this meaningful  
46 and more effective in the future. I think -- and some  
47 of the comments that you two have provided, we'll  
48 definitely bring those back to the consultation work  
49 group, and convey them. Those have been shared by  
50 other people, other tribes in the state as well.

1                   And so again the opportunity to provide  
2 these comments in person would be, from the tribes at  
3 least, would be at the December 1 BIA providers  
4 conference. And the tribes who are there at the  
5 conference, and it's generally most, if not all, of the  
6 tribes are represented there at the BIA providers  
7 conference. That was scheduled around the time frame  
8 so the tribes could be in Anchorage. They would have  
9 people there representing and meeting there for other  
10 purposes under our providers conference, and give them  
11 opportunity to speak directly to the Board, so to  
12 alleviate some of these issues about coming up with  
13 travel funds.

14  
15                   And there's always ongoing efforts and  
16 ongoing opportunities to contact the Board by email, by  
17 letter, by phone call, so forth.

18  
19                   And so I think it's fair to say that  
20 this is a work in process. We'll be taking all these  
21 comments that we receive throughout the state on the  
22 regional teleconferences, from the Councils like yours  
23 today, and trying to build a more effective and more  
24 manageable consultation effort.

25  
26                   Thank you very much.

27  
28                   MADAME CHAIR CHYTHLOOK: Richard.

29  
30                   MR. WILSON: Madame Chair. Pete.  
31 Thank you.

32  
33                   I do kind of reiterate what they've  
34 been saying. You know, it's very important that our  
35 people really are in tune with what's going on out  
36 there. A lot of times when you get left behind or, you  
37 know, you don't know about these meetings, and they  
38 come out with comments, you know, and a lot of times  
39 it's deemed that, you know, all communities are in  
40 favor of it when only like say maybe one has commented.  
41 So maybe in the report somewhere along the way you  
42 could say, well, you know, out of 13, one commented,  
43 and this was the community. Just to give you, you  
44 know, the reader an outlook on actually who commented  
45 on certain issues. So it's not an umbrella effect that  
46 happens with everybody, because like everybody's saying  
47 here, everybody's individual, all the communities have  
48 different needs. So I think it's kind of important  
49 that, you know, even if you only scored one of 13 that  
50 you dictate it so that it was must the one that, you

1 know, you got information from, and it's not the broad  
2 views of all of Bristol Bay.  
3  
4 Just a comment. Thanks.  
5  
6 MADAME CHAIR CHYTHLOOK: Okay. Nanci.  
7  
8 MS. MORRIS LYON: An observation. Just  
9 from listening and hearing what's being said here is I  
10 think that it would also be an excellent opportunity to  
11 make further use of your Council members, because most  
12 Council members are also part of tribes. And if you  
13 would notify them along with the tribes, perhaps it  
14 would start as well building the knowledge and urgency,  
15 because they might know who to call that could  
16 participate. Just a thought, but I think that, you  
17 know, all your resources could be possibly put to use  
18 in order to get this thing moving and rolling.  
19  
20 MADAME CHAIR CHYTHLOOK: Yes.  
21  
22 MR. CHEN: Madame Chair. Ms. Lyon.  
23 You read my mind. I was hoping that the venues like  
24 this Council meeting could be an effective forum for  
25 communicating what's happening in tribal consultation  
26 and encourage more participation from some of the  
27 region's tribes.  
28  
29 Thank you.  
30  
31 MADAME CHAIR CHYTHLOOK: Okay. Any  
32 other comments.  
33  
34 (No comments)  
35  
36 MADAME CHAIR CHYTHLOOK: I'm very bad  
37 at names. What was your name again? I'm sorry.  
38  
39 MR. CHEN: Madame Chair. My name is  
40 Glenn and the last name is Chen, C-H-E-N. So I was  
41 given the curse of a rhyming name by my parents and so  
42 it was quite an issue when I was a child, but Glenn  
43 Chen is my name.  
44  
45 Thank you.  
46  
47 MADAME CHAIR CHYTHLOOK: Okay. Glenn.  
48  
49 MR. BOSKOFISKY: Yes, I agree with what  
50 Molly says. People are afraid to say anything when

1 they're in front of a bunch of people that they don't  
2 know. We find it where even reports of subsistence  
3 usage. People don't want to say anything, because  
4 they're afraid that they're going to get arrested or  
5 something because of taking food that they need.

6

7 And it comes down to setting, examples,  
8 of having meetings, I'm sitting at home, I don't want  
9 to sit at a phone and listen to something all day long  
10 when I have other things to be doing. I'm going to be  
11 sitting there, I don't need this, click. You know, and  
12 lose everything, because I'm thinking about what needs  
13 to be done for winter. What I need to put away.

14

15 So my feeling is that we should try to  
16 get these systems into the villages right where the  
17 people are, and they are more willing to speak up. I  
18 wouldn't want to be sitting in Anchorage in a big  
19 meeting room with a bunch of other corporations there,  
20 people I don't even know. I'd be afraid to speak up  
21 and say anything. But if you can get them in the  
22 villages in their own environment, then most of the  
23 people will speak up.

24

25 MADAME CHAIR CHYTHLOOK: Glenn.

26

27 MR. CHEN: Ms. Chythlook. Mr.  
28 Boskofsky. So just to let you know, if tribes have a  
29 specific issue pertaining to subsistence, specific to  
30 the region, the locality, a specific hunt, specific  
31 species or regulation, and they desire to consult with  
32 the Federal government on that particular issue, they  
33 can request, they can request a government-to-  
34 government consultation session in your locality on  
35 that specific issue. And so that's a process which can  
36 be held in private without attendance by other people.  
37 So if the circumstances warrant, that kind of  
38 consultation, that can be arranged and that can be  
39 accommodated.

40

41 Thank you.

42

43 MADAME CHAIR CHYTHLOOK: Okay. Any  
44 other comments.

45

46 MR. ABRAHAM: Doi.

47

48 MADAME CHAIR CHYTHLOOK: One more. I'm  
49 bilingual and I interpret, and, you know, the tribal  
50 consultation word is this long. When I interpret that,

1 it's way out there, because tribal consultation is not  
2 in the Yup'ik term. And so I have to explain it.

3

4 And what I envision, tribal  
5 consultation would be a co-management system between  
6 the agencies and the tribes. And it wouldn't be do  
7 what I tell you to do. So I hope I'm correct, but  
8 that's just kind of how I've been trying to interpret  
9 tribal consultation to the people that I've had to  
10 explain that to.

11

12 And so if there's no other questions,  
13 comments.

14

15 (No comments)

16

17 MADAME CHAIR CHYTHLOOK: Thank you.  
18 And could I invite you, our corporation, Aleknagik  
19 Natives, Limited corporation is meeting in Anchorage on  
20 the 19th, and we are inviting Crystal in to deal with  
21 this, to explain this tribal consultation to us. And  
22 I'd be happy if you'd be able to attend, too.

23

24 MR. CHEN: Madame Chair. Ms. Leonetti  
25 is leading the effort from the Federal side to develop  
26 this tribal consultation protocol, so she's definitely  
27 most knowledgeable and the most adept person at  
28 addressing this. And I'm glad she's going to be  
29 attending your meeting. And I'd be happy to  
30 participate along with Crystal.

31

32 Thank you for the invitation.

33

34 MADAME CHAIR CHYTHLOOK: Okay. Thank  
35 you.

36

37 And let's move on if we don't have any  
38 other questions for this.

39

40 (No comments)

41

42 MADAME CHAIR CHYTHLOOK: And number 9,  
43 administrative business. Donald.

44

45 MR. MIKE: Excuse me. Thank you,  
46 Madame Chair. Just a couple of items.

47

48 I just want to remind the public to  
49 please sign in. There's a sign-in sheet on the table  
50 next to the -- against the wall. And for those that

1 are interested in providing public testimony or  
2 comments on the Federal wildlife proposals, we have a  
3 blue sign-in form also on the table against the wall.  
4 If you can sign -- put your name down and which  
5 proposals or issue you want to address; or if you have  
6 any particular subsistence issues, you can just write  
7 that down and provide this blue form to either Federal  
8 Staff on the floor or just hand them directly to me,  
9 and I'll provide it to the Chair.

10

And that's it, Madame Chair.

12

13 MADAME CHAIR CHYTHLOOK: Okay. Thank  
14 you, Donald.

15

16 And I guess our next item would be the  
17 public comments. Do we have anybody in line to give  
18 public comments.

19

20 MR. MIKE: Madame Chair. I didn't get  
21 any requests for public testimony, but I think it's an  
22 opportunity for you to address the public if they wish  
23 to provide public testimony on any subsistence issue.

24

25 MADAME CHAIR CHYTHLOOK: Come again? I  
26 didn't understand you. Sorry.

27

28 MR. MIKE: Yeah, you can open the  
29 floor, Madame Chair, for public testimony on any  
30 subsistence issue if there's public that wish to  
31 testify in front of the Council.

32

33 Thank you.

34

35 MADAME CHAIR CHYTHLOOK: Okay. At this  
36 time I'll open the floor for any testimony from the  
37 public. Verner.

38

39 MR. WILSON: Good morning, everyone.  
40 Good morning. Welcome to my home town. I grew up here  
41 and it's really good to see you all again.

42

43 I had the pleasure as you remember of  
44 being at my first RAC meeting in Naknek seven months  
45 ago, so it's been seven months. And as you remember, I  
46 provided some draft resolutions and they're about the  
47 proposed Pebble Mine and offshore drilling issues in  
48 Bristol Bay. I remember hearing from you and you all  
49 were saying that you would consider the issues that  
50 were proposed last time, and talk with your



1 constituents, and so I hope you were able to do that.

2

3                   As a constituent, I am a member of the  
4 Curyung tribe here in Dillingham. I'm also a  
5 shareholder of the Bristol Bay Native Corporation, and  
6 also, you know, as somebody -- my grandma,  
7 unfortunately she passed away since the last time I saw  
8 you all, but she taught me how to, you know, subsist,  
9 picks greens and pick berries and fish. And so as  
10 somebody -- as a younger person who understands the  
11 importance of that, and the importance of our culture.

12

13

14                   I think it's very important that we  
15 make sure that we protect our subsistence resources.  
16 And that's why I'm glad that the Federal Subsistence  
17 Board looks to each of the Regional Advisory Councils  
18 for advice on anything that could affect our  
19 subsistence resources.

20

21                   I have a degree in environmental  
22 studies where I studied environmental issues, and  
23 specifically mining of the proposed Pebble Mine. And I  
24 think that we as a people need to really look at the  
25 proposed mine and I think we -- a lot of people have.  
26 And I'm just -- I think that as a shareholder, as  
27 somebody who does go subsistence hunting and fishing  
28 and depends on those resources, and my family does, we  
29 need to take action.

30

31                   And I work for the World Wildlife Fund,  
32 and we have a campaign to protect Bristol Bay. I'm  
33 really proud to work on that campaign, because I've  
34 talked with a bunch of our other offices throughout the  
35 world and, you know, they say that, oh, yeah, we don't  
36 have salmon fisheries like we used to, like in -- we  
37 have an office in England who said that, yeah, we  
38 import a lot of fish from Alaska and a lot of canned  
39 salmon, and, you know, that's not subsistence, but it  
40 shows you that their ancestors over there, they used to  
41 have a lot of salmon. It used to be considered a trash  
42 fish because it was so much. But because of habitat  
43 destruction and over-fishing and all other stresses,  
44 they don't have a fishery any more.

45

46                   And we're lucky that here in Alaska we  
47 do have a fishery. We do have the world's greatest  
48 sockeye salmon fishery that provides over half of the  
49 world's wild sockeye.

50

1                   And, you know, I have a bunch of  
2 information. I know that you'd requested some more  
3 information about the 404(c) process as well as some  
4 more information from scientists and other people who  
5 are familiar with both the mining prospect as well as  
6 potential offshore drilling. And so I sent that to Mr.  
7 Mike and hopefully you all received it. I know there's  
8 some more people who are going to be coming to testify  
9 about these issues, but I guess I could go over with  
10 what I provided.

11  
12                   There's a presentation by the Nushagak-  
13 Mulchatna Land Trust -- or Watershed Council about  
14 responsible mining practices. There's a presentation  
15 from Kendra Zamzow, who's a geologist and has been --  
16 has looked at the proposed Pebble prospect and how it  
17 could ruin our water quality and the salmon that depend  
18 on really clean water quality.

19  
20                   We have information about the EPA's  
21 regulatory authority. It tells you all about what they  
22 could do in terms of their Section 404(c) veto  
23 authority. And there were six tribes that asked them  
24 to take that authority as well as my corporation, the  
25 Bristol Bay Native Corporation.

26  
27                   I know that you were saying that you  
28 did want to hear about -- from your constituents, and  
29 as a shareholder, they sent out a survey to all of us.  
30 You know, there's over 8500 shareholders in the region.  
31 They sent out a survey in 2007 I believe, and it showed  
32 that nearly 70 percent of Bristol Bay Native  
33 Corporation shareholders were personally opposed to the  
34 Pebble Mine. And so I think that along with a number  
35 of different polls and a number of different surveys,  
36 that should show you that -- there's also resolutions  
37 from other -- like the City of Dillingham passed a  
38 resolution in this same room, you know, and Dillingham  
39 is the largest town in Bristol Bay. I was glad that  
40 they did that, against the proposed mine.

41  
42                   We also have information about the  
43 404(c) procedure, if you're curious about that.

44  
45                   Also, BOMRE, the Bureau of Ocean Energy  
46 Management Regulatory Enforcement, a really long name,  
47 they have this really interest report that they  
48 released since the last time that we met. It shows you  
49 how salmon, juvenile salmon use the proposed North  
50 Aleutian Basin where they're proposing to do offshore

1 drilling. Probably they could be doing it after 2017.  
2 And it shows that salmon from all over western Alaska  
3 rivers like from Bristol Bay as well as even up in the  
4 Yukon and Kuskokwim use that area as important habitat.  
5 And I guess there's, you know, eel grass beds and  
6 others, and so you have to think about the life stages  
7 of the salmon and make sure that, you know, all their  
8 habitat is protected, not just their spawning grounds,  
9 but also, you know, where they go out in the ocean, and  
10 where they, you know, pretty much grow up and get  
11 bigger, so that was a very interesting report. It's 33  
12 pages long. You know, it's long, but it would be good  
13 for you all to read it and to make sure you understand.

14  
15 We also have some more stuff about what  
16 the Federal government says about offshore drilling. I  
17 think there's some interesting points to make in that  
18 report. It was from the final environmental impact  
19 statement of the five-year OCS leasing program. And  
20 that was -- I think that was in 2009 or something, but  
21 they basically postulated, you know, at least one large  
22 spill of 42,000 gallons. And, you know, after we've  
23 seen what happened in the Gulf of Mexico, that's not  
24 the only example. There's been three or four other oil  
25 spill around the world. You hear industry saying that,  
26 you know, we're safe, and we've got this under control,  
27 but, you know, time after time, I mean, you hear it in  
28 the news today or even yesterday there's an oil spill  
29 off the coast of New Zealand, and so, I mean, do we  
30 really want to risk our subsistence resources for  
31 something that could ruin our wildlife's habitat.

32  
33 There's just a lot of information. How  
34 contaminated discharges could affect fisheries  
35 resources, how seismic surveys could kill fish, and  
36 juvenile -- or fish eggs.

37  
38 And so I hope that you consider these  
39 two issues. I think they are some of the most burning  
40 issues in terms of, you know, our fisheries and our  
41 subsistence resources, and we really a people have to  
42 ask the question, do we really want to risk these  
43 resources. And I personally believe that in talking  
44 with people and getting -- I got over 1,000 fishermen's  
45 petition signatures against offshore drilling. I  
46 really do think that this -- a lot of people in the  
47 region do not want to risk those resources, and so I  
48 hope you'll take action. I hope you've considered the  
49 resolutions that I gave there. A lot of organizations  
50 as I said did adopt them.

1                   Thank you very much for your time and  
2 welcome to Dillingham.  
3  
4                   I'm glad you have beautiful weather  
5 here.  
6  
7                   MADAME CHAIR CHYTHLOOK: Thank you,  
8 Verner.  
9  
10                  Any questions from the Board. Any  
11 comments. Dan.  
12  
13                  MR. DUNAWAY: Yeah, Verner. I think at  
14 the last meeting you handed out, was it a proposed  
15 resolution or something?  
16  
17                  MR. WILSON: Yeah.  
18  
19                  MR. DUNAWAY: Did you bring any? I  
20 can't locate that from my last meeting. Did you bring  
21 any copies for us this time?  
22  
23                  MR. WILSON: I didn't bring them with  
24 me this time, but I print them out for you later today.  
25  
26                  MR. DUNAWAY: Madame Chair. I guess  
27 I'd like to see a copy again, because I can't get my  
28 fingers on it. I don't know about the rest of the  
29 Council.  
30  
31                  MR. WILSON: Okay.  
32  
33                  MADAME CHAIR CHYTHLOOK: Donald.  
34  
35                  MR. MIKE: Thank you, Madame Chair.  
36  
37                  I just want to remind the Council that  
38 the World Wildlife Fund's under agency reports, and  
39 that's scheduled for tomorrow. And this will give you  
40 an opportunity to review the materials overnight and be  
41 prepared for any specific questions tomorrow for the  
42 presentation.  
43  
44                  Thank you, Madame Chair.  
45  
46                  MADAME CHAIR CHYTHLOOK: Okay. Thank  
47 you.  
48  
49                  Pete.  
50

1 MR. ABRAHAM: (In Yup'ik)  
2  
3 Just a brief -- something I've been  
4 wanting to say for a long time. Just out of curiosity,  
5 maybe about 10, 12 years ago, because I come from  
6 Nelson Island originally, we rely on fish out there.  
7 In my time when I was younger a sea mammal was just  
8 different from what we used to harvest out there. The  
9 majority of what we harvested was fish.  
10  
11 So out of curiosity I start making  
12 random calls, random check over, random survey on my  
13 own. Found out in this region here all along the coast  
14 as far as Nelson Island, the people harvest about 75  
15 percent of the fish, of what they eat. Salt water,  
16 fresh water. 75 percent. The rest of it was like sea  
17 mammal, land mammal, and the vegetables make up the 25  
18 percent. And when these people might think I'm  
19 neutral, because people come out and ask me when I'm  
20 using the uniform. I tell them I have to consult with,  
21 talk with my superiors before I say anything. So I  
22 just say I'm just neutral.  
23  
24 I'm still sort of neutral today,  
25 because I don't know anything about mines. But I do  
26 know about my life style along with my fellow Yup'ik  
27 people. So if somebody tells me something different  
28 about Pebble Mine, then possibly I will know. But from  
29 the stories and one-on-one talking with people, I ask  
30 them, do you eat gold? Or do you eat, drink oil? And  
31 they answer no. The Dynasty, the mine people will take  
32 whatever they're after and turn around, leave us empty  
33 handed with all the promises they make, they leave us  
34 behind empty handed. So does the oil exploration out  
35 there.  
36  
37 The bottom line is a dollar sign. When  
38 Yup'ik people are concentrating how they will survive  
39 from the land surrounding us.  
40  
41 I don't make this too lengthy, because  
42 we have a long ways to go.  
43  
44 Qu yana.  
45  
46 MADAME CHAIR CHYTHLOOK: Thank you,  
47 Pete.  
48  
49 Any other comments.  
50

1 (No comments)

2

3 MADAME CHAIR CHYTHLOOK: If not, I have  
4 a short one. Personally I am against, you know, the  
5 development, because I live off, you know, the land and  
6 water. But from all my years of subsisting, and  
7 processing, harvesting, processing -- especially  
8 processing and eating, there is a change in our  
9 subsistence resources that's happening I guess due to  
10 climate change. And so there's this process of our  
11 resources changing. The preservation's not there. The  
12 berries don't taste like berries. So even before the  
13 bang, the big bang, there's all these changes  
14 happening, and my recommendation to even maybe the  
15 Wildlife Fund is to do research. Traditional and  
16 ecological knowledge is going to be a primary resource  
17 for anybody to understand anything within people's  
18 regions, because that's how the people survived is  
19 through traditional and ecological knowledge. And  
20 traditional and ecological knowledge is -- right now  
21 it's I guess the cash cow. So people are going to --  
22 or people are treating like a new thing, you know, that  
23 they need to go after. But it's not a new thing.  
24 That's how the people in our region and anywhere else  
25 survived is through the knowledge that they gained from  
26 the people that lived before them.

27

28 So I guess my closing comment would be  
29 to not only rah-rah against the Pebble, but there needs  
30 to be research prior to the big bang, so that we will  
31 have information to show that this is how the resources  
32 were before the big bang started.

33

34 Thank you.

35

36 Any other comments.

37

38 (No comments)

39

40 MADAME CHAIR CHYTHLOOK: If not, thank  
41 you, Verner. Or you have a comment.

42

43 MR. WILSON: Could I just reply to  
44 that. I really think from what you said about that,  
45 I've been making calls and I talked with a few people  
46 from Nondalton, for example, and, you know, they were  
47 complaining that before Pebble started exploring, doing  
48 all -- bringing all their helicopters in, and, you  
49 know, bringing whatever they have in, they used to have  
50 caribou and moose and a lot of other animals. And

1 after a lot of disturbance was happening, you know,  
2 they're complaining that they're -- they have to go  
3 farther and farther, and that they cannot find as much  
4 caribou, for example. And I think that is something  
5 that we should do, is do more research in terms of, you  
6 know, what was there before any sort of exploration,  
7 what was -- how is that affecting it.

8

9 I know that you all are taking your  
10 position seriously, and I think that's important,  
11 because you have the ability, and it's just a great  
12 opportunity to be speaking in front of you and in front  
13 of all of these Federal government agencies, because  
14 you all combined do have the power to protect our  
15 subsistence resources.

16

17 And I think it's a great opportunity  
18 to, you know, talk more about this issue, because it's  
19 something that does need to be talked about, and it  
20 does need to be discussed, because it could have  
21 ramifications not for just our generation, but for  
22 generations thousands of years from now, because that  
23 mine, if built, will be there forever, so I hope you  
24 take that into consideration, and to, you know, rally  
25 protect our subsistence resources not only for us, but  
26 for future generations down the line, too.

27

28 So thank you.

29

30 MADAME CHAIR CHYTHLOOK: Okay. Thank  
31 you, Verner.

32

33 Before -- let's take a five-minute  
34 stretcher. We're in the process of public comment  
35 period for subsistence-related issues. So we'll take a  
36 five-minute break and then be back.

37

38 (Off record)

39

40 (On record)

41

42 MADAME CHAIR CHYTHLOOK: Okay. Do we  
43 have anybody else from the floor. Public comments.

44

45 (No comments)

46

47 MADAME CHAIR CHYTHLOOK: If not, Okay.  
48 So there's Tommy that might be coming in.

49

50 MR. DUNAWAY: Thanks for the fish,

1 Molly. It's really good. Thank you.

2

3 MADAME CHAIR CHYTHLOOK: Okay. Is  
4 there anybody else from the back there. There was a  
5 hand raised. While we're waiting for -- oh, Tommy's  
6 coming in.

7

8 Tommy, you've got the floor.

9

10 MR. TILDEN: For the record, my name is  
11 Thomas Tilden, and I'm from here in Dillingham. I sit  
12 on a number of boards; however I'm here representing  
13 myself. I'm a subsistence users. I also fish  
14 commercially.

15

16 And I generally just wanted to speak a  
17 little bit about subsistence overall. I think I wanted  
18 to echo some of the thoughts that were made by the  
19 previous speaker.

20

21 I think that as a subsistence user here  
22 in Dillingham, we have noticed a decline in the  
23 production of salmon, particularly king salmon in the  
24 springtime. And that was actually pointed out probably  
25 about five years ago on the Nushagak River by the VPSO  
26 from New Stuyahok. His comment was that where his  
27 family had traditionally fished on the Kaktuli River,  
28 he had noticed a decline in the amount of spawned-out  
29 salmon. And we had asked that the State take a look at  
30 this issue, and it has come to our attention that this  
31 year that even science is now showing that there's a  
32 decline in the Kaktuli River, not only of king salmon,  
33 but also of red salmon.

34

35 And that is a concern to us, because we  
36 as subsistence users live in ground zero. And we are  
37 the first to notice any changes in either animal  
38 patterns or fish patterns. And it's just the nature of  
39 the game, because of who we are and what we do.  
40 Someone has to take notice, and someone has to do  
41 something. And I don't think that there's any better  
42 body than the Federal Subsistence Board, if anything,  
43 just to take a look at the situation, and to look at  
44 the science that is available both by the Alaska  
45 Department of Fish and Game and by science that the  
46 Pebble project has produced up in that area, as well as  
47 the other agencies that are doing individual and  
48 private science in the area. But it has to be looked  
49 at. And if we wait until there's a disaster, then it's  
50 too late. But I don't think that we should wait until



1 then.

2

3 We have notified who we could and can  
4 possibly do something, but it seems as though that  
5 it's not getting anywhere. But a word or a suggestion  
6 or a comment from the Federal Subsistence Board will go  
7 a long ways. And I think it's very, very important  
8 that this happens.

9

10 Just recently in the news there was a  
11 lot of attention given to the orcas that swam up the  
12 river system here, and unfortunately two of them died.  
13 And that in itself I think is telling us that there's  
14 something going on here that needs to be looked at.

15

16 There are -- even now, I remember last  
17 year I was sitting at the airport and an elder lady  
18 came up to me and she says, Tom, she says, I have never  
19 picked berries in October, but I have this year. And  
20 you can see now that even now that the berries are  
21 still visible out on the grounds here, and that things  
22 are changing dramatically. And we have got to be ahead  
23 of the curve or the ball game here. Otherwise we're  
24 going to get caught unguarded, that things are going to  
25 change too dramatically for us. But something has to  
26 be done. Something needs to be done. We that live  
27 here and subsist off the land and the water and the air  
28 notice these little changes, and we're notifying folks,  
29 both State and Federal agencies, that something needs  
30 to be done; otherwise things are going to happen too  
31 fast.

32

33 And I can't emphasize that enough,  
34 because when you look at the history of the native  
35 folks that live in this area, or you look at any  
36 community in Bristol Bay and where that community is  
37 situated, that community is in that particular spot  
38 because of the resources that was available to the  
39 people that chose that spot. That spot was either rich  
40 in berries, rich in salmon, rich in migration patterns  
41 of animals or birds. But it wasn't just picked by  
42 mistake, but it was selected by the elders of the  
43 people of the villages because of the resources that  
44 were available to that. And the people knew about  
45 these resources and the folks that live here and watch  
46 these changes are trying to sit up and warn folks that,  
47 hey, things are changing rapidly here.

48

49 And then to top it all off, we have  
50 mass development coming into our area. We have on our

1 oceans, we have Shell Oil Company that wants to come in  
2 and drill. My last trip to D.C. when I was down there  
3 and talked against the North Aleutian Basin sale, the  
4 folks in congressional offices that I visited says in  
5 2015 we are going to gear up for the sale of the North  
6 Aleutian Basin. It will be available in 2017. So  
7 they're not hindered by President Obama's withdrawal.  
8 They firmly believe that it's going to happen. And I  
9 think that we need a permanent solution in regards to  
10 taking North Aleutian Basin off sale.

11

12 And then we take a look at another  
13 foreign company that is developing or wants to develop  
14 State land up on the Kaktuli and Talarik Creek areas.

15

16 And like I said earlier, the VPSO from  
17 New Stuyahok had testified that, hey, things are  
18 changing up there. And even scientists backing that up  
19 now. That water needs protection.

20

21 And I can't think of anyone else that  
22 could make a lot more headway than the Federal  
23 Subsistence Board here, by making the agencies aware  
24 that, hey, you better get the best science out there,  
25 and you better be on the grounds taking a look at  
26 what's happening, and what you can do to stop the loss.  
27 And what kind of recommendations can you come up with  
28 in regards to making sure that the fish and game and  
29 birds do not decline any further. And that's what we  
30 need. And it's simple, and it just takes you as a  
31 board to direct these Federal agents that work for  
32 these Federal agencies to get on the ball and do  
33 something, because if we wait, it's going to be too  
34 late.

35

36 So that's basically what I wanted to  
37 say, ma'am, and thank you very much.

38

39 MADAME CHAIR CHYTHLOOK: Thank you,  
40 Tommy.

41

42 Pete, you have a comment, question for  
43 Tommy.

44

45 MR. ABRAHAM: (In Yup'ik)

46

47 MR. TILDEN: (In Yup'ik)

48

49 MR. ABRAHAM: You know, if our  
50 ancestors had had the ability to write things down, the

1 history and everything, which we lost a long time ago,  
2 we would have better understanding of what's happening  
3 right now. When I heard about global warming, I  
4 laughed a little, because the Yup'ik people have known  
5 about global warming for many, many -- I mean, for a  
6 long time, but they didn't know what to all it. They  
7 know the changes in this world. They're very  
8 observant, those people, because they depend on the  
9 weather, their food source, how they handle it. They  
10 even watch the whole world, like the stars. Why is it  
11 changing.

12

13 Why is -- you'll be amazed if you sit  
14 down with an old guy that don't even speak English  
15 whatsoever, the knowledge that old guy has or the old  
16 woman has.

17

18 The world has been changing ever sine  
19 it became. And it's still changing right now. And  
20 while it's changing, it's affecting what resources it  
21 has right now. From fish to animal. Because the fish  
22 and animals, they're all connected together along with  
23 the insects, plants, weather. I mean, name it, they're  
24 all connected. The migration of the birds, the  
25 migration of the fish. Everything is connected to each  
26 other.

27

28 So the change, it has been changing,  
29 but we never observe it until it's alarmingly  
30 noticeable. I have noticed this for a long time. But  
31 what can I do or influence these people to change it.  
32 Well, our ancestors, our Yup'ik people, an old saying,  
33 protect your fish, protect your animals. Respect your  
34 fish, respect your animals. Take only what you need.  
35 Don't over-harvest, because you might waste it. And  
36 they said, this will be for the future.

37

38 When I was in the army, I met this old  
39 guy. He was a sergeant, staff sergeant, in fact, the  
40 first sergeant. He seen my badge and he asked me where  
41 I come from. I mean, which portion of Alaska I come  
42 from. I said, from there. And he says, when he was 19  
43 years old, he used to fish in Bristol Bay. I didn't  
44 even know where Bristol Bay was. At the time the  
45 companies were paying two cents per fish. And he  
46 didn't talk about thousands, he was talking about  
47 millions.

48

49 When Japanese war broke, he joined the  
50 army, and he's been in the army ever since. But when

1 he came back to Alaska for a brief time to Bristol Bay,  
2 he was alarmed of the change. The fish he used to see,  
3 not there any more.

4  
5 I wish I can sit here and tell you all  
6 about the knowledge I learned from my elders and my  
7 grandfather and everybody else about the change I've  
8 been noticing or they noticed. If I sit here and talk  
9 about it, I'll be too old to get out of this building  
10 over here.

11  
12 (Laughter)

13  
14 MR. ABRAHAM: So quyana for your  
15 things. Yeah.

16  
17 MADAME CHAIR CHYTHLOOK: Thank you,  
18 Pete.

19  
20 Do you have -- Tom.

21  
22 MR. TILDEN: Yeah, you know, when he  
23 mentioned that, I was thinking that when I was a young  
24 man growing up in Portage Creek, the elders had talked  
25 to me about caribou. And I need to point out that it's  
26 been nine years since I've eaten caribou, and that the  
27 migration of the caribou that used to come down into  
28 this area has changed. And to some folks, when you  
29 talk to them about that, it's a coincidence that about  
30 the same time that Northern Dynasty was exploring up in  
31 the areas of Kaktuli and Talarik.

32  
33 And to me it only makes sense, because  
34 if you go to Anaktuvuk Pass and you talk to the people  
35 that live there, they will tell you that one thing you  
36 never do to leaders of a herd, is you never spook them,  
37 or you never kill them, because what happens afterwards  
38 is that the caribou that follow the leaders of the herd  
39 are going to do whatever their leaders do. And if they  
40 get scared and they back off, that's what basically the  
41 herd is going to do.

42  
43 And so when Northern Dynasty, when you  
44 go to their web page and you follow the helicopter that  
45 took pictures of going up Talarik Creek, you're going  
46 to notice that they are below 700 feet, and that  
47 they're flying at a very low altitude. And we know  
48 that from their own testimony that they talked about  
49 how they fly everything in there. Well, they used to  
50 never fly at really high heights, but they actually

1 flew pretty low, because it's beautiful country up  
2 there. And you will see that in their pictures.

3  
4 Well, one day they came in there and  
5 they -- there's a couple of things that coincidentally  
6 happened, was first of all the caribou all of a sudden  
7 changed their route, and all of a sudden people start  
8 catching them up in the Kilbuck Mountains areas,  
9 because the caribou, instead of coming down, migrating  
10 down like they used to, they got diverted and they went  
11 up north and went around. And all of a sudden they're  
12 catching up there in Bethel, Quinhagak, Eek, and in  
13 that particular area. And it's because that caribou  
14 got spooked by two things. The noise that was being  
15 done in regards to the exploratory work that was going  
16 on in that valley, and, two, was the low-flying  
17 helicopters that diverted them.

18  
19 But it's because people know how  
20 caribou migrate, and it's because the people that have  
21 watched them for hundreds of years, that know these  
22 migration patterns, and it's traditional knowledge that  
23 is there. But you can't tell that to a learned  
24 scientist, because the learned scientist needs not only  
25 to observe and to see that happening, but they also  
26 have to have two or three other scientists come back  
27 and back them up.

28  
29 And so we're finally starting to see  
30 the caribou come back into this area, very, very  
31 slowing. In fact, this was the first year I heard of  
32 anyone along the river here catching caribou.

33  
34 But it's that traditional knowledge  
35 that is very important that needs to be factored into  
36 subsistence decisions. And I can't emphasize enough  
37 any word or any suggestions coming from this particular  
38 Board will go a long ways in preserving what we have  
39 now, not only for us, but for the future generations as  
40 well.

41  
42 MADAME CHAIR CHYTHLOOK: Okay. Thank  
43 you, Tommy. Thank you.

44  
45 I'm going to take a short break here  
46 and we've notice the agency people coming in that  
47 didn't introduce themselves this morning, because they  
48 weren't here. And we also have people that came in  
49 that didn't introduce themselves. So we will -- we  
50 have more coming in, so we'll start from that corner.

1 Yes.  
2  
3 MS. RILEY: Hi. My name is Megan  
4 Riley. I'm with Fish and Game out of King Salmon.  
5  
6 MADAME CHAIR CHYTHLOOK: And what do  
7 you do?  
8  
9 MS. RILEY: I'm a biologist out there.  
10  
11 MADAME CHAIR CHYTHLOOK: Okay.  
12  
13 MR. HAMMOND: Troy Hammond. I'm the  
14 natural resource manager for National Park Service,  
15 Lands Management, King Salmon, which includes Katmai  
16 National Park and Preserve, the Alagnak Wild River and  
17 Aniakchak National Monument Preserve.  
18  
19 MR. UNDERWOOD: My name is Tevis  
20 Underwood. I'm the deputy manager at Togiak Refuge and  
21 here in Dillingham.  
22  
23 MADAME CHAIR CHYTHLOOK: And I'm going  
24 to go to.....  
25  
26 MR. DUNAWAY: That guy.  
27  
28 (Laughter)  
29  
30 MADAME CHAIR CHYTHLOOK: No, I better  
31 not. We have more agencies that came in. If you  
32 didn't introduce yourself this morning, please  
33 introduce yourself now.  
34  
35 MR. BRANSON: John Branson, historian  
36 at Lake Clark National Park.  
37  
38 MR. MANGIPAN: Buck Mangipan, wildlife  
39 biologist at Lake Clark National Park and Preserve.  
40  
41 MS. MCBURNEY: I'm Mary McBurney,  
42 subsistence manager for Lake Clark, Katmai and  
43 Aniakchak Park and Preserve.  
44  
45 MADAME CHAIR CHYTHLOOK: Okay. Any  
46 other agencies.  
47  
48 (No comments)  
49  
50 MADAME CHAIR CHYTHLOOK: Okay. The

1 public. I'm going to start with my husband, Joe.  
2 Public introduction.  
3  
4 MR. CHYTHLOOK: I'm your husband.  
5  
6 (Laughter)  
7  
8 MR. CHYTHLOOK: Joe Chythlook, retired,  
9 and currently serving as chairman of BBNC, and a  
10 subsistence fisherman, commercial fisherman, hunter,  
11 and I guess I'm just here as a guest.  
12  
13 Thank you.  
14  
15 MADAME CHAIR CHYTHLOOK: Okay. Patty.  
16  
17 MS. HEYANO: I'm Patty Heyano. I'm the  
18 program development; Bristol Bay Native Association.  
19  
20 MADAME CHAIR CHYTHLOOK: Okay. Tom.  
21  
22 MR. TILDEN: Tom Tilden. I'm a  
23 resident here in Dillingham, and Choggiung tribal  
24 chief, subsistence user, hunter, fisherman.  
25  
26 MADAME CHAIR CHYTHLOOK: And Gary.  
27  
28 MR. KLINE: Gary Kline. I work with  
29 Nunumtaluksty (ph) here in Dillingham. And I'm a  
30 subsistence user, fisherman as well.  
31  
32 MADAME CHAIR CHYTHLOOK: And then  
33 the.....  
34  
35 MS. HURLEY: Hello. Good morning. I'm  
36 Alanna Hurley and I'm here as a subsistence lover.  
37  
38 MADAME CHAIR CHYTHLOOK: Okay. Have we  
39 missed anybody.  
40  
41 (No comments)  
42  
43 MADAME CHAIR CHYTHLOOK: If not, we'll  
44 continue with our public comments.  
45  
46 Is there anybody else.  
47  
48 (No comments)  
49  
50 MADAME CHAIR CHYTHLOOK: Okay.

1 MS. HURLEY: Good morning. Like I just  
2 said, good morning. My Irish name is Alanna Hurley.  
3 My Yup'ik name is (In Yup'ik). I'm originally from  
4 Saguyak across the bay, Clark's Point, but I now live  
5 here in Dillingham.

6  
7 And I'm going to keep mine short and  
8 sweet, because I know I'm just going to echo what the  
9 two previous people here have talked about. And I'm  
10 here to express my concern about the potential  
11 destructive development that's being proposed in this  
12 area, the Pebble Mine, offshore drilling.

13  
14 We all know -- I mean, I'm not going to  
15 sit up here and tell the people that know this, that  
16 subsistence is the heartbeat of Bristol Bay, and that  
17 without it, what would we be, what would our cultures  
18 be, what would our ancestors say of us if we were to  
19 not face these threats to subsistence.

20  
21 I just want to say that it completely  
22 makes sense, like Tommy was saying, for this Advisory  
23 Council to take action on this. If not now, when is  
24 the right time? When is the time to say, this is an  
25 issue that we need to face. I just don't understand  
26 when the right time would be if not now. We know  
27 what's out there. We know that it is a threat that is  
28 -- it is an extremely humongous threat to our people  
29 and our way of life out here. And so I would like --  
30 I'm asking you guys to use your power to carry the  
31 message from Bristol Bay that's been resounding  
32 throughout Bristol Bay for the last few years, that we  
33 do not want this. Our number 1 priority is  
34 subsistence. We care about our history. We care about  
35 our culture. And without subsistence, those two thing,  
36 it just -- subsistence will -- our culture will cease  
37 to exist. It won't be able to exist.

38  
39 And that's the reality of the  
40 situation. And I'm asking you to use your position to  
41 carry that message. And like Tommy said, there's no --  
42 I don't even understand how it's an issue. This is  
43 about subsistence. This Council. So take the message  
44 from us that has been resounding throughout Bristol  
45 Bay, to protect it. That's all we're asking. And if  
46 not now, when? Are we going to wait until there is a  
47 disaster and this room is full of people, because there  
48 are no fish and they're coming to testify about that.  
49 Is that when we're going to ass a resolution? Is that  
50 when we're going to have our voices heard? Or is it



1 now?

2

3 And so we've talked -- there's talk  
4 about climate change. And there's some changes that  
5 are coming our way that we have nothing we can do  
6 about, that we are just going to have to learn how to  
7 deal with. And our generation is ready for that, and  
8 we're ready to move forward in Bristol Bay in a good  
9 way, in a way that respects our elders, respects our  
10 ancestors, and doesn't risk who we are as a people and  
11 what we stand for. We're ready for that challenge to  
12 move forward sustainably. And so that change we want  
13 to move towards.

14

15 There's some changes we can't do  
16 anything about, but we can do something about this.  
17 This is change that doesn't have to happen. Pebble  
18 Mine doesn't have to go through. So I'm just asking  
19 you to please use your power in this Council to make  
20 sure that our voices are being heard at the Federal  
21 Subsistence Board.

22

23 So thank you.

24

25 MADAME CHAIR CHYTHLOOK: Okay. Thank  
26 you, Alanna.

27

28 Any comments, questions for Alanna.

29

30 (No comments)

31

32 MADAME CHAIR CHYTHLOOK: If not, thank  
33 you.

34

35 Do we have anybody else.

36

37 (No comments)

38

39 MADAME CHAIR CHYTHLOOK: Okay. If not,  
40 we'll move on with our agenda.

41

42 Oh, I'm sorry. Because we had some  
43 questions from the Board this morning regarding the  
44 little blurb that I gave regarding the Bristol Bay  
45 Visioning process -- not process, the work that the  
46 commissioners had done within Bristol Bay, I've invited  
47 the coordinator for this group to come in and give a  
48 little informational update. And because she won't be  
49 able to sit here all day until the BBNA section comes  
50 on, I've -- if the Board doesn't mind, I'd like to put

1 her on right now before lunch break.  
2  
3 (Council members shake heads yes)  
4  
5 MADAME CHAIR CHYTHLOOK: Nod yes. So,  
6 Patty, you have the floor.  
7  
8 MS. HEYANO: As Molly said, my name is  
9 Patty Heyano. I'm the program development director for  
10 BBNA and I'm the director for the Bristol Bay Regional  
11 Vision.  
12  
13 And this project, it was -- oh, it's  
14 been probably almost two years now that it began as a  
15 discussion between Ralph Anderson and Bob Waldrup about  
16 economic development and other topics. And so, you  
17 know, I guess they got the idea that it would be great  
18 to have, you know, something that gave the people a  
19 chance to give their vision for the future of Bristol  
20 Bay.  
21  
22 And so we ended up with funding and a  
23 project. And from last September through January we  
24 had meetings in every community. Actually I would say  
25 26 communities with over 1,000 people participating.  
26 And in those meeting is they were each given the same  
27 set of questions that they responded to, plus  
28 opportunities to discuss, you know, things further.  
29  
30 And as a part of that project -- well,  
31 I should back up a little bit and say that the Bristol  
32 Bay Partnership, which is the five regional  
33 organizations, partnered to sponsor this project. It  
34 was funded by the Alaska Conservation Foundation, or  
35 primarily. There were several other sources of  
36 funding.  
37  
38 And the partnership selected a group of  
39 eight commissioners. They were people from around the  
40 region that would be like the eyes and ears of the  
41 project. And they would convene meetings in every  
42 community and, you know, take testimony and so that's  
43 what happened.  
44  
45 And in those meetings they used the  
46 consensor voting. So it's like electronic voting  
47 system, so everybody who's there had an opportunity to  
48 vote. You know, it wasn't dependent on, you know the  
49 loudest voice in the room or whatever. So we tried to  
50 make it accessible for people to participate.

1                   And so they came up with a vision and I  
2 don't know if you guys want to hear that or I don't  
3 know how much detail you want here.

4  
5                   MADAME CHAIR CHYTHLOOK: Patty, the  
6 most questions that came on was when I mentioned that  
7 there was going to be a gathering of the commissioners  
8 plus agencies and others November 3 and 4, and so maybe  
9 you can expound on that.

10  
11                   MS. HEYANO: Okay. So the -- I'm  
12 trying to -- I can't remember where the idea was to  
13 have this regional summit. But what the idea is there  
14 is to bring together, you know, people from villages  
15 and people from State and Federal agencies, the  
16 regional organizations, you know, municipal  
17 organizations. And the vision and the process of  
18 getting it will be presented so everybody, you know,  
19 knows what it is and how we got there. And there will  
20 be small group discussions where they'll go into  
21 specific issue areas, and those are around safe and  
22 healthy families, culture of subsistence and resource  
23 management, energy and economic development, and  
24 housing, transportation and infrastructure. So a lot  
25 of topics were covered. And will be, you know,  
26 continued to work on.

27  
28                   And so this meeting, which is open to  
29 the public is November 3 and 4. We originally were  
30 going to do a one-day meeting, but there's just really  
31 too much to do, and so we spread into the next morning.  
32 And there will be, on the evening of the 3rd, a  
33 celebration of our future with Native dancing and  
34 Native foods.

35  
36                   MADAME CHAIR CHYTHLOOK: Okay. Thank  
37 you, Patty.

38  
39                   I think Richard had a question for me  
40 that I couldn't really answer.

41  
42                   MR. WILSON: Thanks, Madame Chair.

43  
44                   Patty, yeah, just, you know, the  
45 funding for this gathering, and, you know, if somebody  
46 from areas wanted to participate, is there any funding  
47 available to get them here or -- I'm assuming it was  
48 here; is that correct?

49  
50                   MS. HEYANO: Yes, it's in Dillingham at

1 the Dillingham Elementary School.  
2  
3 And our project is paying for people  
4 from the villages, we're going to bring two people in  
5 from each village. And BBNA is paying for their board  
6 members to come in. But that's all the funding we have  
7 for bringing people in.  
8  
9 MR. WILSON: Madame Chair. Patty, you  
10 say all the -- two people from -- is that from the  
11 village councils in these areas, or what are you  
12 specifying?  
13  
14 MS. HEYANO: No, we've asked each  
15 community to pick people, whoever they wanted. They  
16 don't have to be on the council. They could be part of  
17 their city government, or their public. Yeah.  
18  
19 MR. WILSON: Okay. Thanks.  
20  
21 MADAME CHAIR CHYTHLOOK: Okay. Any  
22 other questions for Patty.  
23  
24 (No comments)  
25  
26 MADAME CHAIR CHYTHLOOK: If not, thank  
27 you, Patty for coming in last moment, last minute.  
28  
29 I think right now before we get into  
30 our wildlife proposals, I'm going to request a lunch  
31 break. And I can't see the -- it's 11:30. So let's  
32 plan to be back by -- what's your wishes. 11:30 to?  
33  
34 MS. MORRIS LYON: 12:45.  
35  
36 MADAME CHAIR CHYTHLOOK: 12:45. So be  
37 back at 12:45 and we'll get into the wildlife  
38 proposals.  
39  
40 (Off record)  
41  
42 (On record)  
43  
44 MADAME CHAIR CHYTHLOOK: Call back to  
45 order, because I think the item on the agenda under the  
46 wildlife proposal is present. So under item 11,  
47 wildlife proposals, I think the first one that we have  
48 is going to be Pippa, the bear claw.  
49  
50 MS. KENNER: Good afternoon, Ms. Chair

1 and Council members.

2

3 The analysis for Proposal WP12-01 Page  
4 17 of your Council books, and there are copies on the  
5 table in the back of the room.

6

7 Okay. Proposal WP12-01, submitted by  
8 the Brown Bear Claw Handicraft Working Group, requests  
9 that prior to selling a handicraft incorporating a  
10 brown bear claw, that the hide or claw not attached to  
11 a hide must be sealed by an authorized Alaska  
12 Department of Fish and Game representative, and that a  
13 copy of the ADF&G sealing certificate would then  
14 accompany the handicraft when sold.

15

16 The Working Group's proposal, this one,  
17 WP12-01, is a response to a proposal, WP08-05, which  
18 you can see on Page 32 of your Council book, which was  
19 submitted by ADF&G in 2008.

20

21 Generally, the State does not allow the  
22 sale of any part of a bear, except the fur. In  
23 contrast, Federal wildlife regulations have allowed the  
24 sale of handicrafts made from brown bear claws since  
25 2004 in wildlife management units in the Eastern  
26 Interior, Bristol Bay, and Southeast regions of the  
27 state.

28

29 In response, in 2008, the State  
30 requested through Proposal WP05 -- 08-05, excuse me,  
31 that the sale of brown handicrafts made of claws and  
32 also bones, teeth, sinew or skulls, should occur only  
33 between Federally-qualified subsistence users. So that  
34 trade would be rural to rural.

35

36 The Federal Subsistence Board deferred  
37 the State's proposal twice, once in 2008 and again in  
38 2010, and a working group was formed. And the Federal  
39 Subsistence Board tasked the group to develop and  
40 recommend to the Board a method of tracking brown bear  
41 claws made into handicrafts for sale.

42

43 The purpose of tracking brown bear claw  
44 handicrafts was to identify to law enforcement the  
45 claws from brown bears harvested under Federal wildlife  
46 regulations. Only claws taken from brown bears  
47 harvested under Federal regulations can legally be  
48 sold.

49

50 The working group was made up of

1 representatives from all interested Advisory Councils,  
2 Molly Chythlook, your Chair, was the representative  
3 from this Council, and also State and Federal Staff.

4  
5               The working group is recommending that  
6 the Board oppose the State's original proposal, WP08-  
7 05, and adopt this proposal instead. And again this  
8 proposal is to make it so that prior to selling a  
9 handicraft incorporating a brown bear claw, the hide or  
10 claw not attached to hide must be sealed by an  
11 authorized Alaska Department of Fish and Game  
12 representative, and that a copy of the Fish and Game  
13 sealing certificate accompany the handicraft when sold.

14  
15               This proposal fixes two problems that  
16 the working group identified. First, in some  
17 management units, brown bear harvested for subsistence  
18 do not need to be sealed. There's not documentation  
19 that the brown bear was harvested legally under Federal  
20 subsistence regulations, and no documentation that it  
21 is legal for a person to sell a handicraft made from  
22 the claws.

23  
24               These units are listed on Page 19 of  
25 your Council books under the section, extent of Federal  
26 public lands, and they include Management Units 9A  
27 through C and 17, which make up the bulk of the Bristol  
28 Bay region.

29  
30               So the proposal requires that a brown  
31 bear harvested anywhere in the state, even in the units  
32 excluded from sealing requirements, if the claws -- oh,  
33 it requires that a brown bear harvested anywhere be  
34 sealed, there we go, even in the units excluded from  
35 sealing requirements, if the claws are to be made into  
36 a handicraft for sale.

37  
38               The second problem that the working  
39 group recognized was that the claws of a sealed brown  
40 harvested under Federal subsistence regulations needed  
41 to be identified; therefore a copy of the sealing  
42 paperwork must stay with the claws as it's sold from  
43 person to person.

44  
45               In summary, the intent of the proposal  
46 is to protect subsistence users who incorporate brown  
47 bear claws into handicrafts for sale by providing proof  
48 that the claws are from a brown bear that was harvested  
49 legally under Federal subsistence regulations by a  
50 Federally-qualified subsistence user. Having proof

1 that the claws are from subsistence-harvested brown  
2 bears would clearly identify the claws are from a  
3 legally harvested brown bear. Requiring that a copy of  
4 the sealing certificate accompany the handicraft would  
5 provide a method of tracking legally-harvested brown  
6 bear claws.

7

8 The Board has consistently rejected  
9 attempts to remove brown bear claws as a legal item  
10 with which Federally-qualified users can make  
11 handicrafts for sale. Retaining the use of claws and  
12 handicrafts for sale is consistent with previous Board  
13 action, and is not expected to significantly increase  
14 harvest as described in previous analyses.

15

16 The OSM preliminary conclusion is the  
17 same as the working group, and that is to support this  
18 proposal.

19

20 (In Yup'ik)

21

22 I am done with my presentation.

23

24 MADAME CHAIR CHYTHLOOK: Okay. Thank  
25 you, Pippa.

26

27 Any comments, questions from the Board.  
28 Okay. Pete.

29

30 MR. ABRAHAM: You know, for years I  
31 have been against handcrafting brown bear sections.  
32 The reason is especially in this area, they'd be taken  
33 advantage of. There will be too many illegal hunting  
34 just for the claws, because several years back there  
35 was black market for gall bladder, and there was too  
36 many illegal killing of the brown bears. So if this  
37 comes through here, what we'll be coming to, we might  
38 have the same problem, you know, brown bear illegal  
39 killing.

40

41 But I'm not going to try to confuse  
42 everybody or anybody. I'm just going to sit back here  
43 and see what happens in the end. From there on, all  
44 the scream and holler, you know, that it's wrong.

45

46 Thank you.

47

48 MADAME CHAIR CHYTHLOOK: Thank you,  
49 Pete.

50

1 Anybody -- Richard.

2

3 MR. WILSON: Madame Chair.

4

5 On the incidental stuff, you've got a  
6 bear laying on the side of a creek, a Federal  
7 subsistence user can go and an remove those claws; is  
8 that the way it sits now? And if so, then say the  
9 hides the hide's already deteriorated, what do you do  
10 if this was to go.

11

12 MS. KENNER: Ms. Chair. I was present  
13 at one of these working group meetings, and I did try  
14 to keep up with it. And my understanding, and maybe  
15 Ms. Chythlook can help, is that those claws -- I'm  
16 thinking of the different areas of the state. Those  
17 claws generally would be eligible to be sealed in order  
18 to be sold in a handicraft.

19

20 MR. WILSON: By what method? I mean,  
21 sealing of claws itself?

22

23 MS. KENNER: Yes. Currently the  
24 working group discussed numerous ways of actually  
25 marking the claws. However, the instructions that the  
26 working group was given wasn't necessarily to come up  
27 with a manual way of marking a claw, because that's  
28 kind of a technological issue. So what they came up  
29 with is that if nothing else, you have this sealing  
30 document, and it would be carried with the claws as  
31 they were incorporated into a handicraft.

32

33 One of the obvious reasons for that is  
34 that if a tourist from Germany showed up at the airport  
35 with one of these, if he had -- with a handicraft that  
36 incorporated a brown bear claw, if he had the sealing  
37 document saying it was a legally harvested, a bear  
38 harvested under Federal subsistence regulations or was  
39 sealed in such a way that it could be sold, he would be  
40 able to pass through the airport unencumbered by law  
41 enforcement.

42

43 MADAME CHAIR CHYTHLOOK: I think what  
44 maybe somebody from the State could chime in, but just  
45 stay right there. I think what Richard's question was,  
46 if he finds a bear that's already dead, laying in the  
47 creek, and I guess your question would be, could those  
48 claws be removed and then sealed? My understanding is,  
49 and I attended as many of the working group meetings  
50 that I could, my understanding -- and that's a new one.



1 My understanding was that a subsistence-harvested bear  
2 will be sealed now if the claws are going to be used  
3 for handicraft.

4

5 And the comments, the concerns that  
6 went round and round amongst us -- I don't know if  
7 George, were you a part of this -- was the -- like you  
8 mentioned, you know, what would be the proper way to  
9 identify this handicraft made out of claws. And then  
10 this proposal, I'd have to say I was not involved; I  
11 wasn't at the meeting. If I was, I was out of state of  
12 mind.

13

14 When this proposal was developed, and  
15 I've read it, I tried to understand it, the concern I  
16 have still -- I had several concerns during the working  
17 group. The concern that still is embedded in me is  
18 that bears have probably about 10 claws. If my bear  
19 gets sealed, I get a form, a bear sealing form, and  
20 then within that form, to my understanding, maybe I'm  
21 mistaken, they'll take a notation, make a note saying  
22 that this will be also used to sell handicraft, bear  
23 claw handicraft. So they give me this form, and  
24 there's 10 claws on a bear. So I guess I can make 10  
25 copies, because I probably won't be selling all 10  
26 claws all at once, but will be selling the claws one-  
27 by-one. But I also has five claws stashed. So there's  
28 no tracking. It sounds there's talk about developing a  
29 tracking sheet, but at this point there is no tracking  
30 sheet or tracking for these permits, or the sealing  
31 forms. So I sell all my 10 claws. I still have five  
32 stashed here, so, you know, it will be a temptation for  
33 me to keep making copies to sell the other claws that I  
34 may have.

35

36 So I don't know if -- that is the area  
37 of my concern. And reading through this, there was no  
38 mechanism, although there's a talk that there will be a  
39 tracking sheet developed.

40

41 MS. KENNER: Thank you, Ms. Chair. For  
42 the record, this is Pippa Kenner with OSM again.

43

44 Yeah, there was a lot of discussion at  
45 the working group meeting, and one of the things we do  
46 have is a sealing database. And I'm fairly confident  
47 that what was envisioned is that there would be a  
48 database that at least Federal and State law  
49 enforcement would have access to, which they almost do  
50 now. So that one would keep track of how many of these

1 items were being transported out of state and how many  
2 of these forms were in circulation.

3

4 But, yeah, the other more important  
5 thing to mention is that as you remember, Ms.  
6 Chythlook, that the working group works on a consensus.  
7 And although all the Councils that were present were  
8 part of the consensus to move proposals like this  
9 forward, there were misgivings. I think it would be  
10 safe to say at least a couple of the Councils were not  
11 in support of the overall concept. But it was a  
12 consensus. There were some regions who were very  
13 anxious to participate.

14

15 MADAME CHAIR CHYTHLOOK: Nanci.

16

17 MS. MORRIS LYON: Thank you, Madame  
18 Chair.

19

20 My question would be was it considered  
21 -- I mean, to me, logically speaking, it would make  
22 more sense to have the artist procure a license or the  
23 ability to procure a license to make sales so that that  
24 tracking mechanism could be used, rather than each  
25 individual bear hide. It would be less onerous to the  
26 artist as well as still allow there to be a method to  
27 track back to where the animals came from. And it  
28 could be monitored. Was that considered and was it  
29 rejected for a reason?

30

31 Because this would fit into exactly  
32 what Richard's talking about, which I know more than  
33 once I've come across that very instance. In fact,  
34 there's on laying on the Naknek right now. I waiting  
35 for it to gel a little more and -- but my point is,  
36 you know, where -- did that discussion happen and where  
37 did it go.

38

39 MADAME CHAIR CHYTHLOOK: Yeah, go  
40 ahead.

41

42 MS. KENNER: This is Pippa Kenner  
43 again.

44

45 I can't believe it wasn't discussed.  
46 The one meeting I was at went on for hours and they  
47 discussed everything. But I think one of the focus on  
48 this sealing idea is that the seal, the State seal is  
49 also a CITES certificate, which is the Convention on  
50 International Trade in Endangered Species, which is

1 recognized internationally. And the idea was that you  
2 were going to have this CITES certificate go along with  
3 this claw in the event it was exported out of the  
4 country, let alone out of Alaska. So things began to  
5 focus on the CITES issue and the CITES certification of  
6 the claw.

7

8 MS. MORRIS LYON: Well, then in all  
9 honesty, I mean, I see this as -- my initial impression  
10 of this proposal is that it still creates a huge amount  
11 of onerous on the subsistence user in order to be able  
12 to promote his craft. And I guess I'm -- to me, it's  
13 much more logical to have an artist be tracked, and I  
14 don't see why CITES couldn't be brought into it along  
15 with that, than it would be to do each individual bear  
16 for the artist or, you know, subsistence user. Just my  
17 initial thought.

18

19 MADAME CHAIR CHYTHLOOK: Okay. Dan.

20

21 MR. DUNAWAY: Yeah, I'm just curious on  
22 the nuts and bolts. Like would the person at the time  
23 of sealing be issued say like several copies of the  
24 sealing certificate, or is it one and you just xerox  
25 it? I mean -- and then I imagine if you're going to --  
26 if they're going to make 15 handicrafts out of a bear  
27 hide, it gets -- it does get to be a pile of paperwork.

28

29 I'm inclined to want to support it  
30 overall. I do worry about it though if it encourages  
31 people to just do drive-bys on bears and then, you  
32 know, three weeks later pull the claws so they don't  
33 have to deal with the hides, that kind of thing. So  
34 anyway if I can clarify that, I would appreciate it.

35

36 Thank you.

37

38 MADAME CHAIR CHYTHLOOK: Go ahead,  
39 Pippa.

40

41 MS. KENNER: Thank you, Ms. Chair.  
42 Pippa Kenner with OSM.

43

44 There's a couple approaches that can be  
45 taken and that other Councils have taken. For  
46 instance, some Council -- there are some management  
47 units where the sale of bear claws isn't allowed.  
48 People don't think that brown bear claws should be made  
49 into handicrafts and distributed at all. That Council  
50 has the choice of either supporting this so that

1 Council in regions that do support the sale of  
2 handicrafts can participate, or they can say, we don't  
3 want this for our region and therefore we don't support  
4 it.

5  
6 So your first question is, who are the  
7 artisans in your region mak -- one of your questions  
8 may be, who are the artisans in your region. Is this  
9 something they want to do. Is this something that  
10 could be a problem for them. And then kind of move on  
11 to, is this something we want in our region. And if we  
12 don't want it in our region, is this something that we  
13 want other regions to be able to participate in anyway.

14  
15 MADAME CHAIR CHYTHLOOK: Dan, any more.

16  
17 MR. DUNAWAY: No.

18  
19 MR. ABRAHAM: (In Yup'ik)

20  
21 MADAME CHAIR CHYTHLOOK: Pete.

22  
23 MR. ABRAHAM: Well, the way I heard it,  
24 you've got a handful right there. Number 1 is if I  
25 shoot a brown bear and I don't carve, you know, well,  
26 here, Cousin, you can have the claws. You know,  
27 there's got to be documentation for where those claws  
28 come from, you know, if he's going to sell it. And  
29 then not only that, are you talking about selling to  
30 gift shops and everything? Well, man, that makes it  
31 worse.

32  
33 Well, someone's got to iron these  
34 things out until it's presentable to the public.  
35 Otherwise you're going to have, you know, a lot of  
36 confusion out there. How and which, how to do it.  
37 There will be many, many questions. It already has.  
38 So I guess I'll just keep quiet until things are ironed  
39 out.

40  
41 Qu yana.

42  
43 MADAME CHAIR CHYTHLOOK: Thank you,  
44 Pete.

45  
46 Pippa.

47  
48 MS. KENNER: Thank you, Ms. Chair.  
49 Pippa Kenner, OSM.

50

1 I'm going to channel the State here and  
2 if -- there had been -- they were regular participants.  
3 And I think one of the things that she would say, and  
4 Larry Van Daele who worked in this region for many  
5 years was very, very involved in the process, is that a  
6 system would be worked out. People went from talking  
7 about electronic tatoos that are now -- you are now  
8 capable of putting on claws to literally just making  
9 copies of the permit.

10

11 The State appears to be -- I don't want  
12 to speak for the State, but through this working group,  
13 the State is supporting the proposal. And what I can  
14 tell you is that a lot of ideas were kicked around  
15 about how these claws would be marked, but the working  
16 work was advised they didn't have to land on anything.  
17 That a method would be devised.

18

19 MR. ABRAHAM: Quyana.

20

21 MADAME CHAIR CHYTHLOOK: Okay. Thank  
22 you.

23

24 I guess my take on this one is I'm  
25 leaning towards opposing this, because there's too many  
26 holes in it. It's -- one of the main purpose of this  
27 from the working group was that the new regulation,  
28 this regulation would not be burdensome to the  
29 subsistence users. And I can't find it right now, but  
30 as I was reading through this, there was an indication  
31 that there is going to be a -- it's going to be  
32 burdensome to the subsistence users.

33

34 And another area is that normally  
35 regulations don't come out unless there's a  
36 conservation concern, and on Page 24 under  
37 justification, there's a statement that reads like,  
38 there no known evidence to indicate the current Federal  
39 subsistence regulations adversely affect brown bear  
40 population. There is no evidence to indicate the  
41 Federal subsistence regulations have led to an  
42 increased legal and illegal harvest of bears. And then  
43 there's also no sufficient evidence that the harvests  
44 have affected the take.

45

46 So I'm -- you've got the floor, Pete.  
47 Or Pappas, George.

48

49 MR. PAPPAS: Good afternoon. George  
50 Pappas. Department of Fish and Game, subsistence

1 liaison team.

2

3 We have our comments here, but let me  
4 -- a lot of questions came forth here that are I think  
5 off topic.

6

7 A dead bear found on the side of the  
8 road. Is that considered a Federal subsistence  
9 harvest. That's a question that has to be answered by  
10 the Federal Solicitor's Office.

11

12 Selling handicrafts in a gift store. I  
13 don't believe that's legal. I think the barter,  
14 customary trade is barter or sales for cash by the  
15 Federal subsistence user, not by a second or third  
16 party as I understand.

17

18 There's a lot of things here that  
19 aren't being answered. I was at every one of the  
20 meetings and I can stick to the State side, but there's  
21 some questions here that are being asked that aren't --  
22 that are peripherally involved with finding dead bears,  
23 DLPs, a drive-by, come back later, pull the claws. Is  
24 that Federal subsistence? As I understand Federal  
25 subsistence regulations require you to consume the  
26 bear. That's the entire bear. So there's some issues  
27 here that are not quite focused on what this bear claw  
28 group did.

29

30 And, you know, another issue, if you  
31 find a bear next to the road, is that Federal public  
32 property? Or Federal public lands or is it non-Federal  
33 public lands?

34

35 There's a lot of issues that are away  
36 from what the group tried to directly address. And  
37 I'll try to just speak to what I -- to what the work  
38 group actually directly addressed.

39

40 And our comments are located on Page  
41 25. I'll do my best to summarize.

42

43 And for the record, I'd like to please  
44 ask the court reporter to incorporate the comments as  
45 posted in the book in the transcripts as the Federal  
46 Subsistence Chair has allowed us to do prior.

47

48 This proposal was a consensus of the  
49 Brown Bear Handicraft Work Group. Everybody agreed  
50 with it.

1                   If adopted, a copy of the bear sealing  
2 document will be required to accompany the bear claw  
3 handicraft when sold.

4  
5                   Questions came up at other RAC  
6 meetings, okay, I live really remote, I shot a bear, I  
7 consumed it, I saved the claws, I saved the hide, I  
8 need it sealed. I'm not going to spend 500 bucks to  
9 get a charter to fly into town. What do you do? Well,  
10 I spoke with our area manager for King Salmon, and this  
11 has happened before. It happens all the time where  
12 someone's rally remote and they're not going to have  
13 the money to send a bear hide into town, so call it in  
14 and work with the Department to send a representative  
15 out there, or if a trooper comes through or what have  
16 you. They can work with that situation to get that  
17 hide sealed.

18  
19                   Yes, and you would have that original  
20 certificate, sealing, run through a copy machine 20  
21 times for 20 claws, and one would go with each claw.  
22 Well, other RACs have asked, okay, what happens when an  
23 enforcement officer runs into the 300th claw from the  
24 same bear.

25  
26                   (Laughter)

27  
28                   MR. PAPPAS: You know. Well, that is  
29 an issue that would be for enforcement folks to  
30 investigate to find out, you know, who's selling it.  
31 If it's a 300th claw, then whoever's selling it with  
32 that certificate, they're likely going to be in  
33 violation of regulations and have an issue.

34  
35                   Continuing on, changing Federal  
36 regulations to provide documents would support legal  
37 sales of Federal subsistence-harvested brown bear claw  
38 handicrafts, should help eliminate commercial markets  
39 and the masking of illegal sales in Alaska and  
40 elsewhere. That came up. You had some questions.  
41 What if you sold your 20 claws, or you kept five and  
42 you had five from a different bear from a different  
43 time, and, yes, that's an illegal activity of using the  
44 wrong seal for the wrong claws. And enforcement folks  
45 would have to figure that out, too.

46  
47                   You're right, it's not -- this isn't as  
48 good as having an electronic tag put on each claw that  
49 could be scanned going through a German airport or what  
50 have you. We just don't have that technology

1 worldwide, so this is the first step in the right  
2 direction for tracking a legal harvested bear to a  
3 legal Federal subsistence handicraft for a legal  
4 artisan, for a Federal subsistence user.

5  
6 Under State regulations, handicrafts  
7 made with bear fur may be sold to anyone but sales of  
8 handicrafts with claws, skulls, teeth and bones is  
9 prohibited. Whole bearskins with claws attached taken  
10 in certain predator control areas may be sold under  
11 State regulations, but only after sealing and under  
12 terms issued for that bearskin.

13  
14 We've had other questions from RACs  
15 come up. Okay. What about the DLP auction in  
16 Anchorage from Fish and Game selling off the bears that  
17 people shot in the dump or what have you, or off their  
18 porch. You can buy the whole animal, the whole hide,  
19 you can cut it to small pieces. You can do whatever  
20 you want with it, but you can't sell it under State  
21 regulations, especially the claws.

22  
23 This proposal, if adopted, will reduce  
24 enforcement issues created by existing Federal  
25 regulations by creating a tracking system which  
26 provides documents to accompany the brown bear claws  
27 used for making handicrafts legally taken, utilized and  
28 sold under Federal subsistence regulations. Further,  
29 adoption of this proposal will significantly reduce the  
30 likelihood that Federally-qualified subsistence users  
31 will face State prosecution for engaging in sales that  
32 are prohibited under State law when they occur on State  
33 or private lands. I believe this came up with the  
34 customary trade question you asked a couple years ago.  
35 This would have documentation, hey, this is legal bear  
36 handicraft, independent of where you are in the state  
37 in comparison to someone selling a handicraft off of  
38 Federal public lands. This would actually be  
39 sufficient for the enforcement officers to say okay,  
40 that is a legal sales.

41  
42 Other comments. The Department  
43 appreciates the cooperative work the Brown Bear Claw  
44 Work Group completed over the last two years.  
45 Providing tracking would be an important first step in  
46 addressing some of the Department's concerns regarding  
47 conservation and enforcement. If brown bear harvest  
48 can be tracked over time, and bear parts or handicrafts  
49 can be traced to reported legal harvest, conservation  
50 concerns will be less likely to arise and managers will



1 be able to better determine if and when legal sales are  
2 contributing to illegal sales -- or, excuse me, legal  
3 sales are contributing to illegal sales or otherwise  
4 creating conservation concerns.

5  
6 Now, the Department does support this  
7 proposal. We were involved. This was a long process.  
8 It was very difficult to get a lot of the RAC  
9 representation together during the times for  
10 teleconferences and meetings, but, all in all, a lot of  
11 information went into this, and a lot of cooperative  
12 efforts went into this.

13  
14 A question came up about finding a dead  
15 bear. I talked to our area manager from the King  
16 Salmon office. Under State regulations, you find a  
17 dead bear. It's rotted up. You can keep the parts for  
18 your personal self under State regulations, but you  
19 can't sell them. They're yours. It's like a pick up.

20  
21 Now, I can't state that for National  
22 Park lands. The National Park folks here can answer to  
23 or provide information about finding something inside  
24 of a national park.

25  
26 I hope I helped a little bit, trying to  
27 draw it into specifically what they addressed. You did  
28 ask a lot of questions, and you are correct, more  
29 information could be provided for this for the public  
30 to understand what exactly the question is, what a  
31 Federal subsistence-harvested bear is, and what's  
32 required when you do harvest a Federal subsistence  
33 bear.

34  
35 \*\*\*\*\*  
36 STATE OFFICIAL WRITTEN COMMENTS  
37 \*\*\*\*\*

38  
39 Alaska Department of Fish and Game  
40 Comments to the Regional Advisory Council

41  
42 Wildlife Proposal WP12-01:

43  
44 Develop a tracking program for federal  
45 subsistence harvested bear claws that are made into in  
46 to handicrafts for sale by federally qualified users.

47  
48  
49 Introduction:  
50

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

13

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

30

31                   Changing federal regulation to provide  
32 documents which support the legal sales of federal  
33 subsistence harvested brown bear claw handicrafts  
34 should help eliminate illegal commercial markets and  
35 the masking of illegal sales in Alaska and elsewhere.

36

37                   Impact on Subsistence Users:

38

39                   The Federal Subsistence Board's current  
40 allowance of brown bear handicraft sales was not based  
41 upon a determination that such sales are customary and  
42 traditional but instead upon the Board's unsupported  
43 argument that the Board can authorize any use if the  
44 take is customary and traditional (see e.g., January 2,  
45 2006, letter from Chairman Demientieff to Commissioner  
46 Campbell). Therefore, adoption of this proposal will  
47 not impact customary and traditional subsistence  
48 activities.

49

50                   Adoption of this proposal will not

1 interfere with continuing to allow federally qualified  
2 subsistence users to obtain such handicrafts for  
3 ceremonial, religious, and cultural purposes.

4

5                   If adopted, federally qualified  
6 subsistence users who plan on selling handicrafts made  
7 from legally harvested brown bear claws will be  
8 required to have the hide sealed by the department,  
9 retain copies of the sealing certificate, and provide  
10 copies of the certificate to customers.

11

12                   Opportunity Provided by State:

13

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

21

22                   Conservation Issues:

23

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

38

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

49

50                   Enforcement Issues:

1                   This proposal will reduce enforcement  
2 issues created by the existing federal regulation by  
3 creating a tracking system which provides documents to  
4 accompany brown bear claws used for making handicrafts  
5 legally taken, utilized, and sold under federal  
6 subsistence regulations. Further, adoption of this  
7 proposal will significantly reduce the likelihood that  
8 federally-qualified subsistence users will face state  
9 prosecution for engaging in sales that are prohibited  
10 under state law when they occur on state or private  
11 lands.

12

13                   Jurisdiction Issues:

14

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

28

29                   Other Comments:

30

31                   The department appreciates the  
32 cooperative work the brown bear claw work group  
33 completed over the last two years. Providing for  
34 tracking would be an important first step to addressing  
35 some of the Department's concerns regarding  
36 conservation and enforcement. If brown bear harvests  
37 can be tracked over time, and bear parts or handicrafts  
38 can be traced to reported legal harvests, conservation  
39 concerns will be less likely to arise and managers will  
40 be better able to determine if or when legal sales are  
41 contributing to illegal sales or otherwise creating  
42 conservation concerns.

43

44                   Recommendation: Support.

45

46                   Thank you, Madame Chair.

47

48                   MADAME CHAIR CHYTHLOOK: Okay. Thanks,  
49 George.

50

1 Any questions, comments. Dan.

2

3 MR. DUNAWAY: Yeah. Thank you, Madame  
4 Chair.

5

6 Number 1 to me, it's a massive  
7 improvement to see this working group working, coming  
8 to a consensus. Because I know there were some State  
9 people that were just so dug in, they wouldn't budge on  
10 this stuff. And all of a sudden the log jam loosens.  
11 So that's a big step in itself to see some real  
12 coordination through a bunch of different folks. And I  
13 want to thank everybody that was involved with that. I  
14 think I even got a call from some biologist at one  
15 point asking about some of this.

16

17 So do I understand right that there's  
18 still a potential that the final -- how it's finally  
19 worked out, if we were to approve this, would leave it  
20 up to the agencies to sort out some of these details  
21 that we've been asking about? Is that correct, or  
22 would it, just this language would be it? If anybody  
23 can answer.

24

25 MADAME CHAIR CHYTHLOOK: George.

26

27 MR. PAPPAS: Through the Chair.  
28 Council Member Dunaway. As I understand, the intent's  
29 fairly clear. If you harvest a Federal subsistence  
30 bear, you have to have it sealed, and get that sealing  
31 certificate, make your 20 copies. And if you're going  
32 to sell -- you know, a Federal subsistence user makes a  
33 belt buckle with five claws in it or a ceremonial --  
34 like Southeast, a ceremonial head gear, might have, you  
35 know, the whole 20 claws, 20 pieces of paper go with  
36 it. It would go with the box that it goes with.

37

38 And this isn't as much of an issue in  
39 Alaska, but I guess as explained to me, you know, try  
40 to get them to Europe, or some of the tourists that  
41 come through that want to buy handicrafts, try to take  
42 it to another country, and because in the majority of  
43 the world the brown bears are endangered, you wouldn't  
44 make it across the border. That's part of the issue.

45

46 I'm not sure there's much more  
47 development on this. I think the only further  
48 development would be what the brown bear sealing  
49 certificate would look like, if it would have a check  
50 box that says, you know, Federal subsistence-harvested

1 bear, intent on selling brown bear claw handicrafts.  
2 It may be some verbiage on the sealing permit. But  
3 that's I believe as far as it's -- as far as I'm aware,  
4 this proposal would take it. It would be 20 pieces of  
5 paper per bear, and each one -- make your -- we haven't  
6 figured that out, make your own copies, have Fish and  
7 Game make your own copies. A trooper flies out to seal  
8 it to you in a remote -- seal in a remote area, he  
9 brings 20 copies. I don't know. That's administrative  
10 housekeeping we can figure out on this between agencies  
11 I would assume.

12

13 MADAME CHAIR CHYTHLOOK: Dan.

14

15 MR. DUNAWAY: Thank you, George. Thank  
16 you, Madame Chair.

17

18 I want to support this. It seems to me  
19 that this originally started from trying to accommodate  
20 the subsistence user to make better use of the whole  
21 bear, allow them to have some opportunity for economic  
22 benefit out of it.

23

24 It's onerous in that they might have to  
25 do some paperwork, but it may relieve them of some real  
26 hassles about some follow up later. It will allow them  
27 to sell it, and they'll be protected that they've done  
28 the letter of the law as long as they've followed it.  
29 And this also could all get thrown out again if a  
30 problem develops. But the numerous complaints I hear  
31 about bears all over, I'm going to be voting in favor  
32 of this.

33

34 Thank you.

35

36 MADAME CHAIR CHYTHLOOK: Okay. Any  
37 other comments.

38

39 (No comments)

40

41 MADAME CHAIR CHYTHLOOK: I guess I just  
42 have one question. I know that from the Federal stance  
43 that fur equals claws, and under the State that's not  
44 so.

45

46 MR. PAPPAS: Madame Chair. Under State  
47 regulations, just handicrafts made with the bear fur  
48 can be sold, but not claws, bones, or skulls. So your  
49 question is kind -- yes. I guess the answer to your  
50 question is, yes, we treat the fur and claws

1 differently than the Federal regulations do on the  
2 State side.

3

4 MADAME CHAIR CHYTHLOOK: And through  
5 this proposal, you'll be -- the State will be sealing  
6 subsistence harvested, or Federal harvested bears?

7

8 MR. PAPPAS: Madame Chair. Only if the  
9 Federal subsistence user wants to make handicrafts out  
10 of the claws and sell them, or if a -- if you have a --  
11 as I understand, this includes if you already have a  
12 bear that you shot under Federal regulations in the  
13 last 20 years in your shed, what have you, and you want  
14 to make something out of those claws to sell, you can  
15 have that sealed, too. But it's only for the ones --  
16 the only bears that I understand would be sealed under  
17 this regulations would be just for the ones you want to  
18 make something out of the claws.

19

20 Thank you, Madame Chair.

21

22 MADAME CHAIR CHYTHLOOK: So today if I  
23 harvested a bear under Federal regulation, I'll decide  
24 not -- or I'll go and seal it, and seal it as keeping  
25 the claws attached, but then later on when the fur rots  
26 out, if I decide to do something with the claws, then  
27 could I bring the claws back and have you -- have the  
28 State right a little note on the permit so that I would  
29 be able to sell the claws?

30

31 MR. PAPPAS: It's already sealed. The  
32 whole idea is to track those claws to the hide. So if  
33 you shot a bear today and had it sealed, and you  
34 decided 75 years from now you want to make handicrafts  
35 out of the claws, because the fur fell out, it slipped  
36 or what have you, you can do that. As long as you have  
37 that original sealing certificate, you're okay. That  
38 tracked -- that connects the claws, the handicrafts of  
39 the claws to that hide that connects that it was a  
40 legally-taken animal.

41

42 MADAME CHAIR CHYTHLOOK: If I  
43 understood this right, they're going to be using the  
44 same sealing forms. The State's going to be using the  
45 same sealing forms, but if I indicate that I'm going to  
46 want to sell the claws, then they'll make a little  
47 notation on that form indicating that I have an  
48 intention to sell the claws?

49

50 MR. PAPPAS: Yeah, thank you from Pippa

1 over here. Yes. I said it incorrectly earlier. The  
2 form's going to be modified to show that it was a  
3 Federally-qualified -- Federal -- excuse me, a bear  
4 harvested under Federal subsistence regulations. So as  
5 I understand, they're looking at the sealing form.  
6 Right now it doesn't have that check box. It would  
7 just have a check box, this is a Federal subsistence  
8 bear. It doesn't say that you intend to sell it or not  
9 sell, just that there's a difference between a Federal  
10 subsistence harvested bear and a State subsistence  
11 harvest -- or, excuse me, a State harvested bear.

12  
13 MADAME CHAIR CHYTHLOOK: I guess my  
14 original question was when I seal it today, I didn't --  
15 there was no check under the check box, but then 20  
16 years later when my fur rots out, do I come back and  
17 have someone put a little check mark on that box so I  
18 can sell the claws?

19  
20 MS. KENNER: I just wanted to -- hi.  
21 This is Pippa again from OSM.

22  
23 The intent is to make sure that these  
24 claws are being sold by Federally-qualified users and  
25 not by people who are just harvesting brown bear for  
26 marketable items, whether it be legal or illegal, to  
27 put them into national or international market.

28  
29 So these kind of questions are  
30 difficult for us to answer, because the wildlife  
31 biologist from the State who was present said that for  
32 him that would be no problem at all. And obviously  
33 this has to do with who's sealing it. He indicated  
34 that if you had a brown bear claw that was harvested --  
35 when this bear was harvested and sealed, so you could  
36 show it was harvested on Federal public lands,  
37 presumably through an open Federal brown bear season,  
38 that you could two years later have that claw sealed in  
39 order to incorporate it into a handicraft and sell it.  
40 Even though there would be no proof except for that  
41 Federally-qualified subsistence user standing before  
42 them and telling them that this was true.

43  
44 MR. PAPPAS: You've hit a good topic.  
45 If you harvested a bear right now and it was harvested  
46 under Federal subsistence regulations, and you before  
47 this -- you shot this today, because the regulations  
48 haven't been passed, you could take that animal in in  
49 two or three or four or five years and say, I shot this  
50 animal in this area at this time, and I shot it under



1 Federal subsistence regulations, they would issue you  
2 something, a new form, or write on your form, or,  
3 excuse me, seal it for you, to make it work for you.  
4 This question came up in I think North Slope. If  
5 someone has a bear hide, you know, nailed to their  
6 steam bath that they've had for 30 years, it was -- or  
7 20 years, it happened during Federal subsistence --  
8 since the Federal Subsistence Program inception, they  
9 could bring that hide in, have it sealed, and say, this  
10 is a Federal subsistence bear, get the certificate, and  
11 you'd be good. So it could be retroactively activated.  
12 I think that's your question.

13

14 MADAME CHAIR CHYTHLOOK: Yeah, I guess  
15 I'm just being a devil's advocate, because if I'm  
16 understanding you right, I can bring any claws 20 years  
17 later, and say that these claws were harvested legally,  
18 and have gotten sealed, and then it will be okay.

19

20 MR. PAPPAS: We were discussing amongst  
21 ourselves here. As is, that's a what if. The proposal  
22 as is is to seal the hides. You'd have to bring the  
23 old hide in, not just an assortment of claws. I don't  
24 know how to answer that question for you. We can  
25 investigate it for you.

26

27 MS. KENNER: Ms. Chair, this Pippa  
28 Kenner again with OSM.

29

30 I think in reality it goes something  
31 like this: If you're at the airport and you're  
32 traveling, I'm a Native Alaskan, I'm a rural  
33 subsistence user. I'm traveling through the airport  
34 with a handicraft that incorporates a brown bear claw,  
35 and I have to go down to the Anchorage Regional office  
36 and say, hey, I don't have this sealed, but I'm selling  
37 this as a handicraft, could you seal it for me. You're  
38 probably not going to get a very good response if you  
39 don't have provenance somehow indicating when, how and  
40 by whom that claw was taken.

41

42 If I'm in Anaktuvuk Pass surrounded by  
43 Federal public lands, and I have these claws in my  
44 drawer, and now I want to incorporate them into a  
45 handicraft to be sold, and I call up my local -- there  
46 was talk about having dedicated sealers within the  
47 community, which is past due, it's something we've  
48 needed for a while, or having -- assigning the duty to  
49 Federal employees, or State, but if it's somebody you  
50 know, and you call up, and you have these claws, and

1 now you want to incorporate them into a handicraft for  
2 sale, and you want to get them sealed retroactively,  
3 after the fact, you're more likely to get a positive  
4 response. And I think that's the only honest way of  
5 answering the question.

6

7 But I also want to clarify that most of  
8 the gift stores in Anchorage and in other places,  
9 because of the issues around ivory and mastodon fossil,  
10 that sort of thing, they work on consignment. And  
11 that's how it's legal to sell those items through a so-  
12 called gift store.

13

14 MADAME CHAIR CHYTHLOOK: Yeah. Well, I  
15 guess what I'm trying to is just stick to the written  
16 form of this proposal to try to iron out what might  
17 happen. And if we're having a hard time understanding  
18 this now, once this proposal is passed, then is there  
19 going to be education afterwards for all these  
20 questions.

21

22 MR. PAPPAS: Madame Chair. I would  
23 assume the regulations, the regulatory summary on the  
24 State and Federal side would have language that assist  
25 people understand it. Just like every new regulation  
26 that comes out, it's summarized in the handy-dandy,  
27 what they call it. I would assume requests from RACs  
28 to ensure that there's information out there would  
29 definitely be listened to, and some type of information  
30 education would come forth to inform folks that do want  
31 to make handicrafts out of bear claws. As I understand  
32 it, it's not a large number of people of people right  
33 now that do that.

34

35 Thank you, Madame Chair.

36

37 MADAME CHAIR CHYTHLOOK: Thank you,  
38 George.

39

40 That was why my intention was to oppose  
41 this, because it creates too many questions that --  
42 well, it creates more questions than answers. And it's  
43 going to end up as a cumbersome regulation, unless the  
44 questions that were -- that has come up are answered  
45 prior to, you know, the passing this regulation.

46

47 Thank you.

48

49 MR. PAPPAS: Madame Chair. You're  
50 building an excellent record here in this process. And

1 I would believe the transcripts will be available for  
2 the Federal Subsistence Board process, and I would  
3 assume Mr. Mike over here potentially could forward  
4 these on to the -- we'll do it on our side, do it on  
5 the Federal side, and get some answers put together. I  
6 would assume we can do that, because you're building an  
7 excellent record.

8

9 Thank you, Madame Chair.

10

11 MADAME CHAIR CHYTHLOOK: Okay. Thank  
12 you, George.

13

14 Richard.

15

16 MR. WILSON: Madame Chair. I think I  
17 would be in favor of this proposal even as written,  
18 because it's -- I think it's going to be an important  
19 first step. I think if we was to wait further on down  
20 the road for another proposal to come before us, that  
21 perhaps the people that are waiting now to do this sort  
22 of craft work would be put aside again for a few years.  
23 So I can see more regulations coming down if need be,  
24 if this thing falls apart, you know, if we need to have  
25 a license as a crafts person to sell the claw. I mean,  
26 that's -- you know, there's a possibility there. But  
27 it's not included in this proposal here, but I think  
28 this could be a good first step, because we've got both  
29 the State and the Feds agreeing on this thing.

30

31 MADAME CHAIR CHYTHLOOK: Nanci.

32

33 MS. MORRIS LYON: I, too, as a member  
34 of this Council struggle with weighing the benefits  
35 versus the drawbacks to this proposal. I totally  
36 acknowledge your reluctance in, you know, ideas behind  
37 not having every T crossed and I dotted, and I'm the  
38 same way as Richard, but I know we've had this question  
39 in front of us for many years. It's -- I can't even  
40 remember when we first started talking about it, and  
41 it's taken us a long time to get the State people  
42 involved in a willing manner. And that's basically  
43 where my deliberations will come from, too, is are we  
44 doing more harm than good by not allowing those  
45 subsistence users that have been waiting very patiently  
46 and very long for the opportunity to sell their  
47 handiwork, more harm or good by making them wait  
48 longer.

49

50 And I guess we can save the rest of

1 that for discussion.  
2  
3 MADAME CHAIR CHYTHLOOK: Okay. Alvin.  
4  
5 MR. BOSKOFISKY: I agree with what  
6 Richard said. There's always in the future if there's  
7 some kind of problems that we could amend the original  
8 proposal to redo the wording to justify fixing it so  
9 that our subsistence users are able to start now  
10 instead of waiting until later. I'm sure there's some  
11 out there that want to sell their handicraft.  
12  
13 MADAME CHAIR CHYTHLOOK: Thank you,  
14 Alvin. Doi.  
15  
16 MR. ABRAHAM: (In Yup'ik)  
17  
18 MADAME CHAIR CHYTHLOOK: Okay. Pete.  
19  
20 MR. ABRAHAM: Before -- well, when it  
21 becomes part of the regulations, it would take act of  
22 Congress to change when it gets in there. So let's be  
23 careful how we do, go about this thing over here. And  
24 it sounds like you've just -- I mean, too many of those  
25 things in there that the people are not going to  
26 understand.  
27  
28 MADAME CHAIR CHYTHLOOK: Thank you  
29 Pete. Pippa.  
30  
31 MS. KENNER: Madame Chair. I think  
32 there may be reports from others in the audience who  
33 would like to comment on this, but I just wanted to  
34 clarify that selling handicrafts incorporating brown  
35 bear claws harvested under Federal regulations is now  
36 legal. The proposal includes a method of tracking those  
37 claws.  
38  
39 MADAME CHAIR CHYTHLOOK: Donald.  
40  
41 MR. MIKE: Yeah. Madame Chair. The  
42 public or this Council will have the opportunity to  
43 revisit regulations every couple of years, so if this  
44 proposal passes and it doesn't work, you know, somebody  
45 can always submit a proposal to revisit the regulations  
46 and change it.  
47  
48 Thank you.  
49  
50 MADAME CHAIR CHYTHLOOK: Okay. Moving

1 on. Okay. It sounds like there might be more reports  
2 regarding this from the public.

3  
4 (No comments)

5  
6 MADAME CHAIR CHYTHLOOK: I don't see  
7 anybody rushing up to the front.

8  
9 Okay. We had the proposal introduced  
10 to us by Pippa. And, George, if you don't have any  
11 more comments, we had that. Other agencies and State  
12 agencies. Other Federal and State agency comments.

13  
14 (No comments)

15  
16 MADAME CHAIR CHYTHLOOK: Okay. Hearing  
17 none, do we have any tribal comments. Tribal  
18 representatives. Tom.

19  
20 (No comments)

21  
22 MADAME CHAIR CHYTHLOOK: Oh, I didn't  
23 have my -- Nanci.

24  
25 MS. MORRIS LYON: Yeah. Madame Chair.  
26 Didn't we have one comment from the Ekwok? Didn't we  
27 just get that from Glenn?

28  
29 MR. CHEN: Madame Chair. Ms. Lyon.  
30 Glenn Chen with the Bureau of Indian Affairs.

31  
32 Yes, I did discuss the Ekwok Village  
33 Council's position on some of these proposals.

34  
35 But I think I would be departing from  
36 the process that's been followed this fall. Federal  
37 agency people have not gotten up during the specific  
38 proposal discussions to talk about tribal positions on  
39 proposals. So what I've done instead is photocopied  
40 the draft notes from last week's teleconference. I  
41 gave a set Mr. Mike here and I think he distributed  
42 them to all of you, so you can have the opportunity to  
43 look at those as you deliberate this proposal.

44  
45 Thank you.

46  
47 MS. MORRIS LYON: Thank you.

48  
49 MADAME CHAIR CHYTHLOOK: Okay. Thank  
50 you. Glenn.

1                   Okay. We'll move on down to  
2 InterAgency Staff Committee comments.  
3  
4                   (No comments)  
5  
6                   MADAME CHAIR CHYTHLOOK: Seeing none.  
7 Subsistence Resource Commission comments. Fish and  
8 Game advisory -- oh, I'm sorry. Donald.  
9  
10                  MR. MIKE: Thank you, Madame Chair.  
11 The SRC, you know, Gates of the Arctic took action on  
12 this proposal, and there's no specific justification  
13 provided. They were in support of WP12-01.  
14  
15                  The Lake Clark National Park Service  
16 Subsistence Resource Commission took no position on the  
17 statewide proposal WP12-01.  
18  
19                  That's all the SRC recommendations.  
20  
21                  MADAME CHAIR CHYTHLOOK: Okay. Thank  
22 you, Donald.  
23  
24                  Fish and Game Advisory Committee.  
25  
26                  (No comments)  
27  
28                  MADAME CHAIR CHYTHLOOK: I don't see  
29 anybody from Fish and Game Advisory Council on the  
30 floor out there.  
31  
32                  Summary of written public comments.  
33 Donald.  
34  
35                  MR. MIKE: Thank you, Madame Chair.  
36  
37                  This morning -- or last night I handed  
38 out additional copies for the Council for your  
39 consideration.  
40  
41                  We received comments from the AHTNA  
42 Customary and Traditional Use Subsistence Committee.  
43 And the AHTNA Subsistence Use Committee on WP12-01  
44 supported the proposal. And they state that the  
45 population of brown bears is not a concern in Unit 12.  
46 It is still good to have ADF&G monitor the sale of  
47 brown bear handicrafts.  
48  
49                  Madame Chair. That concludes the  
50 written public comments.

1 MADAME CHAIR CHYTHLOOK: Okay. Thank  
2 you.  
3  
4 Public testimony. Anybody from the  
5 public regarding the bear claw.  
6  
7 (No comments)  
8  
9 MADAME CHAIR CHYTHLOOK: I don't see  
10 anybody. Then Regional Council deliberation I guess,  
11 recommendation and justification.  
12  
13 Mike.  
14  
15 MR. MIKE: Thank you, Madame Chair.  
16  
17 Before getting any further, I also had  
18 for the Council to look at, other Regional Advisory  
19 Councils met over the month and I've got a summary of  
20 what their actions were.  
21  
22 The Southeast Council opposed the  
23 proposal. Southcentral supported the proposal.  
24 Kodiak/Aleutians supported the proposal. The Y-K Delta  
25 opposed the proposal. And the Western Interior  
26 deferred to the Federal Subsistence Board. Seward  
27 Peninsula Council supported the proposal.  
28  
29 That's all the actions taken by the  
30 Councils this past month.  
31  
32 Madame Chair, thank you.  
33  
34 MADAME CHAIR CHYTHLOOK: Okay. Thank  
35 you.  
36  
37 Nanci.  
38  
39 MS. MORRIS LYON: Donald, could you  
40 give us any further information on why the -- who was  
41 it, the Interior decided to defer? Was there  
42 discussion that you could share with us surrounding  
43 that choice?  
44  
45 MR. MIKE: The Western Interior  
46 Council, they're mainly Interior Athabascan tribes, and  
47 they have some social taboo against discussing brown  
48 bear or black bear in public forum or anything like  
49 that.  
50

1 MADAME CHAIR CHYTHLOOK: Okay. George.  
2  
3 MR. PAPPAS: Yes. Through the Chair.  
4 I was at that meeting. They also have C&T for allowing  
5 the sales of bear claws and handicrafts in just a small  
6 portion of the region, and they didn't think it was  
7 necessary for such a small portion, and exactly what  
8 you said. It's a subject matter they don't actually  
9 like to discuss on record.  
10  
11 Thank you, Mr. Chair -- Madame Chair.  
12  
13 MADAME CHAIR CHYTHLOOK: Okay. Thank  
14 you, George.  
15  
16 Is there anything else.  
17  
18 (No comments)  
19  
20 MADAME CHAIR CHYTHLOOK: If not, I  
21 guess it's the Regional Council deliberation,  
22 recommendation and justification.  
23  
24 Dan.  
25  
26 MR. DUNAWAY: I guess this is the place  
27 where you move to adopt it, and then we can discuss  
28 whether we are going to or not. But I'll move to adopt  
29 the proposal as written.  
30  
31 MADAME CHAIR CHYTHLOOK: Okay. There's  
32 been a motion to adopt by Dan.  
33  
34 MR. ABRAHAM: Second.  
35  
36 MADAME CHAIR CHYTHLOOK: Seconded by  
37 Pete.  
38  
39 Discussion. Dan.  
40  
41 MR. DUNAWAY: Well, since I forgot to  
42 turn my mic off. I think I'll continue to support  
43 this.  
44  
45 I think Molly brought up some really --  
46 and a lot of people brought up some really important  
47 questions, but I'm confident if the State and the Feds  
48 can get this far together on it, that the  
49 administrative concerns can be worked out. And that if  
50 it's a problem, we can -- or this Board and others can



1 take it up and fix it.  
2  
3 So thank you.  
4  
5 MR. WILSON: Which proposal are you  
6 talking about?  
7  
8 MR. DUNAWAY: This is the proposal that  
9 we just read. We went this far into the discussion, I  
10 moved to adopt.  
11  
12 MADAME CHAIR CHYTHLOOK: Okay. Any  
13 more discussions from the Board. Nanci.  
14  
15 MS. MORRIS LYON: Pete, I would like  
16 you to explain to me a few more of your fears  
17 concerning this proposal, and where you think the  
18 trouble could arise. Because I'm still torn on is it  
19 best to try to help out those who have handicrafts  
20 ready to sell that are legal take, or is it better to  
21 wait until we have something that we feel is clearly  
22 understood by all. If you don't mind.  
23  
24 MADAME CHAIR CHYTHLOOK: Before Pete  
25 answers, there's already provision from the Federal  
26 subsistence to sell bear claws, and I don't think the  
27 subsistence users don't have to wait until this  
28 proposal is past to sell bear claws.  
29  
30 Nanci.  
31  
32 MS. MORRIS LYON: If that's so, what's  
33 the advantage of accepting this proposal.  
34  
35 MADAME CHAIR CHYTHLOOK: George.  
36  
37 MR. PAPPAS: Madame Chair. Council  
38 Member Lyon.  
39  
40 If you'll -- well, I won't get too far  
41 into the weeds here, but deferred Proposal No. 10-02,  
42 part of the original reason for this was based on  
43 conservation concerns for potential issues developing  
44 from proliferation of sales of bear claw handicrafts.  
45  
46 Part of this work group had both --  
47 actually all the enforcement agencies in the state get  
48 together and go over their notes to figure out now many  
49 cases they fund. There were hundreds and hundreds of  
50 dead bears found all over the state, claws missing,

1 parts missing. Were those Federal subsistence users?  
2 Were they non-residents? Were they local residents?  
3 In the big picture, that's not the issue.

4  
5 The issue is to track the legal harvest  
6 of legal animals. And as our comments indicate,  
7 management will get better -- the managers will get a  
8 better grasp on what's being harvested where, and  
9 that's part of managing populations to know what's  
10 being taken where.

11  
12 So what's the advantage? Provide  
13 information for the managers. Provide insight and  
14 information for the managers. And protect the Federal  
15 subsistence user by having certification, hey, I have a  
16 legal harvested product that I can legally sell. As a  
17 matter of fact, it's probably the only ones in America  
18 that are legal to sell, and they have proof of it.f

19  
20 Thank you, Madame Chair.

21  
22 MADAME CHAIR CHYTHLOOK: Nanci.

23  
24 MS. MORRIS LYON: Okay. So then, Mr.  
25 Pappas, then basically what this proposal gets us is  
26 the State's blessing to do it more or less, because  
27 right now even though we can do it as Federally-  
28 qualified subsistence users, it's not something that  
29 the State allows or condones?

30  
31 MR. PAPPAS: I think the word that  
32 somebody used is or recognizes right now.

33  
34 MS. MORRIS LYON: Good enough.

35  
36 MADAME CHAIR CHYTHLOOK: Okay. Pete.

37  
38 MR. ABRAHAM: Unless the regulations  
39 are written and explained to the public, and whomever  
40 has the claws and follows the regulation, that's how to  
41 do it. Otherwise, without regulations written and  
42 presented, there will be chaos out there. I mean, how  
43 do you.....

44  
45 Now, I go through these things in  
46 Togiak a lot. They question me. So I have to have  
47 answers before I say anything, I mean right answers.  
48 So that's how I feel, you know. Got to have written  
49 regulations on the table.

50

1 MADAME CHAIR CHYTHLOOK: Thank you,  
2 Pete.  
3  
4 Richard.  
5  
6 MR. WILSON: Madame Chair. No matter  
7 what user you are, one needs to follow the rules. And  
8 if there's rules or regulations out there, then you as  
9 an individual, as a harvester, should be up on those  
10 rules. So there really is no excuse to say, well, I  
11 didn't know, you know. You know, in today's time. I  
12 mean, you know, people -- I run into that all over in  
13 our area still. People still using the resource and  
14 not -- typically a lot of them using it and not  
15 recording it. And this is where a lot of our trouble  
16 comes in with trying to regulate and it sits on this  
17 table here is, you know, how do you regulate things if  
18 you don't know what the volume is out there, or what  
19 the take is. And people need to realize there's an  
20 importance here. You need to record what you're doing.  
21 We're so afraid of it getting it taken away from us in  
22 the past that people aren't willing to record. But I  
23 think today, I think it's more important to record so  
24 that it doesn't get taken away. I think it's just the  
25 reversal now.  
26  
27 MR. ABRAHAM: Okay. Pete.  
28  
29 MR. WILSON: Yeah, Mrs. Chairman.  
30 Well, you know, throughout my life I went through  
31 regulations, everything. Coast Guard regulations,  
32 ADF&G regulations. We have to be reminded of what --  
33 even if it's written, even if it's 20 years old. We go  
34 through this thing over -- I mean the cycles. Well,  
35 when the time comes, somebody has to remind us how to  
36 do it. Even though we remind them, there's always  
37 somebody, you know breaking that law. And then it has  
38 to be corrected. Moose regulations, whatever hunting  
39 regulations. It's always there all the time. And so  
40 that's what I'm after. It's got to be there before  
41 make a move.  
42  
43 Thank you.  
44  
45 MADAME CHAIR CHYTHLOOK: Richard.  
46  
47 MR. DUNAWAY: Madame Chair. Just one  
48 final comment.  
49  
50 You know, regulations are, a lot of

1 them are just going to be there for the guy that wants  
2 to be legal. The people that are out there that want  
3 to do it otherwise, they're going to do what they do  
4 anyways, and we cannot ever regulate that part of life,  
5 but we can regulate if you want to do something  
6 legally, here's the path to do it.

7

8 MADAME CHAIR CHYTHLOOK: Anybody else.

9

10 (No comments)

11

12 MADAME CHAIR CHYTHLOOK: I've got a  
13 comment here. The regulations I know are important,  
14 but to develop regulations from hearsay. George's  
15 report on dead bears wherever. I haven't seen any  
16 written information on that. Is detrimental.

17

18 And my stance is still going to be that  
19 when the working group started, it was -- the  
20 regulations would -- the new regulations would not be  
21 burdensome to the subsistence users. And on Page 22,  
22 effects of the proposal, the last sentence says, if  
23 adopted, the proposal would require additional  
24 paperwork requirements to some subsistence users, which  
25 could be a burden to those users.

26

27 And then on Page -- I read this  
28 earlier, on Page 24 it says, there is no known evidence  
29 to indicate the current Federal subsistence regulations  
30 adversely effects brown bear population.

31

32 Dan.

33

34 MR. DUNAWAY: Yeah. Madame Chair.  
35 That sentence you just read I think is trying to  
36 emphasize that by adopting this regulation, they don't  
37 expect any additional threat to the population. I  
38 think that's -- and I take it as a positive statement.

39

40 MADAME CHAIR CHYTHLOOK: Is that on  
41 Page 24?

42

43 MR. DUNAWAY: Page 24. The no known  
44 evidence to indicate current -- because with the  
45 current Federal regulations allowing people to make and  
46 legally harvested brown bear claw handicrafts. So I  
47 think they're saying they don't expect this regulation  
48 to cause any additional harm is the way I read that.

49

50 That page 22 is that the trade off

1 would be a little more paperwork burden for the relief  
2 to have clear sailing, better ability to legally sell a  
3 legally taken and made item. So I still think overall  
4 this is to the benefit of those legal people out there.  
5 It's a little more paperwork, but then maybe a German  
6 would buy it, because, well, now I can take this home  
7 and I won't get harassed. But, no, I'm not going to  
8 spend 150 bucks for something that they're going to  
9 take away from me when I go through customs. So again  
10 that's -- there is the little trade off for more  
11 paperwork, but for the -- it may make broader  
12 opportunity to sell handicrafts.

13

14 And I don't think it's likely to cause  
15 any impact to the population.

16

17 Thank you.

18

19 MADAME CHAIR CHYTHLOOK: Nanci.

20

21 MS. MORRIS LYON: Thank you, Madame  
22 Chair.

23

24 I think, too, that Richard and Dan  
25 bring up very strong points in favor of this proposal.  
26 I also think that I am going to vote in favor of this  
27 proposal for an additional reason.

28

29 And that is that to be able to get all  
30 agencies on board with it is a huge step in the right  
31 direction. We're trying to get regulations as much in  
32 synch with all agencies as possible. And with the lack  
33 of paperwork, the resources for Federal subsistence  
34 users' sales would truly be expanded exponentially  
35 compared to what they are now. And I am in favor of  
36 affording more opportunity to subsistence users. And I  
37 think that that will be the final tick on the scale  
38 that weigh me in favor of this proposal.

39

40 Thank you.

41

42 MADAME CHAIR CHYTHLOOK: Okay. I think  
43 we've said our pieces.

44

45 Mike. Or Donald.

46

47 MR. MIKE: Thank you, Madame Chair.  
48 Just to clarify on record that Mr. Dunaway, Member  
49 Dunaway, moved to adopt Proposal WP12-01.

50

1 MR. DUNAWAY: Was there a second?  
2  
3 MS. MORRIS LYON: Yeah, we have a  
4 second. Pete seconded it.  
5  
6 MADAME CHAIR CHYTHLOOK: Yeah, Pete  
7 seconded it. We're just in discussion. Long  
8 discussion. So we're.....  
9  
10 MR. DUNAWAY: It's time for the  
11 question.  
12  
13 MADAME CHAIR CHYTHLOOK: Time for a  
14 question. I'm sorry. So time for a question. And I'd  
15 like to have this as a roll call vote.  
16  
17 Has there been a question called.  
18  
19 MR. DUNAWAY: I did.  
20  
21 MADAME CHAIR CHYTHLOOK: Okay. Dan  
22 called for question, and, Mike, roll call.  
23  
24 MR. MIKE: Thank you, Madame Chair.  
25 The Council moved to adopt Proposal WP12-01, in support  
26 of the proposal. Roll call vote. Mr. Pete Abraham.  
27  
28 MR. ABRAHAM: (In Yup'ik)  
29  
30 MR. MIKE: Yes? No?  
31  
32 UNIDENTIFIED VOICE: He said yes.  
33  
34 MR. MIKE: Okay. Ms. Nanci Morris.  
35  
36 MS. MORRIS LYON: Yes.  
37  
38 MR. MIKE: Mr. Alvin Boskofsky.  
39  
40 MR. BOSKOFKY: Yes.  
41  
42 MR. MIKE: Ms. Molly Chythlook.  
43  
44 MADAME CHAIR CHYTHLOOK: No.  
45  
46 MR. MIKE: Mr. Dan Dunaway.  
47  
48 MR. DUNAWAY: Yes.  
49  
50 MR. MIKE: Mr. Richard Wilson.

1 MR. WILSON: Yes.  
2  
3 MR. MIKE: Madame Chair. You have five  
4 in favor and one nay. Motion carries.  
5  
6 MADAME CHAIR CHYTHLOOK: Okay. Thank  
7 you, Donald. Let's move on to.....  
8  
9 MS. MORRIS LYON: Did you want to take  
10 a break?  
11  
12 MADAME CHAIR CHYTHLOOK: Let's take a  
13 five-minute stretcher and get our blood flowing again.  
14  
15 (Off record)  
16  
17 (On record)  
18  
19 MADAME CHAIR CHYTHLOOK: Okay. Pippa,  
20 you're in the hot seat again.  
21  
22 MS. KENNER: Thank you, Mrs. Chair and  
23 members of the Council. For the record again my name  
24 is Pippa Kenner, and I'm with the Office of Subsistence  
25 Management in Anchorage.  
26  
27 The analysis for Proposal WP10-02  
28 begins on Page 28 of your Council book. And there are  
29 copies on the table in the back of the room.  
30  
31 Proposal WP10-02, which is also the  
32 deferred proposal WP08-05, was submitted by the Alaska  
33 Department of Fish and Game.  
34  
35 The proposal asks for the removal of  
36 all unit-specific regulations related to the statewide  
37 sale of brown bear handicrafts made of the skin, hide,  
38 pelt or fur, and that sales of brown bear handicrafts  
39 made of claws, bones, teeth, sinew, or skulls should  
40 occur only between Federally-qualified subsistence  
41 users. So that's rural to rural.  
42  
43 And I believe the appendix to this  
44 analyses lists the unit-specific regulations that the  
45 State requested be removed. I led you astray. I am  
46 wrong. It is on the table. If you wish to see that  
47 it's on the table on Page 23. There's a table that  
48 shows you what all these regulations are that the State  
49 requested be removed from Federal subsistence  
50 regulations in favor of an additional regulation making

1 it only legal to sell brown bear claws by one rural  
2 resident to another.

3

4                   Proposal WP08-05 and subsequently this  
5 proposal, WP10-02, it was just renamed, was deferred by  
6 the Board pending the recommendations of the brown bear  
7 claw handicraft working group. As we just discussed,  
8 the working group compromised on a proposed regulation  
9 found in Proposal WP12-01, again that you just  
10 addressed, that would address concerns originally  
11 raised by the State of Alaska with Federal regulations  
12 that allow the sale of handicrafts that include brown  
13 bear claws from bears that are taken under Federal  
14 subsistence regulations.

15

16                   The recommendation of the working group  
17 is to oppose this proposal and for the Board to  
18 consider Proposal 12-01 in its place.

19

20                   And therefore the OSM preliminary  
21 conclusion is to take no action on Proposal WP10-02.

22

23                   Thank you, Ms. Chair. That's the end  
24 of my presentation.

25

26                   MADAME CHAIR CHYTHLOOK: Okay. Any  
27 comments, questions for Mrs. Kenner.

28

29                   (No comments)

30

31                   MADAME CHAIR CHYTHLOOK: Hearing or  
32 seeing none, George.

33

34                   MR. PAPPAS: Thank you, Madame Chair.  
35 George Pappas, Fish and Game.

36

37                   The Department -- this was the  
38 Department's proposal, and as a few of the Council  
39 members here pointed out, it's a long ways away from  
40 what we resulted in 12-01. The Department recommends  
41 deferring to 12-01 or taking no action on this  
42 proposal.

43

44                   And we're going to see if we can't  
45 actually withdraw this proposal before the Federal  
46 Subsistence Board. Procedurally that might be  
47 difficult with it being a deferred proposal, but the  
48 Department has changed their interest into supporting  
49 12-01 and take no action on this proposal.

50



1 \*\*\*\*\*  
2 STATE OFFICIAL WRITTEN COMMENTS  
3 \*\*\*\*\*  
4  
5 Alaska Department of Fish and Game  
6 Comments to the Regional Advisory Council  
7  
8 Wildlife Proposal WP10-02 (Deferred  
9 WP08-05):  
10  
11 Change the regulations regarding sale  
12 of brown bear handicrafts to allow sales of handicrafts  
13 made from brown bear fur in all units and to restrict  
14 sales of handicrafts made from claws, bones, teeth, or  
15 skulls to transactions between federally-qualified  
16 subsistence users.  
17  
18 Introduction:  
19  
20 Existing federal regulations allow  
21 essentially unconstrained commercial sale of  
22 handicrafts made from bear parts taken in some units as  
23 a customary and traditional activity, despite a lack of  
24 substantial evidence demonstrating that such sales are  
25 a customary and traditional practice. The sale of such  
26 handicrafts is limited only by virtually unenforceable  
27 provision that prohibits sales constituting a  
28 significant commercial enterprise. These regulations  
29 also allow the purchase of brown bear handicrafts by  
30 persons who are not federally-qualified subsistence  
31 users, despite such purchases being prohibited under  
32 state law and, as was pointed out at the Spring 2006  
33 Federal Subsistence Board meeting, that sales can even  
34 occur over the Internet.  
35  
36 Sales of handicrafts made from brown  
37 bear claws, teeth, skulls, and bones present a  
38 particular problem, because these are potentially high  
39 value items, and allowing sales creates market  
40 incentives for illegal harvest in Alaska and other  
41 states.  
42  
43 Black bear handicraft sales, although  
44 not customary and traditional, do not create the high  
45 level of conservation concern raised by sales of brown  
46 bear handicrafts. Similarly, sales of brown bear  
47 handicrafts do not raise the same level of concern if  
48 limited to the skin or fur as defined in state  
49 regulations; and even sales of handicrafts made with  
50 claws and teeth do not currently raise extremely high

1 levels of concern if limited to sales among  
2 federally-qualified users.

3  
4 Changing the regulation to continue  
5 allowing the sale of brown bear fur products to anyone  
6 (state regulations allow sale of untanned brown bear  
7 hides), while limiting sales of handicrafts made with  
8 brown bear claws, teeth, bones, and skulls to sales to  
9 other federally-qualified subsistence users, should  
10 help eliminate commercial markets and the masking of  
11 illegal sales in Alaska and elsewhere.  
12 Unit specific restrictions on sales are almost  
13 impossible to enforce without tracking and  
14 documentation requirements and are not needed for lower  
15 value fur handicrafts. This proposal will eliminate  
16 the unit-specific sale allowances and render the  
17 regulations more user-friendly and more enforceable.

18  
19 Impact on Subsistence Users:

20  
21 The Federal Subsistence Board's current  
22 allowance of brown bear handicraft sales was not based  
23 upon a determination that such sales are customary and  
24 traditional but instead upon the Board's unsupported  
25 argument that the Board can authorize any use if the  
26 take is customary and traditional (see e.g., January 2,  
27 2006, letter from Chairman Demientieff to Commissioner  
28 Campbell). Therefore, adoption of this proposal will  
29 not impact customary and traditional subsistence  
30 activities.

31  
32 This proposal will continue to allow  
33 rural residents to: sell brown bear fur handicrafts to  
34 anyone (as allowed under State law); barter brown bear  
35 handicrafts with anyone under federal regulations; and  
36 sell brown bear handicrafts to other rural residents  
37 under federal regulations. Therefore, this proposed  
38 regulation change will not impair the ability of rural  
39 residents or urban Alaska Natives to obtain such  
40 handicrafts for ceremonial, religious, and cultural  
41 purposes.

42  
43 Further, adoption of this proposal will  
44 significantly reduce the likelihood that  
45 federally-qualified subsistence users will face state  
46 prosecution for engaging in sales that are prohibited  
47 under state law when they occur on state or private  
48 lands.

49  
50 Opportunity Provided by State:

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

8

9

#### Conservation Issues:

10

11

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

25

26

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

36

37

#### Enforcement Issues:

38

39

40 This proposal will reduce enforcement  
41 issues created by the existing federal regulation in  
42 several ways: (1) by limiting the pool of eligible  
43 purchasers for high value bear parts, it will  
44 significantly reduce economic incentives for poaching  
45 in other states and countries as well as in Alaska; (2)  
46 by allowing the sales of brown bear fur handicrafts  
47 from any Game Management Unit, as presently allowed  
48 under state law, this proposal will eliminate  
49 unenforceable Unit-specific sales authorizations in  
50 existing regulation; and (3) the proposed regulation  
51 will reduce the likelihood that federally-qualified

1 subsistence users will face prosecution for attempting  
2 to engage in sales on state or private lands that are  
3 prohibited under state law.

4

5 Jurisdiction Issues:

6

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

20

21 Recommendation:

22

23 TAKE NO ACTION / GRANT PERMISSION TO  
24 WITHDRAW / DEFER TO PROPOSAL 12-01 AS RECOMMENDED BY  
25 WORKING GROUP

26

27 Thank you, Madame Chair.

28

29 MADAME CHAIR CHYTHLOOK: Okay. No  
30 comments from the Board.

31

32 (No comments)

33

34 MADAME CHAIR CHYTHLOOK: If not, other  
35 Federal and State agency comments regarding this  
36 proposal.

37

38 (No comments)

39

40 MADAME CHAIR CHYTHLOOK: Seeing none,  
41 do we have any comments from the tribal people.

42

43 (No comments)

44

45 MADAME CHAIR CHYTHLOOK: Seeing none,  
46 InterAgency Staff Committee comments.

47

48 (No comments)

49

50 MADAME CHAIR CHYTHLOOK: I guess I need

1 to get back to Number 4. Glenn, did we have something  
2 from your teleconference.

3

4 MR. CHEN: Madame Chair. Glenn Chen  
5 from the Bureau of Indian Affairs.

6

7 The comments received from Ekwok  
8 Village Council are summarized in that document that  
9 Mr. Mike distributed a bit ago. And it shows their  
10 position on this particular proposal.

11

12 Thank you.

13

14 MADAME CHAIR CHYTHLOOK: Okay. Thank  
15 you, Glenn.

16

17 I didn't see anybody jump under the  
18 InterAgency Staff.

19

20 (No comments)

21

22 MADAME CHAIR CHYTHLOOK: Subsistence  
23 Resource Commission. Donald.

24

25 MR. MIKE: Madame Chair. There were no  
26 comments received from the Subsistence Resource  
27 Commissions on WP10-02.

28

29 The Council recommendations from the  
30 past meetings this month on WP10-02, Southeast took no  
31 action. Southcentral Regional Council took no action.  
32 The Kodiak/Aleutians opposed the proposal. Yukon-  
33 Kuskokwim Delta took no action. Western Interior took  
34 no action. The Seward Peninsula Council opposed the  
35 proposal.

36

37 Thank you, Madame Chair.

38

39 MADAME CHAIR CHYTHLOOK: Okay. Donald,  
40 could you explain the process for taking no action.

41

42 MR. MIKE: Taking no action, I believe  
43 the Council defer for the Federal Subsistence Board to  
44 make the decision. Correct?

45

46 UNIDENTIFIED VOICE: They can just make  
47 a motion to take no action.

48

49 MR. MIKE: Right.

50

1 MR. DUNAWAY: Just don't act.  
2  
3 MR. MIKE: Yeah, just don't act.  
4  
5 MR. DUNAWAY: Just go on to the next  
6 one.  
7  
8 MADAME CHAIR CHYTHLOOK: I guess what I  
9 was trying to get is, when Regional Council takes no  
10 action, then it's just -- it just stays stale, it  
11 doesn't go anywhere?  
12  
13 MR. MIKE: Madame Chair. It will go to  
14 the Federal Subsistence Board. If the Council wished  
15 to take action, you can take no action with consensus  
16 if that's the route you wish to take.  
17  
18 Madame Chair.  
19  
20 MADAME CHAIR CHYTHLOOK: Okay. Thank  
21 you. Any other comments.  
22  
23 (No comments)  
24  
25 MADAME CHAIR CHYTHLOOK: Okay. Fish  
26 and Game Advisory Committees.  
27  
28 (No comments)  
29  
30 MADAME CHAIR CHYTHLOOK: I haven't seen  
31 any Fish and Game Advisory Committee members here.  
32  
33 So I guess summary of written public  
34 comments. Mike.  
35  
36 MR. MIKE: Madame Chair. We did not  
37 receive any written public comments on this proposal.  
38  
39 Thank you.  
40  
41 MADAME CHAIR CHYTHLOOK: Thank you.  
42 Public testimonies.  
43  
44 MR. MIKE: Did not receive any requests  
45 for public testimony.  
46  
47 MADAME CHAIR CHYTHLOOK: Okay. We're  
48 going along pretty fast.  
49  
50 Okay. The Regional Council

1 deliberation, recommendation, justification.

2

3 Nanci.

4

5 MS. MORRIS LYON: Madame Chair. I  
6 would actually like to make a motion to put this on the  
7 table for the matter of discussion with my other  
8 Council members. And I would be willing to withdraw it  
9 should we choose to take no action, if anybody -- I  
10 would like to make that motion with that knowledge in  
11 mind if I can get a second.

12

13 Thank you.

14

15 MADAME CHAIR CHYTHLOOK: Okay. There's  
16 been a motion by Nanci to take no action on this  
17 proposal.

18

19 MS. MORRIS LYON: No, Madame Chair. I  
20 would like to put it on the table for discussion, and  
21 I'd be willing to remove my motion for acceptance of  
22 this proposal if -- just knowing that I'm willing to  
23 remove it if I do not have support for what my train of  
24 thought is.

25

26 Thank you, Madame Chair.

27

28 MR. ABRAHAM: (In Yup'ik)

29

30 MADAME CHAIR CHYTHLOOK: Seconded by  
31 Pete. Nanci.

32

33 MS. MORRIS LYON: Okay. So this is  
34 kind of what I'm thinking. I would like for us -- or I  
35 think it might be wise for us to consider opposing this  
36 Proposal, because I think that it is clear that as  
37 subsistence users of bears and all of their parts out  
38 here, we would find this very objectionable in any  
39 form. And rather than taking no action, I feel that it  
40 might behoove us to make a statement as to how we feel  
41 about this proposal, rather than setting it aside.

42

43 And those are my comments, Madame  
44 Chair.

45

46 MADAME CHAIR CHYTHLOOK: Okay. Any  
47 other comments. Mike. Donald.

48

49 MR. MIKE: Yeah. Just to clarify for  
50 the record, Madame Chair. Member Lyon moved to adopt

1 WP10-02.  
2  
3 MADAME CHAIR CHYTHLOOK: I am again out  
4 of state, out of mind. What was your -- sorry.  
5  
6 MR. MIKE: Madame Chair. Just I was  
7 just trying to clarify the record for that Proposal  
8 WP10-02, Member Lyon moved to adopt WP10-02, just for  
9 the record.  
10  
11 Thank you.  
12  
13 MADAME CHAIR CHYTHLOOK: Yes. Thank  
14 you. And it was seconded by Pete Abraham.  
15  
16 And now we're in the discussion mode  
17 now. Dan.  
18  
19 MR. DUNAWAY: Okay. Well, thank you,  
20 Madame Chair.  
21  
22 Yeah, I was looking there and  
23 wondering, well, why did they oppose, but that is a lot  
24 more emphatic statement. I'm happy to take no action,  
25 or it would be onerous, maybe clearly closing this  
26 proposal would be an emphatic statement, and I wouldn't  
27 mind that route myself.  
28  
29 Thank you.  
30  
31 MADAME CHAIR CHYTHLOOK: Okay. Any  
32 more comments. Richard.  
33  
34 MR. WILSON: Madame Chair. I'd also be  
35 in favor of opposing for the same reasons that Ms. Lyon  
36 had indicated.  
37  
38 MADAME CHAIR CHYTHLOOK: Okay. There  
39 was a second. Comments.  
40  
41 (No comments)  
42  
43 MADAME CHAIR CHYTHLOOK: If there's  
44 other comments, we can make a motion to vote.  
45  
46 MR. DUNAWAY: Call the question.  
47 Question.  
48  
49 MADAME CHAIR CHYTHLOOK: Oh, questions  
50 been called by Dan. The motion was to oppose this.....



1 MS. MORRIS LYON: Well, the motion was  
2 to adopt it, yeah.  
3  
4 MADAME CHAIR CHYTHLOOK: I mean, I'm  
5 sorry, the motion was to adopt the proposal. So all in  
6 favor say aye.  
7  
8 MR. ABRAHAM: Aye.  
9  
10 MS. MORRIS LYON: No, all opposed.  
11  
12 (Laughter)  
13  
14 MADAME CHAIR CHYTHLOOK: Any  
15 opposition.  
16  
17 IN UNISON: Aye.  
18  
19 MADAME CHAIR CHYTHLOOK: Okay. The  
20 motion is clearly the opposition for this proposal.  
21 Thank you.  
22  
23 Moving on to, it must be Pippa's  
24 section again.  
25  
26 MS. KENNER: Thank you, Mrs. Chair.  
27 The agenda mentions it's being presented by another  
28 Staff member, but it's actually me, because I came to  
29 the meeting. For the record, this is Pippa Kenner with  
30 the Office of Subsistence Management in Anchorage.  
31  
32 Good afternoon, Ms. Chair and Council  
33 members.  
34  
35 The analysis for Proposal WP12-02  
36 begins on Page 44 of your Council book. And there are  
37 copies on the table in the back of the room.  
38  
39 MS. MORRIS LYON: Not 12-02, you mean  
40 10-02; is that what.....  
41  
42 MS. KENNER: We just completed 10-02. I  
43 know this numbering system is onerous.  
44  
45 This proposal, WP12-02, was submitted  
46 by Michael Cronk of Tok, Alaska, and it requests that  
47 only people 60 years of age or older or disabled be  
48 allowed to designate their harvest limit to another  
49 person. This regulation change would apply to the  
50 entire state.

1                   The Federal Subsistence Board  
2 established the statewide designated hunter system in  
3 2003. The statewide designated hunter regulation  
4 includes these points.

5  
6                   First, the designator must be a  
7 Federally-qualified subsistence users. The designator  
8 may designate another Federally-qualified subsistence  
9 user to take a deer, moose, and caribou on his or her  
10 behalf. The designated hunter must obtain a designated  
11 hunter permit and must return a completed harvest  
12 report. The designator hunter may hunt for any number  
13 of recipients, but may have no more than two harvest  
14 limits in his or her possession at any one time.

15  
16                   These provisions apply statewide unless  
17 they have been modified in unit-specific regulations.  
18 And it's important to note that several Regional  
19 Advisory Councils have supported and the Board has  
20 adopted regulations that modify the designated hunter  
21 system in specific management units. And they are  
22 listed on Page 54 of your Council books.

23  
24                   The purpose of designated hunter rules  
25 is to recognize the customary and traditional practices  
26 of sharing and redistribution of harvest in rural  
27 Alaska. For example, the designated hunter system  
28 legalizes a traditional practice that is ongoing in  
29 much of rural Alaska. Within individual harvest  
30 limits, some hunters cannot harvest enough meat to meet  
31 the needs of their own household as well as the needs  
32 of the people with whom they share. The designated  
33 hunter system allows hunters to harvest moose, caribou  
34 and deer expressly for sharing. Households may contain  
35 members who are unable or do not choose to harvest for  
36 themselves, and all hunters do not possess equal  
37 skills, abilities, and aptitudes. Each community has a  
38 minority of good hunters, trappers and fishers.

39  
40                   If this proposal were adopted, the  
41 extent of impacts on subsistence users cannot be  
42 measured exactly, because statistics were only  
43 partially gathered to describe the age of those  
44 designated hunter and not whether the user was  
45 disabled. So we don't collect that information from  
46 people who obtain designated hunter permits, so I can't  
47 tell you exactly how many people would be affected.

48  
49                   But based on the limited information we  
50 have, which is in table 3, for the years 2009 and 2010

1 only, 77 percent, so that's three-quarters, of the  
2 users, that would be one in four -- or three in four of  
3 the users designating a hunter were under 60 years old  
4 and would be prohibited from designating if this  
5 proposal were adopted. So one estimated is about 77  
6 percent or about three in four people would no longer  
7 be able to designate another hunter to take their  
8 harvest limit.

9

10 In conclusion, the proponent raises  
11 issues regarding the designated hunter system for the  
12 entire state. The harvest by designated hunters  
13 generally has been a small portion, less than two  
14 percent of the total harvest by all hunters. That  
15 includes Federally-qualified, non-Federally-qualified  
16 and non-residents of the state combined. So generally  
17 less than two percent except for a few exceptions  
18 mentioned in the analysis.

19

20 Therefore, a statewide provision  
21 restricting the use of the designated hunter system is  
22 not supported. In circumstances where evidence is  
23 available to clearly warrant unit-specific restrictions  
24 could be proposed.

25

26 And therefore the OSM preliminary  
27 conclusion is to oppose Proposal WP12-02.

28

29 Thank you, Ms. Chair. That's the end  
30 of my presentation.

31

32 MADAME CHAIR CHYTHLOOK: Thank you,  
33 Pippa. Any comments, questions from the Board.

34

35 (No comments)

36

37 MADAME CHAIR CHYTHLOOK: If not, the  
38 State is up next.

39

40 Or, Dan, did you have a comment.

41

42 MR. DUNAWAY: I have a question. I  
43 think I figured out most of my answer that I needed  
44 when I was looking this stuff over, but with the  
45 original -- sometimes I start wishing for the original  
46 words from the original proposer. Sometimes, in my  
47 experience with Fish and Game, State stuff, you can  
48 kind of figure out that what they want isn't quite what  
49 they say. In these Federal ones it's always kind of I  
50 guess, I assume paraphrased, and sometimes that's

1 necessary, because they seek that help. In other  
2 cases, I don't know what happens. And just real quick,  
3 do you know what that process is.

4  
5 Thank you.

6  
7 MS. KENNER: Oh, the question is what's  
8 the process of interpreting the proposal?

9  
10 MR. DUNAWAY: Yeah, what's the process  
11 that.....

12  
13 MS. KENNER: Or this proposal.

14  
15 MR. DUNAWAY: Well, this one in  
16 particular, but in general how does it get into frame  
17 -- because it's clearly not -- it's never the exact  
18 wording that might have come to you, unless somebody  
19 walks in the door and gives you one verbally. So I'm  
20 just real curious. But I don't want to sidetrack us  
21 too much here.

22  
23 Thank you.

24  
25 MS. KENNER: Ms. Chair.

26  
27 Yes, generally what we can do, we can  
28 actually call the proposer to clarify, but quite often  
29 they come in with very specific language, language that  
30 sometimes I wish I could make less specific.

31  
32 This proposal in the discussion, very  
33 close to the language that he used. And I think what's  
34 going on here is if you look on Page 50, there's a  
35 table there, table 2, and if you look at harvest by  
36 designated hunter of caribou in Unit 9, you'll notice  
37 that that's one of the highest percentages where -- and  
38 that's where this proposer -- that's what he's  
39 witnessing. And so I am assuming that this is one of  
40 the reasons why we are seeing this proposal.

41  
42 MR. DUNAWAY: Madame Chair.

43  
44 MADAME CHAIR CHYTHLOOK: Dan.

45  
46 MR. DUNAWAY: Yeah, Madame Chair.

47  
48 Yeah, it took me a little while of  
49 digging around, but I finally found that line, and go,  
50 oh, now I understand. Okay.

1 Thank you.

2

3 MADAME CHAIR CHYTHLOOK: Okay. Any  
4 more questions for Dan.

5

6 (No comments)

7

8 MADAME CHAIR CHYTHLOOK: I'll wait  
9 until George comes on with my question.

10

11 MR. PAPPAS: Thank you, Madame Chair.  
12 Our comments will be on Page 57, and I'll try to  
13 summarize here.

14

15 The proponent indicates the Federal  
16 subsistence designated hunter program has diverged from  
17 the original intent of the Federal Subsistence Board by  
18 allowing designated hunters to provide for elders and  
19 others that were unable to hunt for themselves.

20

21 The proponent indicates the designated  
22 hunter program is currently an uncontrolled system.  
23 The proponent indicates some Federal subsistence users  
24 are abusing these regulations and are harvesting as  
25 many animals as numbers of permits they can obtain,  
26 which may lead to detrimental impacts on game  
27 populations and subsistence hunting in general.

28

29 If this proposal is adopted, Federal  
30 subsistence designated hunters could harvest animals  
31 for Federally-qualified users 60 years or older or  
32 disabled. If adopted, some Federally-qualified  
33 subsistence super-harvesters may spend extra --  
34 additional time locating and obtaining game tags for  
35 qualified designated beneficiaries. If adopted  
36 designated hunters who cannot locate Federally-  
37 qualified users 60 or older or disabled, may harvest  
38 fewer animals per year.

39

40 Under State regulations, we have a  
41 proxy system which requires the beneficiary to be a  
42 resident of Alaska who is blind, 70 percent physically  
43 disabled, or 65 years of age or older. And a proxy  
44 hunter may not have more than one -- hunt for more than  
45 one beneficiary at a time. And that person cannot have  
46 more than one proxy on them in the field at a time.

47

48 For conservation issues, it's  
49 undetermined at this time. We don't have a  
50 determination on that.

1                   If adopted, this regulation would bring  
2 State and Federal regulations closer together, but the  
3 Department recommends a modification of this proposal  
4 to parallel the State regulations, to require a  
5 designated hunter to only be able to hunt for a  
6 designee, and that would be that is blind, 65 years or  
7 older, or 70 percent disabled or temporarily disabled.  
8

9                   Additionally, the Department would like  
10 to modify the proposal to reflect the Unit 6 designated  
11 hunter possession limit, which was approved by the  
12 Federal Board, which limits the person to have only one  
13 bag limit at a time. And this has come up in  
14 discussion on other issues, specifically like goat  
15 hunting. If somebody has three or four designated  
16 permits and three or four animals in a herd, you can  
17 take all three or four at the same time. But the  
18 Department recommends only one bag limit at a time.  
19

20                   \*\*\*\*\*  
21                   STATE OFFICIAL WRITTEN COMMENTS  
22                   \*\*\*\*\*

23  
24                   Alaska Department of Fish and Game  
25                   Comments to the Regional Advisory Council  
26

27                   Wildlife Proposal WP12-02:  
28

29                   Change federal subsistence designated  
30 hunter regulations.  
31

32                   Introduction:  
33

34                   This proposal seeks to change the  
35 statewide federal subsistence designated hunter  
36 regulation by specifying the qualifications for the  
37 recipient of harvest. The proposal requests federal  
38 regulations be changed to require that federal  
39 subsistence designated hunters only harvest for  
40 federally qualified recipients 60 years of age or older  
41 or for a person who is disabled.  
42

43                   The proponent indicates the federal  
44 subsistence designated hunter program has diverged from  
45 the original intent of the Federal Subsistence Board by  
46 allowing designated hunting to provide for elders and  
47 others that were unable to hunt for themselves. The  
48 proponent indicates the designated hunter program is  
49 currently an uncontrolled system. The proponent  
50 indicates some federal subsistence users are abusing

1 this regulation and are harvesting as many animals as  
2 numbers of permits they can obtain which may lead to  
3 detrimental impacts to game populations and subsistence  
4 hunting in general.

5

6 Impact on Subsistence Users:

7

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

18

19 Opportunity Provided by State:

20

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

30

31 Conservation Issues:

32

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

36

37 Enforcement Issues:

38

39 If adopted, this proposal would bring  
40 federal and state regulations closer to alignment.

41

42 Recommendation:

43

44 Support with modification.

45

46 Adopt the proposal with modification to  
47 establish designated hunter beneficiary qualifications  
48 equal to those approved by the Federal Subsistence  
49 Board for Unit 6. The State recommends modifying this  
50 proposal to require beneficiaries of the federal

1 subsistence designated hunters be blind, 65 years old  
2 or older, at least 70% disabled, or temporarily  
3 disabled. The State also recommends modifying this  
4 proposal to reflect the Unit 6 designated hunter  
5 possession limit adopted by the Federal Subsistence  
6 Board which to limits designated hunters to possession  
7 of only one bag limit at a time. Adoption of these  
8 recommended proposal modification will bring regulatory  
9 consistency to Units 1 through 6 and make federal and  
10 state regulations more parallel.

11

12 Thank you, Madame Chair.

13

14 That concludes our comments.

15

16 MADAME CHAIR CHYTHLOOK: Okay. Thank  
17 you, George.

18

19 Any questions, comments for George.

20

21 (No comments)

22

23 MADAME CHAIR CHYTHLOOK: Yeah. I guess  
24 my -- I guess just a comment. The proxy system that  
25 the State has works well. There's no -- you just  
26 indicated that the harvest wasn't calculated or  
27 something. I didn't quite understand that. But to  
28 your knowledge, the proxy system works well.

29

30 MR. PAPPAS: Thank you, Madame Chair.  
31 My experience with the proxy system is on the fish side  
32 in the Kenai Peninsula. Yes. And I signed hundreds  
33 and hundreds per year.

34

35 It's a little bit of burden on the  
36 State side for the permitting process. You know, folks  
37 have to come in with a doctor's note to show that  
38 they're 70 percent disabled or bring in their father's  
39 permanent identification card that says they're 65 or  
40 older. They come in, present the information. We sign  
41 the piece of paper, they have their proxy.

42

43 As far as I'm aware, it works. And  
44 also on the wildlife side as I understand it, it does  
45 work, and the animals are tracked.

46

47 And I'm not sure we've had much of a  
48 problem except for people bringing in false documents,  
49 falsified documents. Faked prescriptions saying the  
50 person's 70 percent ADA handicapped, what have you.



1 And that's the only problems I remember running into.  
2  
3 Thank you, Madame Chair.  
4  
5 MADAME CHAIR CHYTHLOOK: Thank you,  
6 George.  
7  
8 Pippa.  
9  
10 MS. KENNER: Thank you, Madame Chair.  
11 This is Pippa Kenner with OSM.  
12  
13 I agree with George's description of  
14 the State proxy system. Additionally, the State  
15 requires all proxied animals to have -- the antlers to  
16 be destroyed.  
17  
18 And did you say that the hunter needs  
19 to be either blind, physically disabled or 65 years or  
20 older, and for blind and physically disabled, you must  
21 go to a doctor and get that in writing to present. But  
22 also more significantly that there's a raft of types of  
23 hunts, like Tier II that proxies aren't allowed.  
24  
25 Thank you, Madame Chair.  
26  
27 MADAME CHAIR CHYTHLOOK: Okay. Any  
28 questions for George.  
29  
30 (No comments)  
31  
32 MADAME CHAIR CHYTHLOOK: Okay. If not,  
33 other Federal and State agency comments.  
34  
35 (No comments)  
36  
37 MADAME CHAIR CHYTHLOOK: Tribal  
38 comments. Anybody from the tribal regarding this.  
39  
40 (No comments)  
41  
42 MADAME CHAIR CHYTHLOOK: InterAgency  
43 Staff Committee comments.  
44  
45 (No comments)  
46  
47 MADAME CHAIR CHYTHLOOK: Subsistence  
48 Resource Commission. Donald.  
49  
50 MR. MIKE: Thank you, Madame Chair.

1                   The Gates of the Arctic Subsistence  
2 Resource Commission support with modification to  
3 include windows. The designated hunter option is  
4 important to traditional subsistence practices, and  
5 ensuring that animals are harvested correctly.  
6

7                   The Lake Clark National Park  
8 Subsistence Resource Commission on WP12-02, support  
9 with modification. The SRC supports Proposal 2 with  
10 modification to more closely mirror State eligibility  
11 requirements for proxy hunting. The SRC recommends  
12 that qualified hunters be allowed to hunt for  
13 individuals who are blind, 70 percent physically  
14 disabled as determined by government agency for  
15 physical disability or an affidavit signed by a  
16 physician, or over 60 years of age. This measure would  
17 reduce the possibility of abuse of the designated  
18 hunter provision by clearly defining who is eligible to  
19 use a designated hunter.  
20

21                   Thank you, Madame Chair.  
22

23                   MADAME CHAIR CHYTHLOOK: Okay. Again I  
24 don't see any advisory council members in here.  
25

26                   (No comments)  
27

28                   MADAME CHAIR CHYTHLOOK: So I'll more  
29 on down to summary of written public comments. Donald.  
30

31                   MR. MIKE: Thank you, Madame Chair.  
32

33                   The AHTNA Subsistence C&T Use Committee  
34 on Proposal WP12-02 opposed this proposal to change  
35 designated hunter regulations so that they can only  
36 hunt for a person who is 60 years or older or disabled.  
37 Many single parents, women without significant others,  
38 do not have anyone in the household to hunt for them.  
39 If the designated hunter regulation was changed, they  
40 would not have anyone to hunt for them. Additionally  
41 an ill, injured person or other family members would  
42 not have someone to hunt for him or her, too.  
43

44                   The Sitka Tribe of Alaska from Sitka on  
45 Proposal WP12-02. The tribe staff feel that the elders  
46 60 years or older or a person whom is disabled is too  
47 restrictive and would prevent those who qualify for  
48 subsistence from meeting their subsistence needs.  
49 There could be numerous other obstacles that prevent  
50 qualified subsistence harvesters who are truly in need

1 of the resources to survive from participating in the  
2 harvest.

3

4 Thank you, Madame Chair.

5

6 MADAME CHAIR CHYTHLOOK: Okay. Public  
7 testimony. Tom.

8

9 MR. TILDEN: I've got a comment about  
10 this particular proposal. I guess I'm having  
11 difficulty with it because of how it narrows down to  
12 someone who is 60 years of age or older. And my  
13 experience in the village was that we had designated  
14 hunters, and we used those designated hunters when --  
15 for instance, if your house got flooded or burned or  
16 something, and you needed to pour time at your house  
17 and couldn't afford to hunt, couldn't take the time to  
18 go hunting. So you had basically these people that  
19 were very good hunters in your community, and they  
20 would go out and hunt for you. And a lot of them  
21 weren't 60, you know. I mean, the folks that used them  
22 were not 60 years or older. And that's what this tends  
23 to do.

24

25 And then when you live in a community,  
26 there's other things that interfere with your ability  
27 to hunt, like maybe the barge doesn't show up with your  
28 winter fuel, and you've got to do it yourself. Or  
29 something else happens. You might be a widow and need  
30 someone to hunt for you.

31

32 So I guess I'm just having real  
33 difficulty with how this narrows down to only if you're  
34 only 60 years old and are disabled. And so I like the  
35 recommendation, don't pass, or oppose.

36

37 MADAME CHAIR CHYTHLOOK: Okay. Any  
38 comments. Nanci.

39

40 MS. MORRIS LYON: Thank you, Madame  
41 Chair.

42

43 Yes, Tom, I totally -- that was my  
44 thought when I read through it as well. What if I  
45 broke my leg the day before hunting season opened.  
46 That means that I go without, because I'm not 60 or  
47 over yet. Soon, but not yet. And so I totally agree  
48 with you. I think the restrictions in this are way too  
49 many to be in favor of it.

50

1 Thank you.  
2  
3 MADAME CHAIR CHYTHLOOK: Okay. Any  
4 other comments.  
5  
6 (No comments)  
7  
8 MADAME CHAIR CHYTHLOOK: Donald.  
9  
10 MR. MIKE: Thank you, Madame Chair.  
11  
12 The other Regional Advisory Council  
13 actions on Proposals WP12-02. Southeast opposed it.  
14 Southcentral opposed. Kodiak/Aleutians opposed. Y-K  
15 Delta opposed. Western Interior opposed. And the  
16 Seward Peninsula Council opposed the proposal.  
17  
18 Thank you.  
19  
20 MADAME CHAIR CHYTHLOOK: Okay. When I  
21 was -- I have the same problem with it that Tom has.  
22 And it's because I think as Native people, sharing has  
23 always been in place. And now it's being written into  
24 this proposal, and it just quite doesn't fit, you know,  
25 how we originally and traditionally take care of our  
26 people and share. So like Tom, I was having a time  
27 trying to get my box squared out. So I'm probably  
28 likely going to oppose this.  
29  
30 Any other comments.  
31  
32 (No comments)  
33  
34 MR. DUNAWAY: I think this is the place  
35 to move to adopt this. And then that means if we don't  
36 like this proposal, we vote against it. If we do like  
37 it, we can support it. But I'll make the motion to  
38 adopt, get it on the table.  
39  
40 MADAME CHAIR CHYTHLOOK: Okay. There's  
41 been a motion to adopt. Was there any questions.  
42  
43 MR. DUNAWAY: Donald Mike reminded me,  
44 Proposal WP12-02 is the one I moved to adopt.  
45  
46 And, Madame Chair, if I may briefly  
47 discuss it. I was beginning to be interested in it  
48 until I saw the numbers in that table. And there's  
49 just not a statewide problem to justify that. It looks  
50 like he may have a concern in one place, but to make a

1 sweeping statewide proposal is too extreme.  
2  
3 And the longer I live here, the more I  
4 appreciate like what Tom Tilden said, it just isn't how  
5 things work out here. And I've seen it work a little  
6 bit.  
7  
8 So I'm going to be opposed to this.  
9 Thank you.  
10  
11 MADAME CHAIR CHYTHLOOK: Richard.  
12  
13 MR. WILSON: I think he made a motion,  
14 so I'll second that motion.  
15  
16 (Laughter)  
17  
18 MR. DUNAWAY: Yes. I'm sorry.  
19  
20 MADAME CHAIR CHYTHLOOK: Okay. There's  
21 been a motion by Dan and then seconded by Richard. And  
22 I guess we started kind of discussing already.  
23  
24 MR. WILSON: Call the question.  
25  
26 MADAME CHAIR CHYTHLOOK: There's been a  
27 question called. All in favor of this proposal.  
28  
29 (No affirmative votes)  
30  
31 MADAME CHAIR CHYTHLOOK: How am I  
32 supposed to word it.  
33  
34 MS. MORRIS LYON: Say opposed.  
35  
36 MADAME CHAIR CHYTHLOOK: All in favor  
37 of opposing, there I go, to this proposal say aye.  
38  
39 IN UNISON: Aye.  
40  
41 MADAME CHAIR CHYTHLOOK: Any  
42 opposition. Oh, I'm sorry. In support. I need a  
43 break. In support.  
44  
45 (No affirmative votes)  
46  
47 MADAME CHAIR CHYTHLOOK: Seeing none,  
48 it's carried to oppose.  
49  
50 Okay. Should we take a little break

1 before we go on. Five minutes, before we go on.  
2 Thanks.

3  
4 (Off record)

5  
6 (On record)

7  
8 MADAME CHAIR CHYTHLOOK: Where's our  
9 Mrs. McGee. One more statewide. One last statewide.

10  
11 Okay. You've got the floor, Pippa.  
12 The last statewide proposal.

13  
14 MS. KENNER: Thank you, Mrs. Chair.  
15 Good afternoon, Ms. Chair and members of the Council.  
16 Again for the record my name is Pippa Kenner with the  
17 Office of Subsistence Management in Anchorage.

18  
19 The analysis for Proposal WP12-03  
20 begins on Page 59 of your Council book, and there are  
21 copies on the table in the back of the room.

22  
23 Proposal WP12-03, submitted by the  
24 Orutsararmiut Native Council would require trappers to  
25 move a trap that incidently harvest a moose, caribou or  
26 deer at least 300 feet for the remainder of the  
27 regulatory year.

28  
29 The proponent is the IRA Council  
30 representing Bethel.

31  
32 The proposed regulation would apply to  
33 the entire state, so it's a statewide proposal.

34  
35 State of Alaska wildlife regulations  
36 include this provision: A trapper is prohibited from  
37 placing a trap or snare within 300 feet of the site at  
38 which a moose, caribou or deer was taken using a  
39 trapper's snare. The prohibition applies for the  
40 duration of the regulatory year in which the moose,  
41 caribou or deer was taken using the trap or snare.

42  
43 Additionally, the animal must be  
44 salvaged and its parts cannot be used for bait.

45  
46 Moving the trap from the site of the  
47 incidental harvest denies trappers the benefit of  
48 continuing to set a trap at a kill site, which may  
49 attract furbearers. Therefore it would reward them for  
50 incidentally harvesting an ungulate at the site.

1                   The proponent wants a similar provision  
2 in Federal wildlife regulations, specifically to better  
3 inform State and Federal enforcement officers that the  
4 prohibition applies during the same regulatory year,  
5 but not the same calendar year, because it has been  
6 reported that an enforcement officer was confused. So  
7 he thought you could not place the trap there again  
8 after December 31st, when the regulation actually  
9 states you can set the trap there again after June  
10 30th. There we go.

11  
12                   Currently Federal regulations require  
13 that wildlife caught in incidental to trapping  
14 furbearers be salvaged. So in Federal regulations you  
15 also must salvage the ungulate. The hide, skin,  
16 viscera, head or bones may be used for bait. So in  
17 Federal regulations, you can use parts of the animals  
18 for bait. State regulations, you can't.

19  
20                   The use of traps to harvest caribou,  
21 moose and deer is prohibited in State and Federal  
22 wildlife regulations primarily because traps set for  
23 moose, caribou and deer do not discriminate between  
24 animals such as cows, bulls, and fawns.

25  
26                   A good estimate of how often moose,  
27 caribou or deer are caught in traps set for furbearers  
28 statewide or by region is not known at this time.  
29 State and Federal Staff generally assume that low  
30 levels of incidental harvest occur and are ongoing.  
31 Snare height above ground, trap location, bait type,  
32 location of trail snares, et cetera are effective  
33 techniques to select for targeted furbearers and  
34 against non-targeted animals. But occasionally non-  
35 targeted animals are caught, but trappers use  
36 techniques to avoid them, and that is one reason there  
37 are low levels of incidental harvest.

38  
39                   If this proposal is adopted, the  
40 Federal subsistence users would be required to move a  
41 trap for the remainder of the regulatory year when it  
42 has taken a moose, caribou or deer incidental to  
43 trapping furbearers. This would be required if the  
44 incidental harvest occurred on Federal public lands  
45 using Federal trapping regulations.

46  
47                   The clear intent of the proponent is to  
48 support State wildlife -- is to import State wildlife  
49 regulations into Federal wildlife regulations, and to  
50 clarify their intent to law enforcement officers so

1 that other trappers who comply with State regulations  
2 are not cited. However, requiring a trapper to move a  
3 trap would be a hardship that would not conserve  
4 caribou, moose or deer.

5  
6 The State's concern is ungulates being  
7 used as bait and it is not in the interest of Federal  
8 subsistence users to oppose [sic] this regulation on  
9 them.

10  
11 The OSM preliminary conclusion is to  
12 oppose this Proposal WP12-02 [SIC].

13  
14 Thank you, Ms. Chair. That's the end  
15 of my presentation.

16  
17 MADAME CHAIR CHYTHLOOK: Okay. Thank  
18 you, Pippa.

19  
20 The State. George knows his line here.

21  
22 MR. PAPPAS: Well, and it looks like  
23 Pippa knows a lot of my lines, too.

24  
25 (Laughter)

26  
27 MR. PAPPAS: So I'll skip down towards  
28 the end here. Page 66, our written comments, I'll be  
29 summarizing.

30  
31 No conservation issues have been  
32 identified if this proposal's adopted. And nothing  
33 will -- we can't find -- the Department concludes we  
34 can't find that conservation issues will be solved by  
35 adoption of this proposal.

36  
37 This proposal's purported to have been  
38 submitted in response to previous confusion by  
39 enforcement personnel. The State understands the local  
40 enforcement personnel have received updated training as  
41 a result of the reported events surrounding this issue.  
42 Failure to adopt this proposal is not expected to  
43 contribute to continued enforcement issues.

44  
45 This proposal is likely unnecessary  
46 given that if the proposal is not adopted, Federally-  
47 qualified subsistence users would continue to be  
48 required to comply with the State regulations requiring  
49 that when a caribou, moose or deer are harvested  
50 incidently with a trap, the trap must be moved 300 feet



1 for the remainder of the regulatory year or risk  
2 receiving a State citation.

3

4 The Department opposes this proposal.

5

6

7

8

9

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STATE OFFICIAL WRITTEN COMMENTS

\*\*\*\*\*

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

Wildlife Proposal WP12-03:

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

Introduction:

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

Impact on Subsistence Users:

Federal subsistence users would be  
required to move a trap when it has taken a moose,  
caribou, or deer incidental to trapping furbearers for  
the remainder of the regulatory year, and surrender  
their meat specifically to the Federal inseason  
wildlife manager.

Opportunity Provided by State:

5 AAC 92.085. Unlawful methods of  
taking big game; exceptions The following methods and  
means of taking big game are prohibited in addition to  
the prohibitions in 5 AAC 92.080: (6) with the use of a  
trap or snare . . . 5 AAC 92.095. Unlawful methods of  
taking furbearers; exceptions a) The following methods  
and means of taking furbearers under a trapping license  
are prohibited, in addition to the prohibitions in 5  
AAC 92.080: (12) by placing or leaving an active trap  
or snare set on land that is within 300 feet of the  
site at which a moose, caribou, or deer was taken using

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

4

5 Conservation Issues:

6

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

9

10 Enforcement Issues:

11

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

19

20 Other Comments:

21

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

30

31 Recommendation: Oppose

32

33 Thank you, Madame Chair.

34

35 MADAME CHAIR CHYTHLOOK: Okay. Any  
36 comments, questions. Richard.

37

38 MR. WILSON: It could be a nightmare.

39

40 MADAME CHAIR CHYTHLOOK: Anybody else.

41

42 (No comments)

43

44 MADAME CHAIR CHYTHLOOK: I guess I was  
45 quandaring with why move it just 300 feet from its  
46 original. If I'm understanding this correcting,  
47 removing, or moving the trap 300 feet from its original  
48 location, what's the purpose?

49

50 MR. PAPPAS: Thank you, Madame Chair.

1 Discussions have included if you -- maybe someone's  
2 setting right on a game trail where caribou migrate  
3 through the same little corridor next to a rock that a  
4 moose might swing around, so you move it 300 feet away  
5 from that particular spot. The likelihood of catching  
6 another animal possibly could be eliminated. That's  
7 one option.

8

9 I don't know how that applies in open  
10 tundra, but maybe a place with more features.

11

12 Thank you, Madame Chair.

13

14 MADAME CHAIR CHYTHLOOK: Richard.

15

16 MR. WILSON: Under this regulation, I  
17 can go 300 feet down a trail and set my trap again.

18

19 MADAME CHAIR CHYTHLOOK: Dan.

20

21 MR. DUNAWAY: Yeah, Molly. I think  
22 like you're saying, if you put traps and you accidentally  
23 catch a moose, say, and it dies, then it's real typical  
24 to put snares right around that moose for wolves or  
25 foxes, and usually real close. 300-foot is quite a  
26 ways away, and so it's to discourage people from  
27 intentionally catching an animal for bait. I think  
28 Pippa had said that earlier.

29

30 But apparently this whole thing goes on  
31 about it was some sort of enforcement confusion. That  
32 rule still would apply whether we adopt this or not  
33 according to the State analysis.

34

35 So I see some heads shaking. Maybe  
36 I've made some mistakes. I'll stop.

37

38 MADAME CHAIR CHYTHLOOK: No. What irks  
39 me is it seems like any time there's a regulation made,  
40 something like this, the trapper is trusted -- or doing  
41 illegal something so that -- for the purpose of  
42 enhancing the trappers trapping, they're asking them to  
43 move the trap 300 feet away from a potential harvesting  
44 location of other animals.

45

46 Any other comments. Richard.

47

48 MR. WILSON: That's an interesting  
49 conclusion, Madame.

50

1                   You know, I don't -- you know, this  
2 would be impossible to enforce. It would just be a big  
3 nightmare I believe to enforce. I know the person that  
4 had this, you know, had good intentions, but, you know,  
5 for a statewide reg, this would -- I don't think this  
6 would go very well.  
7  
8                   MADAME CHAIR CHYTHLOOK: Okay. Any  
9 other comments.  
10  
11                  MR. ABRAHAM: Molly, can I ask a  
12 trapper here, a local trapper.  
13  
14                  MADAME CHAIR CHYTHLOOK: Yeah, but  
15 maybe Andy might be a trapper.  
16  
17                  MR. ABRAHAM: Yeah.  
18  
19                  MADAME CHAIR CHYTHLOOK: I don't see  
20 anybody else that I know that is a trapper.  
21  
22                  MS. MORRIS LYON: Richard.  
23  
24                  MADAME CHAIR CHYTHLOOK: Oh, Richard.  
25 Okay. You can.  
26  
27                  MR. ABRAHAM: Andy, can you tell us  
28 about this -- I mean this stupid thing that we're  
29 trying to resolve here.  
30  
31                  (Laughter)  
32  
33                  MR. ADERMAN: Thank you, Madame Chair.  
34  
35                  Yeah, Pete, if I understood your  
36 question, this is Andy Aderman with the Togiak National  
37 Wildlife Refuge.  
38  
39                  I am a trapper when I'm not a wildlife  
40 biologist, so I'll try to keep aware of what hat I'm  
41 wearing right now.  
42  
43                  But I think the regulation that's  
44 currently in place is fairly clear, that if you catch a  
45 moose or a caribou, you're required to salvage it and  
46 turn it into the State. And you have to move your trap  
47 from that place 300 feet.  
48  
49                  MR. ABRAHAM: Madame Chairman. I have  
50 not heard anybody trapping a moose or caribou in a trap

1 before. That's why I'm wondering. But I see a lot of  
2 trappers out there.  
3  
4 (Cell phone)  
5  
6 (Laughter)  
7  
8 MR. ABRAHAM: I'm very busy right now.  
9  
10 (Laughter)  
11  
12 MR. ABRAHAM: Can I call you back?  
13 I'll call you back when I'm not busy. All right.  
14  
15 See, I run two offices, so I get  
16 interruptions now and then.  
17  
18 You know, I used to trap a lot, but  
19 like I said, you know, I never trapped a moose or  
20 caribou.  
21  
22 When we're going moose hunting, we have  
23 a kill, and we have discarded remains, guts and  
24 everything. That's where we put traps on to get the  
25 furbearers. I mean, what's the difference between this  
26 and that? That's what I'm trying to understand.  
27  
28 MR. ADERMAN: Madame Chair.  
29  
30 Mr. Abraham, yeah, you're exactly  
31 right. And that's the way it should be done. You  
32 know, if you harvest a moose or a caribou, you're  
33 allowed to use certain parts of that for bait.  
34  
35 What the regulation in place right now  
36 says is if you accidentally or maybe intentionally catch  
37 a moose or caribou, you're not to be rewarded by  
38 leaving your trap there or setting more traps there and  
39 trying to catch furbearers, whether it's.....  
40  
41 MR. ABRAHAM: That's why I called it  
42 ridiculous. I mean, there's going to be a lot --  
43 there's a lot of trappers out there trying to make a  
44 little bit of extra money out there. And they're  
45 fishermen. They usually have steady jobs. By  
46 trapping, they subsidize many things from trapping.  
47 For instance, like buying parts for the snowmachines,  
48 outboards and things like that. And this is going to  
49 make it so hard for the trappers out there to do this  
50 over here.

1 I mean, where do these things come from  
2 anyway? I don't think those people realize the willing  
3 trappers, not sitting around in the corner or somewhere  
4 not doing anything. These guys are trying, I mean  
5 really trying to make to make something worthwhile out  
6 there. These guys are interrupting their thing --  
7 these things here. To me it's not right. I mean, if I  
8 was there, I mean, I'd wipe that regulation off and use  
9 it in my steam bath to fire up my steam bath.  
10  
11 Thank you.  
12  
13 MADAME CHAIR CHYTHLOOK: Okay. Any  
14 other comments.  
15  
16 (No comments)  
17  
18 MADAME CHAIR CHYTHLOOK: Okay. Moving  
19 down to other Federal and State agency comments.  
20  
21 (No comments)  
22  
23 MADAME CHAIR CHYTHLOOK: Tribal  
24 comments.  
25  
26 (No comments)  
27  
28 MADAME CHAIR CHYTHLOOK: InterAgency  
29 Staff.  
30  
31 (No comments)  
32  
33 MADAME CHAIR CHYTHLOOK: Subsistence  
34 Resource Commission. Donald.  
35  
36 MR. MIKE: Thank you, Madame Chair.  
37  
38 Lake Clark Subsistence Resource  
39 Commission took no position on WP12-03.  
40  
41 MADAME CHAIR CHYTHLOOK: Okay. Like I  
42 said before, there's no Fish and Game Advisory Council  
43 that I see out there.  
44  
45 (No comments)  
46  
47 MADAME CHAIR CHYTHLOOK: So I'll move  
48 down to summary of written public comments. Donald.  
49  
50 MR. MIKE: Thank you, Madame Chair.

1                   There's one written public comment from  
2 the AHTNA Subsistence Committee on WP12-03, opposing  
3 the proposal. If the proponent wants to have this  
4 regulatory change in their region, the proposal should  
5 only apply for that region. It should not be a  
6 statewide regulatory change. Citations for non-  
7 targeted species caught in a trap are not yet a problem  
8 within our region.

9

10                   Thank you, Madame Chair.

11

12                   MADAME CHAIR CHYTHLOOK: Okay. Thank  
13 you.

14

15                   Public comments. Public testimony I  
16 meant.

17

18                   (No comments)

19

20                   MADAME CHAIR CHYTHLOOK: If none, we're  
21 down to the Regional Council deliberation.

22

23                   MR. WILSON: Call the question.

24

25                   (Laughter)

26

27                   MR. WILSON: I move to adopt.

28

29                   MADAME CHAIR CHYTHLOOK: There's been a  
30 motion to adopt.

31

32                   MS. MORRIS LYON: Second.

33

34                   MADAME CHAIR CHYTHLOOK: And seconded  
35 by Nanci. Discussion.

36

37                   MS. MORRIS LYON: Call the question.

38

39                   MADAME CHAIR CHYTHLOOK: There's been a  
40 question called. All in favor to oppose this  
41 regulation say aye.

42

43                   IN UNISON: Aye.

44

45                   MADAME CHAIR CHYTHLOOK: Any support.

46

47                   (No affirmative votes)

48

49                   MADAME CHAIR CHYTHLOOK: Seeing none,  
50 we've got the statewide proposals wrapped up.

1 MR. MIKE: Yeah. Just for to clarify  
2 the record, Mr. Wilson moved to adopt Proposal WP12-03.  
3

4 MADAME CHAIR CHYTHLOOK: Thanks for the  
5 correction. Okay. We're to B, Bristol Bay regional  
6 proposals. And it looks like.....  
7

8 MR. McKEE: That's me.  
9

10 MADAME CHAIR CHYTHLOOK: Mr. McGee  
11 [sic]. Could you introduce yourself.  
12

13 MR. McKEE: Yes. Hello. Good  
14 afternoon. I'm Chris McKee. I'm with the Office of  
15 Subsistence Management in Anchorage.  
16

17 Madame Chair, members of the Regional  
18 Advisory Council. The draft analysis for WP12-39  
19 begins on Page 67 of your Council booklet.  
20

21 WP12-39 was submitted by the Togiak  
22 National Wildlife Refuge and requests combining the  
23 current Units 17B and 17C regulations, which would  
24 provide an additional 31 days of harvest opportunity  
25 for moose during December in portions of western Unit  
26 17C and eastern 17B, and require the use of a State  
27 registration permit during the December 1st through  
28 December 31st season. The proponent states that these  
29 changes would simplify moose hunting regulations on  
30 Federal public lands in Units 17B and C.  
31

32 Federal subsistence regulations  
33 currently require a State registration permit during  
34 the winter hunt only in the remainder portions of Unit  
35 17B and C. This proposal would require a State  
36 registration permit for all of Unit 17B and C which  
37 would align with existing State regulations.  
38

39 Moose populations have increased  
40 substantially over the last three decades in Unit 17  
41 due to moderate snow falls and decreased harvest of cow  
42 moose as a result of a positive response by local users  
43 to educational efforts.  
44

45 The harvest of moose in Unit 17 is  
46 nearly tripled since 1983/1984.  
47

48 The State's general moose hunts in 17B  
49 and C is of shorter duration with a more restrictive  
50 harvest limit than the State registration hunt. More



1 non-local Alaska residents and non-residents have  
2 participated in the general hunt than local Unit 17  
3 residents. Longer seasons and more liberal harvest  
4 limits have encouraged many local residents to  
5 participate in participate in State registration hunts.  
6

7 If adopted, the proposal would simplify  
8 hunting regulations on Federal public lands in Units  
9 17B and C, and provide increased harvest opportunities  
10 for Federally-qualified users by providing an  
11 additional 31 days of hunting opportunity. Increased  
12 harvest will reduce numbers in some areas of Unit 17  
13 that have experienced little to no harvest in the past  
14 20 years and may therefore help to improve habitat  
15 conditions in those areas.  
16

17 Longer seasons and more liberal harvest  
18 limits will help to encourage local residents to  
19 participate in registration hunts. And the use of a  
20 state registration permit will allow the ADF&G area  
21 biologist to keep selected areas closed and use  
22 emergency order authority to close selected areas if  
23 the harvest objective is met before the end of the open  
24 season.  
25

26 The OSM preliminary conclusion is to  
27 support this proposal.  
28

29 I welcome your comments and edits.  
30

31 Thank you.  
32

33 MADAME CHAIR CHYTHLOOK: Thank you,  
34 Chris. And I think before we go on, I forgot to put  
35 the biological reports section that was supposed to be  
36 before the Bristol Bay regional proposals, so who's got  
37 that. Biological reports for moose. A lot of question  
38 mark faces out there.  
39

40 (Laughter)  
41

42 MR. DUNAWAY: Madame Chair. I think  
43 maybe some of the folks weren't here when we kind of  
44 modified our agenda, and weren't aware that we had --  
45 we were going to insert -- and I didn't make a note of  
46 exactly what we were going to put ahead of the moose.  
47 But I believe, yeah, it was information about the  
48 moose.  
49

50 MS. MORRIS LYON: That's correct.

1 MR. DUNAWAY: Thank you.  
2  
3 MS. MORRIS LYON: Did anybody come  
4 prepared with moose  
5  
6 MADAME CHAIR CHYTHLOOK: It looks like  
7 just from looking at the audience here that nobody's  
8 prepared to give a vital report regarding this moose.  
9 So I guess if not, then we can continue with this  
10 proposal.  
11  
12 Any questions for Chris from the Board.  
13 Richard.  
14  
15 MR. WILSON: Madame Chair. I think  
16 what we're looking for in the agenda change was, you  
17 know, that working group that we had with Unit 9,  
18 information on -- some biological information or  
19 something from the Fed side or State side. We're  
20 looking to see what we have today so that when we talk  
21 about this proposal, we can make a good decision.  
22  
23 Thank you.  
24  
25 MADAME CHAIR CHYTHLOOK: My  
26 understanding was that that working group was for Unit  
27 9.  
28  
29 MR. WILSON: Yes. Yes.  
30  
31 MADAME CHAIR CHYTHLOOK: Unit 9, which  
32 we'll probably hit later on, but not the 17B or 17  
33 Unit.  
34  
35 MS. MORRIS LYON: But Richard wanted to  
36 hear that information we do go into that.  
37  
38 MADAME CHAIR CHYTHLOOK: And I don't  
39 know if we have anybody -- do we have anybody from that  
40 group.  
41  
42 (No comments)  
43  
44 MADAME CHAIR CHYTHLOOK: Okay. Nanci.  
45  
46 MS. MORRIS LYON: Thank you, Madame  
47 Chair.  
48  
49 Because this specific proposal is  
50 dealing with animals in Unit 17, I would propose that we

1 would move to make sure that we hear that report prior  
2 to reviewing the reports on the Unit 9 proposals, if  
3 that would be okay with the Council.

4  
5 MADAME CHAIR CHYTHLOOK: That's great  
6 with me. And I see people, the Council members  
7 nodding.

8  
9 Okay. We'll continue with 17 moose.

10  
11 MR. BOSKOFISKY: Madame Chair.

12  
13 MADAME CHAIR CHYTHLOOK: Alvin.

14  
15 MR. BOSKOFISKY: Just like you  
16 suggested, I think it would be nice to see -- we're  
17 working on a proposal to extend seasons, but we don't  
18 have -- we haven't heard from anybody on what the  
19 numbers are of moose in 17B and 17C. It would be nice  
20 to have some report on that before we get into deciding  
21 if we want to extend this season or not.

22  
23 MADAME CHAIR CHYTHLOOK: Thank you.

24  
25 MADAME CHAIR CHYTHLOOK: Okay. Chris,  
26 do you have something on that.

27  
28 MR. MCKEE: Yes, Madame Chair. I  
29 apologize. In my interest in brevity, I probably  
30 eliminated more information than I should have.

31  
32 In the -- on Page 71 of the report,  
33 under the biological background, there is some  
34 information on moose populations in 17B and C. Let me  
35 see if I can summarize this quickly.

36  
37 The most recent surveys of the western  
38 portion of 17B was in 2010, and yielded an estimate of  
39 1,137 moose, while a survey of the eastern portion of  
40 17B in 2009 yielded an estimate of 1,466 moose. For  
41 17C there was a survey conducted in 2008 which yielded  
42 an estimate of 3,235 moose.

43  
44 Bull/cow ratios in all of Unit 17 have  
45 been historically high, but no composition data were  
46 collected during the last reporting period, that is  
47 2005 to 2007. Aerial surveys to estimate moose in the  
48 Lake Clark National Park and Preserve boundary in 17B  
49 in 1994/99 yielded an estimated bull/ cow ratio of 37  
50 bulls to 100 cows, and 34 bulls to 100 cows

1 respectively in each of those years.

2

3 A calf/cow ratio of 16 calves per 100  
4 cows was estimated from surveys in 1999. More recent  
5 surveys in 2010 and 2009 yielded a minimum calf  
6 percentage of 8 percent for both the western and  
7 eastern portions of 17B, while a 2008 survey of 17C  
8 yielded a minimum calf percentage of 12 percent.

9

10 Those are the numbers that I have in  
11 the biological background section. There's more  
12 information there if you'd like to read it. If there's  
13 any other information that you would like, I can try to  
14 answer it for you here, but hopefully that helps. I'm  
15 sorry that I didn't include that information in the  
16 report.

17

18 MADAME CHAIR CHYTHLOOK: Okay. I guess  
19 we'll -- if there's no more questions.

20

21 (No comments)

22

23 MADAME CHAIR CHYTHLOOK: We'll move on  
24 to the Fish and Game. ADF&G. George.

25

26 \*\* MR. PAPPAS: Thank you, Madame Chair.

27

28 You'll notice in the book we don't have  
29 prepared comments on this particular proposal. The  
30 State has migrated to an electronic internet-based  
31 commenting system, and we've had a lot of glitches.

32

33 But, fortunately, I think Mr. McKee  
34 here went through my bag earlier and took all my  
35 talking points. I have nothing to add, except we do  
36 support this proposal.

37

38 And the basis for support is aligning  
39 the State and Federal regulations. And I believe the  
40 Board of Game adopted the changes to this area at the  
41 2009 -- for the 2009 registration hunt, and the Federal  
42 Subsistence Board had not followed suit, and that's  
43 what this proposal, as I understand, is to help align  
44 and provide the same amount of opportunity for Federal  
45 subsistence users as is currently provided in State  
46 regulations.

47

48

49

50

\*\*\*\*\*  
STATE OFFICIAL WRITTEN COMMENTS  
\*\*\*\*\*

1 Alaska Department of Fish and Game  
2 Comments to the Regional Advisory Council  
3  
4  
5 Wildlife Proposal WP12-39:  
6  
7 Combines Game Management Units 17B and  
8 17C regulations  
9  
10 Introduction:  
11  
12 Proposal WP12-39, submitted by the  
13 Togiak National Wildlife Refuge, seeks to combine Game  
14 Management Units 17B and 17C regulations. Adopting  
15 this proposal would provide an additional 31 days of  
16 harvest opportunity for moose in portions of western  
17 Unit 17C and eastern 17B, and require the use of a  
18 State registration permit during the December 1  
19 December 31 season.  
20  
21 Impact on Subsistence Users:  
22  
23 Subsistence users in the areas affected  
24 would gain 31 days of harvest opportunity and more  
25 simplified regulations.  
26  
27 Opportunity Provided by State:  
28  
29 Unit 17B Nonresident Closed Area Moose  
30  
31 Unit 17B Remainder Moose  
32  
33 Unit 17C Moose  
34  
35 Conservation Issues:  
36  
37 As moose populations have increased in  
38 the described area so has harvest. Areas currently  
39 experiencing lower moose harvest are expected to  
40 increase harvest levels.  
41  
42 Enforcement Issues:  
43  
44 Complications to enforcing several  
45 differing regulations in a small land area would be  
46 alleviated by this proposal.  
47  
48 Other Comments:  
49  
50 Area staff view this proposal simply as

1 a housekeeping issue.  
2  
3 Recommendation: Approve  
4  
5 Thank you, Madame Chair.  
6  
7 MADAME CHAIR CHYTHLOOK: Okay. Thank  
8 you, George.  
9  
10 Any questions for George.  
11  
12 (No comments)  
13  
14 MADAME CHAIR CHYTHLOOK: If not, we'll  
15 move on down to other Federal and State agencies.  
16  
17 (No comments)  
18  
19 MADAME CHAIR CHYTHLOOK: Tribal  
20 comments.  
21  
22 (No comments)  
23  
24 MADAME CHAIR CHYTHLOOK: InterAgency  
25 Staff.  
26  
27 (No comments)  
28  
29 MADAME CHAIR CHYTHLOOK: Subsistence  
30 Resource. Donald.  
31  
32 MR. MIKE: Thank you, Madame Chair.  
33  
34 The Lake Clark Subsistence Resource  
35 Commission on Proposal WP12-39, they are in support of  
36 the proposal. Combining the current regulations for  
37 hunting moose in Unit 19B and C and requiring a State  
38 registration permit for the December 1 to 31 season.  
39 The proposal would benefit residents of Nondalton who  
40 had positive C&T for moose in 17B by creating an  
41 additional winter hunting opportunity that does not  
42 currently exist.  
43  
44 The SRC further recommends that the  
45 State registration permits required to participate in  
46 the 17B moose hunts be made available in Nondalton for  
47 the convenience of local residents.  
48  
49 Thank you, Madame Chair.  
50

1 MADAME CHAIR CHYTHLOOK: Okay. Thank  
2 you. Fish and Game Advisory.  
3  
4 (No comments)  
5  
6 MADAME CHAIR CHYTHLOOK: It would have  
7 been good to maybe hear from Togiak advisory, but we  
8 don't have them here today.  
9  
10 Moving on down to summary of written  
11 comments.  
12  
13 MR. MIKE: Madame Chair. There are no  
14 written summary comments on this proposal.  
15  
16 MADAME CHAIR CHYTHLOOK: Okay. Public  
17 comments. Anybody from the public.  
18  
19 (No comments)  
20  
21 MADAME CHAIR CHYTHLOOK: If not, we're  
22 down to the Regional Council deliberation. Nanci.  
23  
24 MS. MORRIS LYON: I just want to  
25 doublecheck that we haven't heard from Mr. Bobby  
26 Andrews on this proposal yet, because I would be  
27 interested to hear his comments from the tribe as well.  
28 Did you have a chance to check again, Mr. Chen.  
29  
30 MR. CHEN: Madame Chair. Ms. Lyon.  
31 Glenn Chen with the Bureau of Indian Affairs.  
32  
33 Mr. Andrew had not had an opportunity  
34 to review those proposals when we had our consultation  
35 session, so he wanted a chance to take a look at them  
36 and provide comments by fax to OSM. And it appears  
37 that he hasn't been able to do so in advance of the  
38 Council meeting.  
39  
40 MS. MORRIS LYON: I just wanted to  
41 doublecheck.  
42  
43 MR. CHEN: Thank you.  
44  
45 MADAME CHAIR CHYTHLOOK: Okay. Thank  
46 you, Glenn.  
47  
48 Okay. I guess we're down to the  
49 Regional Council deliberation. Did you -- Dan.  
50

1 MR. DUNAWAY: Well, let's get it on the  
2 table. I'll move to adopt WP12-39.  
3  
4 MADAME CHAIR CHYTHLOOK: There's been a  
5 motion to adopt.  
6  
7 MS. MORRIS LYON: Second.  
8  
9 MADAME CHAIR CHYTHLOOK: Nanci seconds.  
10 If there's no discussion.  
11  
12 (No comments)  
13  
14 MADAME CHAIR CHYTHLOOK: I guess we can  
15 have a question.  
16  
17 MR. BOSKOFKY: Call for the question.  
18  
19 MR. DUNAWAY: Yeah. Well, it's really  
20 helpful that we got the comments here from Mr. Pappas  
21 and Mr. McKee. Knowing that this basically aligns  
22 Federal regulations and opportunity with exiting State  
23 regulations and opportunity, I'm going to be supporting  
24 this, because it's kind of a management success story.  
25  
26 Thank you.  
27  
28 MADAME CHAIR CHYTHLOOK: Yeah. I'm  
29 going to put the success story to the Togiak Advisory  
30 Council and the residents of Togiak, because they made  
31 an effort with the help of their councils, with the  
32 help of the elders to have this moose population up to  
33 par as it is today. Without their I guess work, this  
34 probably wouldn't happen. Now there's enough moose in  
35 that area that both Togiak and Goodnews/Platinum can  
36 harvest. And it is expanding to other regions. So we  
37 need to applaud Togiak for their help.  
38  
39 Is there a question called. Dan.  
40  
41 MR. DUNAWAY: I just was going to call  
42 the question if there's no more discussion.  
43  
44 MADAME CHAIR CHYTHLOOK: If there's no  
45 more discussion.  
46  
47 (No comments)  
48  
49 MR. BOSKOFKY: Question.  
50



1 MADAME CHAIR CHYTHLOOK: There's been a  
2 question called. All in support of this WP12-39 is it?  
3  
4 MR. DUNAWAY: 39.  
5  
6 MADAME CHAIR CHYTHLOOK: Say aye.  
7  
8 IN UNISON: Aye.  
9  
10 MADAME CHAIR CHYTHLOOK: Any  
11 opposition.  
12  
13 (No opposing votes)  
14  
15 MADAME CHAIR CHYTHLOOK: Thank you.  
16 Moving down to the next proposal. Pippa.  
17  
18 MS. KENNER: Thank you, Ms. Chair.  
19 This is Pippa Kenner with OSM.  
20  
21 Lem Butler is the regional management  
22 biologist for the Alaska Department of Fish and Game  
23 for Unit 9. He's in King Salmon. And with us today we  
24 have his assistant, Megan Riley. She did participate  
25 in those working group meetings, and is available to  
26 bring us up to date and answer questions. And I  
27 suggest that she come up when -- just before those  
28 proposals start. Does that meet your.....  
29  
30 MADAME CHAIR CHYTHLOOK: That was the  
31 plan. That was the plan.  
32  
33 So I guess, Chris, you're going to deal  
34 with 40?  
35  
36 MR. McKEE: Yes. Madame Chair.  
37 Members of the Regional Advisory Council. The draft  
38 analysis for WP12-40 begins on Page 75 of the meeting  
39 materials booklet.  
40  
41 WP12-40 was submitted by the Togiak  
42 National Wildlife Refuge and requests a revision of the  
43 hunt area descriptor for the Unit 17A winter moose hunt  
44 to include all of 17A.  
45  
46 Closures to moose hunting in portions  
47 of Unit 17A were initiated to encourage expansion of  
48 moose populations into southern Unit 18 and were  
49 supported by both subsistence users and management  
50 agencies. State and Federal managers did not allow

1 moose hunting west of the Kemuk and Togiak Rivers from  
2 2002 to 2006, which allowed moose numbers to increase  
3 and expand into the neighboring Goodnews River drainage  
4 of southern Unit 18.

5  
6 Under State regulations, all of Unit  
7 17A has been open to winter moose hunting since the  
8 2006/2007 season. But Federal regulations have been  
9 more restrictive, allowing for a winter harvest in  
10 smaller portions of 17A.

11  
12 Moose numbers have increased  
13 substantially in Unit 17A since the 1990s. The latest  
14 population counts show a moose population of 1,166  
15 animals in 2011 for 17A, which meets the ADF&G target  
16 population for the area. Calf production is high,  
17 averaging approximately 130 per 100 cows between 1998  
18 and 2010. Moose numbers in the neighboring Goodnews  
19 River drainage have increased from 2 in 2002 to 196 in  
20 2011.

21  
22 Opening up all of Unit 17A to winter  
23 moose hunting should reduce hunter confusion between  
24 Federal and State regulations since all of Unit 17A has  
25 been open during the last five winter hunts under State  
26 regulations. Past closures in parts 17A were initiated  
27 to encourage expansion of the population into areas of  
28 southern Unit 18. And these efforts have been  
29 successful and a healthy and viable moose population  
30 with a harvestable surplus now exists in 17A.

31  
32 The OSM preliminary is to support this  
33 proposal.

34  
35 I welcome your comments and edits.

36  
37 Thank you.

38  
39 MADAME CHAIR CHYTHLOOK: Okay. Any  
40 comments, questions for Chris. Nanci.

41  
42 MS. MORRIS LYON: My only comment is I  
43 think this is a great idea, because one of the primary  
44 problems we seem to have in these units is delineating  
45 exactly where hunters are, so I'm definitely going to  
46 be in strong support of this unless there's a good,  
47 viable biological reason not to be.

48  
49 MADAME CHAIR CHYTHLOOK: Okay. If no  
50 any more comments from the Council, we'll move down to

1 ADF&G. George.  
2  
3 MR. PAPPAS: Thank you, Madame Chair.  
4 Page 80 has our brief comments. I'll be summarizing  
5 from there.  
6  
7 The Department does not identify any  
8 conservation issues. This population of moose as  
9 increased to target management levels through high calf  
10 production. And that number 136 calves per cows is a  
11 pretty high number you're not going to see too many  
12 parts of the state at this time.  
13  
14 Enforcement issues. This proposal  
15 would align both State and Federal regulations,  
16 therefore reducing confusion for both enforcement  
17 officers and users.  
18  
19 And the Department does support this  
20 proposal.  
21  
22 \*\*No official written comments  
23 inserted/provided by State at this  
24 time\*\*  
25  
26 Thank you, Madame Chair.  
27  
28 MADAME CHAIR CHYTHLOOK: Okay. Thank  
29 you, George.  
30  
31 Any comments, questions.  
32  
33 (No comments)  
34  
35 MADAME CHAIR CHYTHLOOK: The only  
36 comment I have is I want to a proposal to put a fence  
37 by Sunshine Valley so that the moose don't move over  
38 there any more.  
39  
40 (Laughter)  
41  
42 MADAME CHAIR CHYTHLOOK: That's just --  
43 any other comments.  
44  
45 (No comments)  
46  
47 MADAME CHAIR CHYTHLOOK: If not, let's  
48 move down to other Federal agency.  
49  
50 (No comments)

1 MADAME CHAIR CHYTHLOOK: Tribal  
2 comments.  
3  
4 (No comments)  
5  
6 MADAME CHAIR CHYTHLOOK: InterAgency.  
7  
8 (No comments)  
9  
10 MADAME CHAIR CHYTHLOOK: Subsistence  
11 Resource. Donald.  
12  
13 MR. MIKE: No comments from the SRC.  
14  
15 MADAME CHAIR CHYTHLOOK: Boy, we're  
16 doing good. No Fish and Game Advisory.  
17  
18 (No comments)  
19  
20 MADAME CHAIR CHYTHLOOK: Okay. Summary  
21 of written comments  
22  
23 MR. MIKE: No public written comments.  
24 Madame Chair.  
25  
26 MADAME CHAIR CHYTHLOOK: Public  
27 testimony from anybody out there.  
28  
29 (No comments)  
30  
31 MADAME CHAIR CHYTHLOOK: I keep looking  
32 at Tom. Joe.  
33  
34 (No comments)  
35  
36 MADAME CHAIR CHYTHLOOK: Okay. Down to  
37 the Regional Council deliberation. Nanci.  
38  
39 MS. MORRIS LYON: Madame Chair. I will  
40 move to adopt Proposal WP12-40.  
41  
42 MADAME CHAIR CHYTHLOOK: There's been a  
43 motion.  
44  
45 MR. WILSON: Second.  
46  
47 MADAME CHAIR CHYTHLOOK: And seconded  
48 by Richard.  
49  
50 Any discussion. Dan.

1 MR. DUNAWAY: I think this, too, like  
2 we were speaking on the earlier one, shows management  
3 success in a coordinated effort with the communities in  
4 the area, and the various agencies. It's a lot more  
5 fun to do this when the agencies all agree, and I think  
6 this is a great opportunity for the communities out  
7 there, so I'm going to be in favor.

8  
9 Thank you.

10  
11 MADAME CHAIR CHYTHLOOK: Okay. Any  
12 more comments. Pete.

13  
14 MR. ABRAHAM: (In Yup'ik)

15  
16 MADAME CHAIR CHYTHLOOK: Okay. Pete  
17 said -- Pete likes this proposal.

18  
19 Is the question called.

20  
21 MS. MORRIS LYON: Question.

22  
23 MADAME CHAIR CHYTHLOOK: The question  
24 has been called. All in favor of supporting this  
25 proposal, WP12-40, say aye.

26  
27 IN UNISON: Aye.

28  
29 MADAME CHAIR CHYTHLOOK: Any  
30 opposition.

31  
32 (No opposing votes)

33  
34 MADAME CHAIR CHYTHLOOK: Hearing none,  
35 it's passed.

36  
37 Okay. At this time we'll move to the  
38 biological report. Introduce yourself, please.

39  
40 MS. RILEY: Hi, everyone. My name is  
41 Megan Riley. I'm with the Alaska Department of Fish  
42 and Game, based out of King Salmon.

43  
44 And I don't know if I have a report,  
45 per se, but I can give you all a synopsis of why the  
46 moose working group met and the whole history behind  
47 it.

48  
49 So there were a number of proposals  
50 before the Federal Subsistence Board to limit hunting

1 in various subunits in Unit 9. And the Subsistence  
2 Board asked that those proposals be deferred in favor  
3 of a working group of the various interested  
4 stakeholders getting together and trying to work out  
5 some of the issues with moose hunting in Unit 9 among  
6 themselves, to come up with solutions.

7  
8 And so in April of 2010 we had  
9 representatives from various agencies and local  
10 hunters, non-local hunters and the guiding industry get  
11 together in King Salmon. We talked at length for a  
12 couple of days about issues with moose hunting in Unit  
13 9 and came up with a number of consensus items, things  
14 that we thought we could do to improve moose hunting  
15 for everyone.

16  
17 And one of those included initiating a  
18 registration permit hunt for moose in Unit 9 rather  
19 than the harvest ticket system that was in place  
20 before. And the idea was that having a registration  
21 permit system, biologists and managers would have more  
22 data to go on to track the moose population, have more  
23 data on how many people were out in the field hunting,  
24 how many people were unsuccessful at getting a moose,  
25 and how many days it took people to harvest a moose.

26  
27 We were also hoping that this would  
28 allow more exchange of information between the  
29 communities and the biologists. For instance, in Unit  
30 9B, the permits were only going to be available in  
31 villages. And so that was one consensus item. We also  
32 talked about doing more educational outreach with  
33 villages to try to talk about moose biology, and some  
34 of the reasons it's important not to harvest cows.

35  
36 And we also talked about doing some  
37 trapping clinics to try to increase participation by  
38 trappers targeting wolves, in case that would be  
39 beneficial to moose populations.

40  
41 So those are the consensus items the  
42 working came up with.

43  
44 At the last Board of Game cycle in  
45 March 2011 we presented this working group proposal to  
46 make all moose hunting in Unit 9 by registration  
47 permit, and that proposal was passed. And so this past  
48 September we had our first registration permit hunt for  
49 moose in Unit 9, and it seems to have gone well. I  
50 have already lots of data about who got moose where and

1 who's hunting in the different areas.

2

3 I was able to travel out to Levelock,  
4 Nondalton and Kakhonak to issue permits myself and get  
5 to talk face-to-face with hunters. I was able to talk  
6 with most of the village councils in 9B. They all  
7 volunteered to help issue permits for us, and they were  
8 able to talk to hunters who maybe came in from outside  
9 of their community about what areas were open to  
10 hunting around those villages. And all seemed to go  
11 well.

12

13 As far as educational outreach, we  
14 distributed newsletters about moose to villages in Unit  
15 9 where there's moose hunting, and we included  
16 information about the importance of not harvesting  
17 cows.

18

19 And we also put on trapping clinics  
20 last winter, wolf trapping clinics in Nondalton, Naknek  
21 and Port Heiden. And those were pretty well attended,  
22 and I think people got a lot out of them.

23

24 As far as new data on moose, I think  
25 our last moose surveys in 2010 we looked at moose down  
26 in Unit 9E from about Ugashik south to Black Lake. And  
27 the main thing that we saw was that there's really high  
28 bull to cow ratios, which indicates there's a good  
29 harvestable surplus of bulls in that part of Unit 9.

30

31 So I think that's in a nutshell I think  
32 the important information for you all, but I could  
33 answer any other questions if you have any.

34

35 MADAME CHAIR CHYTHLOOK: Any question,  
36 comment for Megan. Alvin.

37

38 MR. BOSKOFISKY: Do you have a number of  
39 how many permits were given out in 9E or.....

40

41 MS. RILEY: 9E specifically.

42

43 MR. BOSKOFISKY: .....to locals or  
44 guides. The difference.

45

46 MS. RILEY: I don't know specifically.  
47 I don't have those numbers in front of me, but if you  
48 want, I could get those numbers to you. It would be  
49 easy to look up. I'm guessing that there were more  
50 permits that went out to guides than locals; although I

1 have heard that at least in parts of 9E it was a  
2 successful moose hunt. I think over by Ugashik and  
3 Pilot Point, the locals did fairly well and got a lot  
4 of moose.

5  
6 MADAME CHAIR CHYTHLOOK: Okay.  
7 Richard.

8  
9 MR. WILSON: Madame Chair.

10  
11 Megan, thank you for your information  
12 you've given us here.

13  
14 I was -- I'm about to make a proposal,  
15 an amendment to a proposal here we're going to have  
16 here shortly, and I was looking for some biological  
17 reasons perhaps not to make this proposal, which would  
18 extend Unit 9B five days to align with everything else  
19 that's going on. And I was hoping that you had some  
20 new information that could help me to make my decision,  
21 but it doesn't sound like you guys have gotten out to  
22 9C or 9B yet for a population count.

23  
24 MS. RILEY: Well, no, we haven't done  
25 population counts, and the last surveys that we did  
26 last year were mostly down in 9E, although we did look  
27 at 9C as well. So the reason that we didn't sort of  
28 extend the fall season for moose in 9B was just because  
29 (A) we didn't have the data, and (B) we've been hearing  
30 from people that there aren't many moose around up  
31 there, and we didn't want to open up the season too  
32 wide if there is a decline up there. And, I don't  
33 know, maybe Buck Mangipane from the Park Service, he  
34 might be able to tell you more about moose survey data  
35 up in 9B. I know he goes out and flies areas up there  
36 with the Park Service.

37  
38 MR. WILSON: Thank you.

39  
40 MADAME CHAIR CHYTHLOOK: Okay. Any  
41 other questions. Nanci.

42  
43 MS. MORRIS LYON: Yeah, anybody from  
44 Fish and Wildlife or Park Service, do you have that  
45 information for us, or could you give us an idea.

46  
47 MR. MANGIPANE: Sure. I have some  
48 information I can provide. Actually you have a  
49 printout here kind of showing some of the work we've  
50 done at Lake Clark. Obviously



1                   REPORTER: Please don't talk until you  
2 get the microphone.

3  
4                   MR. MANGIPANE: Okay.

5  
6                   (Laughter)

7  
8                   MR. MANGIPANE: All right. Hi. I'm  
9 Buck Mangipane, wildlife biologist at Lake Clark  
10 National Park and Preserve.

11  
12                   And I have some documents here to pass  
13 to pass out to you. It kind of describes the survey  
14 work that we've done in the past. Actually it begins  
15 in 2003 utilizing the same technique for regions of 9B,  
16 and kind of summarizes the population data for that  
17 region.

18  
19                   Throughout 9B in the park and  
20 preserve, populations from earlier surveys to the last  
21 few years have declined by about 20 to 30 percent,  
22 depending on the region. The lake is kind of the  
23 dividing line that we see there.

24  
25                   As Megan mentioned, bull/cow ratios are  
26 strong, 40 to nearly 60 bulls per 100 cows, so we tend  
27 to see good bull numbers. And the composition of those  
28 bulls are generally skewed to older age classes. We  
29 see fewer younger age class bulls in that population.

30  
31                   Our calf/cow ratios are generally  
32 somewhere in the high teens, maybe low 20s, but we did  
33 see a decrease in that in a partial survey we conducted  
34 in the southern area of 9B last year.

35  
36                   So overall the population is declining,  
37 and it seems like it's pretty uniform throughout,  
38 because those ratios are staying fairly stable, so it  
39 seems that all age classes are being affected, and sex  
40 classes.

41  
42                   MADAME CHAIR CHYTHLOOK: Okay. Thank  
43 you, Buck.

44  
45                   Any other comments.

46  
47                   (No comments)

48  
49                   MADAME CHAIR CHYTHLOOK: The only  
50 comment I have, I attended one of the working groups,

1 and one of the suggestions that we had, or that came  
2 up, was to develop a management plan similar to what  
3 Togiak had. I don't know if that ever came about, but  
4 it looks like things are moving already towards -- with  
5 the harvest.

6  
7 MS. RILEY: Yeah. I think the main  
8 consensus points that the working group moved forward  
9 on were just that, making the registration permit hunt,  
10 the education and outreach, and trapping education. So  
11 I think those were the only actions that the working  
12 group ended up taking at this point.

13  
14 MADAME CHAIR CHYTHLOOK: Yeah. Okay.  
15 Well, thank you.

16  
17 Now we'll get into the -- let's take a  
18 little break, just a few, maybe two, three minutes,  
19 just long enough for you to stand up and stretch.

20  
21 (Off record)

22  
23 (On record)

24  
25 MADAME CHAIR CHYTHLOOK: Okay. Chris,  
26 you have the floor.

27  
28 MR. McKEE: Madame Chair. Members of  
29 the Regional Advisory Council. The draft analysis for  
30 WP10-45, 46, 47, 48, 49, 50 and 52 begins on Page 81 of  
31 the meeting materials booklet.

32  
33 These proposals were submitted by the  
34 Bristol Bay Subsistence Regional Advisory Council.  
35 WP10-45 requested a change to the moose season dates in  
36 a portion of Unit 9, while Proposals 46, 49 and 50  
37 requested that portions of Unit 9 be closed for the  
38 taking of moose by non-Federally-qualified subsistence  
39 users. And Proposals 47, 48 and 52 requested that non-  
40 Federally-qualified users hunting moose in portions of  
41 Unit 9 be restricted from harvesting moose within a  
42 two-mile wide buffer on either side of waterways within  
43 Federal public lands.

44  
45 All of these proposals were deferred by  
46 the Federal Subsistence Board during its May 2010  
47 meeting pending the outcome of the Unit 9 Moose Working  
48 Group process. The working group subsequently met and  
49 developed recommendations requesting that a State  
50 registration permit be required for moose hunting in

1 Unit 9, and the seasons in Units 9C and 9E be extended  
2 five days.

3

4 The proposed regulations are based on  
5 the outcome of the Unit 9 Moose Working Group, the  
6 outcome of the Alaska Board of Game meeting addressing  
7 a similar proposal and the recommendation of the  
8 Bristol Bay Regional Advisory Council.

9

10 Council members and area residents have  
11 repeatedly expressed concerns about the moose  
12 population in Units 9B and 9C, and the adverse effects  
13 of competition with non-residents and non-Federally-  
14 qualified residents. Based on recommendation from the  
15 State of Alaska, the Federal Subsistence Board decided  
16 to form a working group to look for alternative  
17 management strategies to address the issues raised by  
18 the Council.

19

20 The current moose populations in Unit 9  
21 are considered stable, all be it at low densities. In  
22 the past decade local residents have regularly  
23 expressed difficulty in harvesting sufficient moose, a  
24 situation they attribute to a decreasing moose  
25 population.

26

27 According to the area biologist, the  
28 erratic calf/cow ratios within Unit 9 may lead to the  
29 perception that the population is declining.

30

31 The total reported moose harvest has  
32 ranged from 108 to 180 animals per year. Non-residents  
33 typically had a higher success rate than residents, as  
34 most flew out to hunt and many employed guides.

35

36 If adopted, this proposal would  
37 increase information available to wildlife managers  
38 about moose hunting in Unit 9 through hunt report  
39 cards. The issuance of registration permits would  
40 increase exchange of information between biologists and  
41 moose hunters during the permit distribution process.  
42 A registration permit system would allow the wildlife  
43 managers to collect more reliable harvest data, educate  
44 hunters on the importance of reporting, and inform the  
45 public about the importance of harvesting only bulls in  
46 areas that have low moose densities.

47

48 Registration hunts could also be  
49 managed by specific areas and harvest quotas could be  
50 set in heavily hunted areas, allowing wildlife managers

1 to redistribute hunting pressure to eliminate user  
2 conflicts.

3

4 Five days would be added to the moose  
5 hunting seasons in Units 9C and 9E, resulting in  
6 additional opportunities, and this would also align  
7 Federal and State regulations, and may allow a few  
8 additional moose to be harvested; however, the impact  
9 to the moose population should be minimal.

10

11 The OSM preliminary conclusion is to  
12 oppose Proposals 46, 47, 48, 49, 50 and 52, and support  
13 Proposal WP10-45 with modification to require a State  
14 registration permit to harvest moose in Unit 9, and to  
15 add an additional five days to the fall seasons in  
16 Units 9C and 9E. This is consistent with the  
17 recommendation of the Unit 9 Moose Working Group, the  
18 Bristol Bay Regional Advisory Council, and would align  
19 with recent changes made by the Alaska Board of Game to  
20 the State Unit 9 moose hunting regulations.

21

22 Registration permits will allow better  
23 data collection, allow managers to shift hunter  
24 pressure to alleviate user conflicts.

25

26 The fall Federal moose hunting seasons  
27 in Unit 9B, 9E and that portion of 9C draining into the  
28 Naknek River from the south already start on August  
29 20th, 12 days prior to the State moose hunting in those  
30 areas, allowing Federally-qualified subsistence users  
31 the opportunity to hunt moose without competition from  
32 individuals hunting under State regulations. And  
33 extending the fall moose season in Units 9C and 9E  
34 would provide additional opportunity for subsistence  
35 users to harvest moose in an area where the moose  
36 population can withstand additional harvest pressure.

37

38 I welcome your comments and edits.

39

40 Thank you.

41

42 MADAME CHAIR CHYTHLOOK: Okay. Any  
43 comments, questions for Chris. Richard.

44

45 MR. WILSON: Madame Chair.

46

47 Yeah, you know, as part of that working  
48 group, and you guys can help me if I'm wrong here, but  
49 in talking about Unit 9, you've excluded the extension  
50 of the five days, like it wasn't part of the

1 conversation in our working group. And i don't  
2 remember that the case. Is that something that the  
3 Department has taken on itself, or is that something  
4 that the working group actually recommended not -- that  
5 9B not be included in a five-day extension.

6

7 MR. MCKEE: Madame Chair.

8

9 Unfortunately I -- from my perspective,  
10 I did not write this analysis. I don't know. Maybe  
11 the State can answer that question, thank goodness.

12

13 Thank you.

14

15 MS. RILEY: Hi. This is Megan Riley.  
16 Fish and Game.

17

18 We actually didn't talk about season  
19 extensions at the working group. That was a proposal  
20 that Lem Butler submitted separate from the moose  
21 working group proposal. So, I mean, obviously everyone  
22 at the working group was talking about making it easier  
23 to get a moose in the freezer; but I don't think we  
24 actually talked about a season extension at that  
25 meeting.

26

27 MADAME CHAIR CHYTHLOOK: Richard.

28

29 MR. WILSON: Madame Chair.

30

31 Yeah. I, you know, was at that fall  
32 meeting there, and when the proposal came out, I was  
33 under the impression, as most of us, when we walked  
34 away from there last all, that it was all of Unit 9B  
35 that was going to get the five-day extension, along  
36 with the registration permit hunt.

37

38 And the registration hunt I think is  
39 actually going pretty well. I mean, we're -- from some  
40 of the comments you made earlier, and some of the  
41 things I'm seeing out there, I think it's going to be a  
42 very positive thing in our future here, keeping track  
43 of our populations.

44

45 That's the comment I had right now.

46

47 MADAME CHAIR CHYTHLOOK: Thank you,  
48 Richard.

49

50 Any other comment.

1 (No comments)  
2  
3 MADAME CHAIR CHYTHLOOK: I just had a  
4 question. Is there a record of -- it sounds like there  
5 might be a problem of people returning their  
6 registration permits so that there's a push to have an  
7 education or informational thin regarding this.  
8  
9 MS. RILEY: This is Megan Riley, ADF&G.  
10  
11 I think when the working group met, we  
12 talked about having sort of educational outreach,  
13 getting information out about not harvesting cows.  
14  
15 And then with the registration permits,  
16 the idea was that we would get a little bit more  
17 interaction with local hunters. And I think that's  
18 come to pass. We get a lot more people through the  
19 office, and I was able to go out to villages.  
20  
21 As far as the issue with people maybe  
22 not returning their reports, the difference between the  
23 old system with the harvest tickets, with the harvest  
24 tickets, people are supposed to return that report, but  
25 if they don't, there's no consequences, and we don't  
26 track them down. With these registration permits, if  
27 they don't return their report, then they wouldn't be  
28 eligible for a permit the next year.  
29  
30 So what we're doing in the King Salmon  
31 office is we have a computer data base that shows us  
32 who hasn't reported yet, and we can look up their  
33 telephone number and all them and get the report from  
34 them if they forget to turn it in. So we're making an  
35 effort to make sure that nobody goes away without  
36 reporting who registered that moose permit.  
37  
38 MADAME CHAIR CHYTHLOOK: Okay. Thank  
39 you, Megan.  
40  
41 Like I said, I attended one or two of  
42 the working groups, and because there was so much  
43 discussion about how the moose harvest could be  
44 improved, I think that was the reason why there was a  
45 suggestion to develop a management plan so that all  
46 these recommendations, regulations would be understood  
47 through that management plan, and not be lost through  
48 all these segmented directions.  
49  
50 Any other comments.

1 (No comments)  
2  
3 MADAME CHAIR CHYTHLOOK: Okay. Thank  
4 you.  
5  
6 I think the next one is George.  
7  
8 MR. PAPPAS: Thank you, Madame Chair.  
9 George Pappas.  
10  
11 These comments that I have are not  
12 included in your documentation there. And  
13 unfortunately this one will be longer than the others,  
14 so I'll have to read through them for you.  
15  
16 Adoption of the Unit 9 Moose Work Group  
17 based Proposal Number 14 by the Alaska Board of Game  
18 and implementation of consensus point items that did  
19 not require regulatory changes should improve hunting  
20 opportunity for Federal Subsistence users in 9B, C and  
21 E. The solutions developed by the working group  
22 include, but are not limited to, increased cooperation  
23 between the State and Federal governments, improved  
24 data collection, development of a State registration  
25 permit for moose hunting, increased communication and  
26 information sharing between local residents, hunt  
27 managers, and non-Federally-qualified hunters, and  
28 development of predator control plans for Unit 9. A  
29 summary of all consensus point items developed by the  
30 working group can be obtained from participating Staff  
31 agencies, which is Fish and Game, Fish and Wildlife,  
32 BLM or National Park Service.  
33  
34 While many of the consensus point items  
35 do not require regulatory change, for example, greater  
36 cooperation between agencies and increased survey  
37 efforts, converting the Unit 9 moose hunts to a  
38 registration permit system did. Adoption of the  
39 registration permit hunt structure by the Board of Game  
40 created a tool for managers to address many of the  
41 concerns expressed by members of the work group, and to  
42 implement solutions that were developed.  
43  
44 The registration permit hunt structure  
45 offers many advantages over the formal harvest ticket  
46 system. Registration hunts offer the ability to  
47 increase communication between hunters. Permits are  
48 available at the village council offices, and hunt  
49 managers, with distribution of information to hunters  
50 applying for the permits, when compared to the harvest

1 ticket system that allows hunters for moose in Unit 9,  
2 after acquiring the harvest ticket from any licensed  
3 vendor in the State, which is relatively anonymous.

4  
5 Registration permits also offer  
6 increased ability to identify moose hunters in Unit 9,  
7 which in turn creates the opportunity for hunt managers  
8 to obtain more accurate harvest information as Megan  
9 just stated.

10  
11 These hunts can also be tailored to  
12 address local needs and issues that develop.

13  
14 In short, the flexibility of the  
15 registration permit hunt structure offers many  
16 opportunities to reduce user tension in Unit 9 and  
17 greatly improve harvest data gathering to better manage  
18 the resources.

19  
20 For conservation issues, there are no  
21 conservation issues for moose in Unit 9B, C, or E.  
22 Moose populations continue to persist at low densities  
23 throughout much of the unit and are not limited by the  
24 reported human harvest, although hunting activities  
25 conducted outside of the authorized seasons and cow  
26 harvests are suspected to be a problem in some areas.  
27 In spite of this, the bull/cow rations remain above  
28 management objectives, and hunter success rates are  
29 higher than most other areas of the state.

30  
31 Adoption of the recently approved Board  
32 of Game approved State moose hunting regulations in 9B,  
33 C, and E will eliminate user conflict as both Federal  
34 subsistence and State hunting regulations will be  
35 parallel.

36  
37 The Department recommends support the  
38 Unit 9 Moose Work Group decision that influenced the  
39 Board of Game to convert moose hunting in Unit 9 to a  
40 registration permit hunt system by not adopting  
41 proposals that were deferred that would restrict access  
42 to non-Federally-qualified users and by authorizing  
43 Federal moose hunts in Unit 9 to be conducted by  
44 Federally-qualified hunters who have acquired a Sate  
45 registration permit.

46  
47 \*\*\*\*\*  
48 STATE OFFICIAL WRITTEN COMMENTS  
49 \*\*\*\*\*  
50



1 Alaska Department of Fish and Game  
2 Comments to the Regional Advisory Council  
3

4 Wildlife Proposal WP12-45:  
5

6 This proposal requests eliminating the  
7 antlered bull moose harvest requirement Lower Yukon  
8 Area portion of Unit 18 The proposal also requests  
9 reducing the Lower Yukon Area portion of Unit 18  
10 federal subsistence moose hunting season by delaying  
11 the season opening date.  
12

13 Wildlife Proposal WP12-49:  
14

15 The proposal requests liberalizing the  
16 Lower Yukon Area portion of Unit 18 federal subsistence  
17 moose hunting season. The proposal also requests  
18 changing the federal subsistence antlered bull moose  
19 harvest requirement dates.  
20

21 Introduction:  
22

23 The proponent of WP12-45 requests  
24 authorizing the harvest cow moose without calves in the  
25 fall season for that portion of Unit 18 north and west  
26 of the Kashunuk River including the north bank from the  
27 mouth of the river upstream to the old village of  
28 Chakaktolik, west of a line from Chakaktolik to  
29 Mountain Village and excluding all Yukon River  
30 drainages upriver from Mountain Village (Lower Yukon  
31 Area). The proponent also requests reducing the  
32 federal subsistence moose hunting season in the  
33 identified area from August 10 through September 30 to  
34 September 1 through September 30.  
35

36 The proponent of WP12-49 requests  
37 liberalizing the federal subsistence moose hunting  
38 season for that portion of Unit 18 north and west of  
39 the Kashunuk River including the north bank from the  
40 mouth of the river upstream to the old village of  
41 Chakaktolik, west of a line from Chakaktolik to  
42 Mountain Village and excluding all Yukon River  
43 drainages upriver from Mountain Village (Lower Yukon  
44 Area). The proposal requests the current fall and  
45 winter federal subsistence moose hunting seasons be  
46 replaced with a single continuous season from August 1  
47 through February 29. The proposal also requests  
48 changing the antlered bull moose harvest requirement  
49 dates from August 10 through September 30 and from  
50 December 20 through February 28 to the single time

1 period of September 1 through September 30.

2

3 The proponent of WP12-49 indicates  
4 adoption of this proposal will result in lowering the  
5 moose densities in the Lower Yukon Area of Unit 18 by  
6 establishing one continuous season partially directed  
7 at cow moose.

8

9 Impact on Subsistence Users:

10

11 If WP12-45 is adopted, federal  
12 subsistence users participating in the Lower Yukon Area  
13 portion of Unit 18 federal subsistence fall moose hunt  
14 will have greater opportunities to harvest a moose,  
15 with or without antlers during the open season.  
16 Additionally, if this proposal is adopted, federal  
17 subsistence moose hunters would have a 21 day (41%)  
18 reduction of the season length.

19

20 If WP12-49 is adopted, federal  
21 subsistence users participating in the Lower Yukon Area  
22 portion of Unit 18 federal subsistence fall moose hunt  
23 will have greater opportunities to harvest antlerless  
24 moose. The current fall season (antlered bulls only)  
25 is 51 days long and the winter season (any moose) is 70  
26 days long (total 121 days). The proposed season length  
27 is 202 days (60% increase) of which antlered moose  
28 could be only harvested between September 1 and 30. If  
29 adopted, federal subsistence users would be restricted  
30 from harvesting antlered bulls between August 10 and  
31 31. If adopted, federal subsistence user opportunity  
32 to harvest cow and antlerless moose would significantly  
33 increase.

34

35 Opportunity Provided by State:

36

37 In the Lower Yukon Area portion of Unit  
38 18, the state moose hunting season is from August 10  
39 through September 30 for residents of Alaska with a bag  
40 limit of one antlered bull. The nonresident state  
41 moose hunting season is September 1 through September  
42 30 with a bag limit of one antlered bull. The state  
43 winter hunting season for the Lower Yukon Area portion  
44 of Unit 18 is from December 20 through February 28 with  
45 a bag limit of one antlered bull. Meat-on-the-bone  
46 salvage is required thus meat taken prior to October 1  
47 must remain on the bones of the front and hindquarters  
48 until removed from the field or processed for human  
49 consumption. Residents may not harvest more than one  
50 moose per year between the fall and winter seasons.

1 Conservation Issues:

2

3 The Lower Yukon River moose population  
4 is growing rapidly and currently is not a conservation  
5 concern. If the moose population continues at a high  
6 rate of growth, over-browsing may result in future  
7 management and conservation considerations. Moose are  
8 abundant in areas of Unit 18 currently open for  
9 hunting, thanks to the success of the moratoria.  
10 Information presented to the Federal Subsistence Board  
11 in 2007 indicated that the moose population in areas  
12 targeted in this proposal is highly productive and is  
13 continuing to grow.

14

15 Enforcement Issues:

16

17 Differences in federal and state  
18 regulations resulting from adoption of this proposal  
19 create enforcement problems in areas with mixed land  
20 ownership. The boundaries between federal and state  
21 lands are not marked and often difficult to locate on  
22 the ground.

23

24 Other Comments:

25

26 The department will submit similar if  
27 not more liberal proposals to the Alaska Board of Game  
28 requesting liberalization of harvest regulations for  
29 portions of Unit 18.

30

31 Recommendation:

32

33 Support as modified. The department  
34 recommends modification of the proposal to align with  
35 the following proposals the department will submit to  
36 the Alaska Board of Game.

37

38 \*\*\*\*\*

39 STATE OFFICIAL WRITTEN COMMENTS

40 \*\*\*\*\*

41

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

44

45 Wildlife Proposal WP12-47:

46

47 This proposal requests eliminating air  
48 transport as a method of access used by non-federally  
49 qualified moose hunters in Western Unit 18 Controlled  
50 Use Area.

1 Introduction:

2

3 The proponent requests the federal  
4 subsistence board eliminate aircraft use for  
5 transporting hunters or moose parts in a portion of  
6 Unit 18. The proposal seeks to provide additional  
7 opportunity for federally-qualified subsistence users  
8 in Unit 18 by eliminating competition from other  
9 hunters through eliminating the most effective form of  
10 transportation.

11

12 Impact on Subsistence Users:

13

14 The proposed access method closure  
15 would eliminate the opportunity for  
16 non-federally-qualified subsistence users to hunt moose  
17 on federal public lands in Unit 18 that are presently  
18 open to hunting and currently accessed by aircraft.  
19 This closure would apply to friends and relatives of  
20 federally-qualified subsistence users eligible to  
21 participate in this hunt under state regulations and  
22 would concentrate hunting by non-local residents onto  
23 limited state and private lands. If adopted,  
24 non-federally qualified moose hunter would be  
25 restricted to ORV and boat access which may concentrate  
26 hunters near the waterways where locals traditionally  
27 hunt. If adopted, federal subsistence moose hunters in  
28 Unit 18 may opportunistically harvest additional moose.  
29 Users will be burdened with differentiating unclear  
30 boundaries in the field.

31

32 Opportunity Provided by State:

33

34 In the affected portion of Unit 18, the  
35 state moose hunting is allowed for residents of Alaska  
36 by registration permit RM 615 and is open September 1-  
37 September 10 with a bag limit of one antlered bull.  
38 Meat-on-the-bone salvage is required, therefore, meat  
39 taken prior to October 1 must remain on the bones of  
40 the front and hindquarters until removed from the field  
41 or processed for human consumption.

42

43 Conservation Issues:

44

45 None to justify proposal. The Lower  
46 Yukon River moose population is growing rapidly and  
47 currently is not a conservation concern. If the moose  
48 population continues at a high rate of growth,  
49 over-browsing may result in future management and  
50 conservation considerations. There are no conservation

1 issues that justify restricting non-federally qualified  
2 moose hunter access to federal public lands in the  
3 affected area in Unit 18. Moose are abundant in areas  
4 of Unit 18 currently open for hunting, thanks to the  
5 success of the moratoria. Information presented to the  
6 Federal Subsistence Board in 2007 indicated that the  
7 moose population in areas targeted in this proposal is  
8 highly productive and is continuing to grow. The moose  
9 population is so abundant in this portion of Unit 18 in  
10 2010 the Federal Subsistence Board granted the most  
11 liberal bag limit known of two moose per federally  
12 qualified hunter per year.

13

14 Enforcement Issues:

15

16 Differences in federal and state  
17 regulations resulting from adoption of this proposal  
18 create enforcement problems in areas with mixed land  
19 ownership. The boundaries between federal and state  
20 lands are not clearly marked and often difficult to  
21 locate on the ground.

22

23 Other Comments:

24

25 The Federal Subsistence Board does not  
26 have the authority to manage or control methods of  
27 access for hunts on federal public lands in Alaska.

28

29 Recommendation:

30

31 Oppose.

32

33 Under its closure policy adopted in  
34 2007, the Federal Subsistence Board will not restrict  
35 the taking of fish and wildlife by users on federal  
36 public lands (other than national parks and park  
37 monuments) unless necessary for conservation of healthy  
38 populations of fish and wildlife resources or to  
39 continue subsistence uses of those populations, or for  
40 public safety or administrative reasons, or pursuant to  
41 other applicable law. None of these conditions apply  
42 to moose hunting on federal public lands open to moose  
43 hunting in Unit 18, and a closure to access by aircraft  
44 would be an unnecessary restriction on non-federally  
45 qualified subsistence users in violation of section 815  
46 of ANILCA.

47

48

49 Thank you, Madame Chair.

50

1 MADAME CHAIR CHYTHLOOK: Okay. Any  
2 comments. I'm relying on Richard, because that's his  
3 area.  
4  
5 MR. WILSON: Madame Chair, it doesn't  
6 sound like there's any biological reason for me not to  
7 ask that Proposal, what was it, 45, 10-45, that we also  
8 include 9B with the five-day extension to align with  
9 the rest of Unit 9.  
10  
11 Thank you.  
12  
13 MADAME CHAIR CHYTHLOOK: Dan -- or  
14 Richard, continue.  
15  
16 MR. WILSON: Sorry, Madame Chair. I  
17 just want to affirm, was that kind of basically what  
18 you said, that there was no -- you know, the numbers to  
19 this day, the information that you have, would lead me  
20 to believe that there is no problem yet in Unit 9.  
21  
22 MR. PAPPAS: Yeah. My notes are there  
23 are no conservation issues for moose in Unit 9B, C or  
24 E. And low densities.  
25  
26 MR. DUNAWAY: Thank you.  
27  
28 MADAME CHAIR CHYTHLOOK: Dan.  
29  
30 MR. DUNAWAY: Yeah. Thank you, Madame  
31 Chair.  
32  
33 George, we heard earlier from Buck that  
34 moose were declining. Is that in a small part in 9B,  
35 or does the State agree that moose are declining? I  
36 think in the past -- well, actually I know in the past,  
37 that was kind of -- there wasn't always agreement  
38 between the State and the Federal folks on that issue.  
39  
40 MR. PAPPAS: Well, I think we have both  
41 State and Federal biologists that can help answer that  
42 question. I'll stand down.  
43  
44 MR. MANGIPANE: Hi. Buck Mangipane,  
45 Lake Clark National Park and preserve.  
46  
47 In regards to that question, you know,  
48 the data we collect is obviously limited to the park  
49 and preserve area, so it is a relatively small portion  
50 of that game management unit, and can't assume to be

1 the consensus for population status in other areas.  
2 But within that region, that data is, you know, the  
3 best information available at this point in time.  
4  
5 MADAME CHAIR CHYTHLOOK: Thank you.  
6  
7 Megan.  
8  
9 MS. MORRIS LYON: Could I ask a  
10 question first.  
11  
12 MADAME CHAIR CHYTHLOOK: Or, Nanci has  
13 a question.  
14  
15 MR. DUNAWAY: No, it looks like --  
16 well, excuse me, Chair, I believe the State was going  
17 to respond to my question as well.  
18  
19 MS. RILEY: Megan Riley, Fish and Game.  
20 I was just going to say that as far as the State data  
21 goes, we do have survey data in 9B going back into the  
22 80s, but for the last I'd say 5 to 10 years or so,  
23 we've had sort of spotty data collection in 9B. So I  
24 think from what I've seen, it seems to have declined  
25 slightly, but we don't have as many trend areas that we  
26 looked at in 9B for the past few years.  
27  
28 MADAME CHAIR CHYTHLOOK: Nanci.  
29  
30 MR. DUNAWAY: Thank you.  
31  
32 MS. MORRIS LYON: I understood what  
33 both of you have said, but it still doesn't answer the  
34 question as to whether or not you feel the moose  
35 population is healthy enough to support an additional  
36 five days and/or even if you're questioning it, if you  
37 think the density itself will control the success rate  
38 enough that a person doesn't have to worry about it.  
39 That's the answer I'm looking for out of somebody.  
40  
41 MR. MANGIPANE: Buck Mangipane, Lake  
42 Clark National Park.  
43  
44 My answer to that question would be  
45 that at this point our region of 9B could support those  
46 additional five days. Obviously if you look at the  
47 data closely, the one segment of the population that  
48 it's going to be focused on is probably one of the  
49 stronger portions of the population, and that is the  
50 bull segment at this time. And so the additional five

1 days and current density of moose, which is relatively  
2 low overall, and at time fairly inaccessible, probably  
3 precludes that from having a huge impact. So personal,  
4 based on the biological data of our region, I would say  
5 the additional five days would not have an additional  
6 impact on the population.

7

8 MS. MORRIS LYON: Thank you.

9

10 MS. RILEY: Megan Riley, Alaska  
11 Department of Fish and Game.

12

13 I think I might expect it to have more  
14 of an impact in really accessible areas, maybe close to  
15 villages or along river corridors. I think there's a  
16 lot of areas in 9B that are more difficult to get to  
17 that might have less of a conservation concern, just  
18 because it gets a lot less hunting pressure.

19

20 MADAME CHAIR CHYTHLOOK: Okay. The  
21 main reason why to my understanding that the moose  
22 working group started was because the local hunters  
23 were not meeting their harvests, although the State  
24 kept telling them that there's no problem with the  
25 moose population. The sport hunters, because they  
26 could fly to the moose locations, didn't have any  
27 problem harvesting. It was the local people that  
28 weren't able to fly to moose locations that were having  
29 a hard time harvesting, and I'm still hearing that  
30 there's no moose population decline to this day. So  
31 I'm wondering what was the purpose of the moose  
32 management plan group.

33

34 MS. RILEY: Well, I'm not sure I  
35 understand the question. Why did the moose management  
36 group meet or.....

37

38 MADAME CHAIR CHYTHLOOK: Well, to my  
39 understanding, the main reason why the moose management  
40 plan was created was because the local people in Unit 9  
41 weren't meeting their harvest needs, although sports  
42 hunters were -- you know, didn't have any problem,  
43 because they were able to fly to moose locations. But  
44 the moose hunters, the local moose hunters kept hearing  
45 that, no, there's no problem with the moose population.  
46 But the local hunters kept saying, well, there is,  
47 because we can't harvest -- or we can't meet our  
48 harvest needs. And so that was the purpose of why the  
49 moose management plan group was created.

50



1 I guess that's more of a comment than  
2 question.

3  
4 MR. BOSKOFISKY: Like I asked earlier,  
5 would this moose management plan they put in, it would  
6 have been really nice to have some numbers of who got  
7 what on the permits. Seeing that down in Chignik I  
8 know four guided hunts were done, and I don't know, I  
9 think all four got their moose, and only one person  
10 from locally got one, because the guides, they have the  
11 equipment to get out. We don't know what this moose  
12 plan is doing if we don't see numbers down for results  
13 of who got what and where.

14  
15 It's pretty hard to make decisions if  
16 you want to continue having a moose working group or  
17 registration hunt, if we're going to find out about it  
18 next year. By then it's too late.

19  
20 A lot of our area isn't surveyed. They  
21 tend to survey from Port Heiden say down to probably  
22 Black Lake, Port Moller. There's never been a survey  
23 done in Aniakchak area. I don't know their reasons for  
24 not going out there, if they're scared to fly there or  
25 -- I don't know what it is. We give them good snow  
26 conditions, but they don't come around.

27  
28 It's pretty hard to make decisions when  
29 you don't got the numbers showing who got what. And  
30 I'm pretty a lot of the guides got the registration  
31 permits.

32  
33 MADAME CHAIR CHYTHLOOK: Okay. Thank  
34 you, Alvin.

35  
36 Nanci.

37  
38 MS. MORRIS LYON: Thank you, Madame  
39 Chair.

40  
41 I don't know either what future plans  
42 hold for the moose working group, but I would like to  
43 make a suggestion for the Council to consider, that the  
44 working group would possibly be an on-going group for a  
45 little while longer, because I know that Alvin is  
46 voicing concerns that we heard all up and down the  
47 Chain for those of you that were in our Council  
48 meeting, what, a year ago or so. We had many, many  
49 people calling in from Pilot Point all the way up and  
50 down.

1                   And I think that it's going to be  
2 important not to drop the ball and say that we're done  
3 with this, because what Alvin says is exactly what  
4 we've heard for many years now. It's not just a one  
5 year thing. I think that I would suggest that the  
6 working group might be helpful in solving those  
7 problems by beginning exactly where Alvin said, getting  
8 our numbers put together so we can sit down and look at  
9 them, see where our problems lie, decide if they're  
10 lying in the take from non-residents or guided hunters  
11 versus resident hunters; what can possibly be done from  
12 there.

13

14                   But I think to disperse this group at  
15 this point might be a mistake, because I think that the  
16 work you've done is very valid and very good, and I  
17 think it's a very solid base for a start, but it's  
18 exactly that, a start. So my -- I'm making more of a  
19 suggestion than a comment from what I've seeing and  
20 hearing. You know, without the numbers for both  
21 surveys and what's happened in the field, we will not  
22 be able to move forward knowledgeably either.

23

24                   MADAME CHAIR CHYTHLOOK: Okay. Thank  
25 you. If we don't have any more comments, questions for  
26 State.

27

28                   (No comments)

29

30                   MADAME CHAIR CHYTHLOOK: Then we'll  
31 move down to the other Federal and State agency.

32

33                   George.

34

35                   MR. PAPPAS: Let me interrupt. There's  
36 a possibility here that if we table this for I guess  
37 the night, maybe we can get some information for you  
38 for tomorrow morning. Is it possible.

39

40                   MS. RILEY: If people were interested  
41 in numbers of moose harvested and number -- or at least  
42 numbers of permits given out, I can definitely get  
43 information on the numbers of permits given out. As  
44 far as moose harvested, the local hunters, Alaska  
45 residents, are still able to hunt, because there's that  
46 December season. so we don't know for sure how many  
47 moose will have been harvested by local hunters since  
48 they have that December hunt as well. But I can  
49 definitely get information on numbers of permits that  
50 were handed out.

1 MADAME CHAIR CHYTHLOOK: Nanci.  
2  
3 MS. MORRIS LYON: Thank you, Madame  
4 Chair.  
5  
6 I would definitely like to see that  
7 information; however, it's not going to influence my  
8 decision on this proposal. But I would, if you could  
9 bring that to us tomorrow, I think it would be  
10 extremely helpful, because it might give us the ability  
11 to interpret some of it and perhaps give some direction  
12 to the working group, if we could get them to continue  
13 on, and to take a look at where their future might lead  
14 due to what that information says. But I don't feel  
15 it's going to influence my decision on this proposal,  
16 so I would certainly listen and bow to the rest of my  
17 Council members as well.  
18  
19 Thank you.  
20  
21 MADAME CHAIR CHYTHLOOK: Okay. Any  
22 more.....  
23  
24 MR. BOSKOFISKY: According to our -- on  
25 Page 90, showing the average of 2000 was, it says, 15  
26 bulls, 52 calves to cow. 2010 it shows 62 bulls to cow  
27 and only 23 calves to cow. That's a big decline. That  
28 makes you get pretty scared of what's happening to our  
29 moose, you know. That's over half what it was, you  
30 know, in the past.  
31  
32 MADAME CHAIR CHYTHLOOK: Okay. Any  
33 more comments.  
34  
35 (No comments)  
36  
37 MADAME CHAIR CHYTHLOOK: If not, we can  
38 move on. There was no response from the Federal  
39 agency. How about tribal. Any tribal comments.  
40  
41 (No comments)  
42  
43 MADAME CHAIR CHYTHLOOK: If not,  
44 InterAgency Staff.  
45  
46 (No comments)  
47  
48 MADAME CHAIR CHYTHLOOK: Subsistence  
49 Resource Commission.  
50

1 MR. MIKE: Thank you, Madame Chair.  
2  
3 The Lake Clark Subsistence Resource  
4 Commission on Proposal WP10-45, they support it with  
5 modification. The SRC has commented previously on  
6 Proposals 45, 46, 47, and 48, and was informed that the  
7 Bristol Bay Regional Advisory Council will be  
8 considering modification to 10-45 that reflects actions  
9 taken by the Alaska Board of Game at their March 2011  
10 meeting. The Lake Clark SRC supports the proposed  
11 modification to WP10-45, which would align Federal and  
12 State permit requirements by requiring a State  
13 registration permit to harvest moose in Unit 9, and  
14 extend the end date of the Unit 9C fall moose hunting  
15 by five days from September 15th through September 20.  
16  
17 No action was taken on Proposals WP10-  
18 45, 47 and 48.  
19  
20 Thank you, Madame Chair.  
21  
22 MADAME CHAIR CHYTHLOOK: Okay. Thank  
23 you, Donald.  
24  
25 Public comment -- or public testimony.  
26  
27 (No comments)  
28  
29 MADAME CHAIR CHYTHLOOK: No. Seeing  
30 now we're to the Regional Council deliberation. Nanci.  
31  
32 MS. MORRIS LYON: Yeah. I'll move to  
33 approve WP10-45. Do I need to say anything about the  
34 others, Donald, or is that good enough.  
35 (Indiscernible, mic not on)  
36  
37 MR. MIKE: That's good enough.  
38  
39 MADAME CHAIR CHYTHLOOK: Thank you,  
40 Nanci. Richard.  
41  
42 MR. WILSON: I'll second that motion,  
43 in hopes to amend it to include 9B with the five-day  
44 extension.  
45  
46 MADAME CHAIR CHYTHLOOK: Okay. So  
47 support with modification to include five-day extension  
48 for 9B?  
49  
50 MR. WILSON: Yes.

1 MADAME CHAIR CHYTHLOOK: Okay. Any  
2 more discussion. Dan.  
3  
4 MR. DUNAWAY: Well, maybe this would be  
5 an opportunity for Richard to say a little bit about  
6 the extension just for the record.  
7  
8 MADAME CHAIR CHYTHLOOK: Richard.  
9  
10 MR. WILSON: Madame Chair. Yeah.  
11  
12 9B is all of Lake Iliamna. There's a  
13 lot of communities out there. We're talking about  
14 subsistence take here. 9C, Naknek River drainage area,  
15 in this proposal has the five-day extension. There's a  
16 lot of subsistence users in Unit 9B that would also  
17 like the same opportunity for that five-day extension  
18 for harvest.  
19  
20 And that's the majority of my reason  
21 for wanting this five-day extension on it, just to  
22 align the rest of the units around us so people are  
23 less confused and have the same opportunities as the  
24 neighbors.  
25  
26 (Mr. Dan O'Hara arrives)  
27  
28 MADAME CHAIR CHYTHLOOK: Okay. That  
29 sounds fair enough.  
30  
31 Nanci.  
32  
33 MS. MORRIS LYON: Yes, and I accept his  
34 amendment for the very reasons that he stated. I think  
35 that's complete support.  
36  
37 MADAME CHAIR CHYTHLOOK: Okay. Did we  
38 have a motion. We're in the discussion part. If  
39 there's no more discussion, I'd like to vote. Make a  
40 motion -- not that, I'm losing it.  
41  
42 Donald.  
43  
44 MR. MIKE: Madame Chair. Mr. Wilson  
45 during the discussion brought up the possible amendment  
46 to WP-45 to include five days at the end for Unit 9B.  
47 So if Mr. Wilson can make a motion to that effect, that  
48 he'd like to make an amendment to Proposal 45 and get a  
49 second, then you can go back and vote on the main  
50 motion.

1 Thank you.  
2  
3 MADAME CHAIR CHYTHLOOK: Okay. Are we  
4 ready to make -- Richard.  
5  
6 MR. WILSON: Madame Chair. I'm make a  
7 motion to amend Proposal 45 to include a five-day  
8 extension, which would bring it from September 15th to  
9 September 20, to align it to the rest of the Unit 9.  
10  
11 Thank you.  
12  
13 MADAME CHAIR CHYTHLOOK: There's been a  
14 motion to adopt 45 with modification said by Richard.  
15  
16 MS. MORRIS LYON: Second.  
17  
18 MADAME CHAIR CHYTHLOOK: And seconded  
19 by Nanci.  
20  
21 And since we've gone through the  
22 discussion -- Richard.  
23  
24 MR. WILSON: Madame Chair, if I might  
25 recognize Mr. Daniel O'Hara just arrived, and he is  
26 also a part of our system over there, and just to kind  
27 of -- if somebody wishes to fill him in maybe exactly  
28 where we're at here at the moment.  
29  
30 MR. O'HARA: Yeah. Maybe Donald could  
31 just real quick fill me in on that proposal, if he  
32 would.  
33  
34 MADAME CHAIR CHYTHLOOK: Donald, I'll  
35 give you the floor to update Dan O'Hara.  
36  
37 MR. MIKE: Okay. Madame Chair. If  
38 it's okay with the Council, I'd rather have Chris McKee  
39 address the Council and summarize for the Council.  
40 That way he'll technical questions that may be answered  
41 by him.  
42  
43 Mr. McKee.  
44  
45 MR. McKEE: Madame Chair.  
46  
47 I'm sorry, I was talking at the time  
48 when you were speaking. Could you repeat what you just  
49 said?  
50

1 MR. MIKE: I just wanted to go through  
2 briefly summarizing the proposal that we just discussed  
3 and then, if need be, I can fill in the rest as far as  
4 the amendment that was brought forward by Mr. Wilson.

5  
6 MR. McKEE: So would you like me to go  
7 over all of my talking points again or.....

8  
9 MR. MIKE: No, just summarize real  
10 briefly.

11  
12 MR. McKEE: Now I'm really wishing I  
13 had been the one to write this, because I'm still not  
14 clear on what you're asking me to summarize here.

15  
16 MR. MIKE: Madame Chair, I'll just go  
17 ahead and go forward with it.

18  
19 For the benefit of Member O'Hara, the  
20 Council right now is addressing Proposal WP10-45, 46,  
21 47, 48, 49, 50 and 52 which were deferred by the  
22 Federal Subsistence Board pending actions by the Unit 9  
23 moose working group. And Mr. McKee provided some  
24 background information as far as analyses.

25  
26 The OSM preliminary conclusion was to  
27 opposed Proposal WP10-46, 47, 48, 49, 50 and 52, but  
28 support Proposal WP10-45 with modification to require a  
29 State registration permit to harvest moose in Unit 9,  
30 to add additional five days to the fall season in Units  
31 9C and Unit 9E.

32  
33 And the Council discussed the  
34 information and -- okay.

35  
36 MS. MORRIS LYON: Yeah, I made the  
37 motion.

38  
39 MR. MIKE: Ms. Nanci Morris made the  
40 motion to adopt WP-45, and seconded by Mr. Wilson. And  
41 during the discussion Mr. Wilson provided an amendment  
42 to the proposal. And the amendment is to include 9B,  
43 to add five days at the end of the season. That would  
44 align with the rest of Unit 9. And it was seconded by  
45 Nanci.

46  
47 So that's where we're at right now.

48  
49 MR. O'HARA: And this.....

50

1                   REPORTER: Dan, you need to turn your  
2 microphone on.  
3  
4                   MR. O'HARA: Okay. Madame Chair. Was  
5 that 9 what? E? B and E or.....  
6  
7                   MR. MIKE: Madame Chair. The amendment  
8 is for 9B, to add five days at the tail end of the  
9 season.  
10  
11                  MR. O'HARA: But what unit does this  
12 deal with, the Number 45 that there's already been a  
13 motion on the floor for? 9 what.  
14  
15                  MR. MIKE: All of Unit 9.  
16  
17                  MR. O'HARA: All of Unit 9. Okay.  
18 Simply kind of a housekeeping item. Yeah. Okay.  
19 Thank you very much.  
20  
21                  MADAME CHAIR CHYTHLOOK: Okay. We'll  
22 move to support.....  
23  
24                  MR. DUNAWAY: No, we'll vote.  
25  
26                  MADAME CHAIR CHYTHLOOK: Vote. We'll  
27 move to vote on the amendment that Richard suggested.  
28  
29                  MR. DUNAWAY: Call the question on the  
30 amendment.  
31  
32                  MADAME CHAIR CHYTHLOOK: A question on  
33 the amendment. And all in favor say aye.  
34  
35                  IN UNISON: Aye.  
36  
37                  MADAME CHAIR CHYTHLOOK: Any  
38 opposition.  
39  
40                  (No opposing votes)  
41  
42                  MADAME CHAIR CHYTHLOOK: Okay. We've  
43 got that.  
44  
45                  MR. DUNAWAY: Now you're back on the  
46 main motion.  
47  
48                  MADAME CHAIR CHYTHLOOK: And then we'll  
49 vote on the main motion. All in favor of the main  
50 motion say aye.



1 IN UNISON: Aye.  
2  
3 MADAME CHAIR CHYTHLOOK: Any  
4 opposition.  
5  
6 (No opposing votes)  
7  
8 MADAME CHAIR CHYTHLOOK: Seeing none,  
9 thank you.  
10  
11 Welcome, Dan.  
12  
13 MR. O'HARA: Thank you. Yeah. On the  
14 way over I saw a moose standing in the water, so I'm  
15 right up to date on subsistence. Okay. That's about  
16 as close as I've gotten to a moose in three years.  
17  
18 (Laughter)  
19  
20 MR. O'HARA: I'm called a vegetarian  
21 subsistence user.  
22  
23 (Laughter.  
24  
25 MADAME CHAIR CHYTHLOOK: Okay. We'll  
26 move on, unless anybody needs a break, but I think we  
27 can move on C, cross regional proposals. And this one  
28 is WP12-42.  
29  
30 MR. McKEE: Madame Chair. Members of  
31 the Regional Advisory Council. The draft analysis for  
32 WP12-42 begins on Page 104 of the meeting materials  
33 booklet.  
34  
35 WP12-42 was submitted by the Yukon  
36 Delta National Wildlife Refuge, and requests a  
37 reduction in the harvest limit and season for caribou  
38 in Unit 18 from two caribou to one, and a shortening of  
39 the season by approximately three months.  
40  
41 The proponent states that these  
42 restrictions are in response to the declining  
43 population of the Mulchatna Caribou Herd over the last  
44 several years.  
45  
46 The Mulchatna Caribou Herd increased at  
47 an annual rate of 17 percent between 1981 and '96.  
48 Overall herd size peaked in 1996 at approximately  
49 200,000 animals with a peak bull/cow ratio of 42 to  
50 100, and a calf/cow ratio of 34 to 100. However, since

1 1996 the population, bull/cow ratio, and calf cow  
2 ratios have all declined significantly, which you can  
3 see on table 1 on Page 107 of your booklet. The last  
4 population estimate was 30,000 animals in 2008/2009,  
5 with a bull/cow ratio of 16 to 100 and a calf/cow ratio  
6 of 19 per 100 in 2010/2011.

7

8 The harvest of the Mulchatna Caribou  
9 Herd continues to decline. The total reported harvest  
10 was 2,171 in 2005, but this had declined to 516 by  
11 2008. Harvest by both Federally and non-Federally-  
12 qualified hunters has declined since 2003 when the  
13 reported harvest was at its highest.

14

15 Carrying capacity of traditional  
16 wintering ranges of the herd were exceeded in the late  
17 1980s with the herd using non-traditional wintering  
18 ranges at an ever increasing rate over the last 25  
19 years.

20

21 Further decline in the herd may  
22 necessitate further reduction in harvest.

23

24 This proposal, however, would make the  
25 Federal harvest limit and season more restricted than  
26 State regulations. And, if adopted, this proposal --  
27 if this proposal was adopted, hunters will still be  
28 able to take two caribou under state regulations on  
29 Fish and Wildlife and BLM lands in Unit 18.

30

31 There's currently no companion State  
32 proposal before the Alaska Board of Game to align State  
33 and Federal regulations should this proposal pass. And  
34 without alignment with State regulations, the  
35 effectiveness of this proposal would be limited.

36

37 Therefore, the OSM preliminary  
38 conclusion is to propose -- is to oppose this proposal.

39

40 I welcome your comments and edits.

41

42 Thank you.

43

44 MADAME CHAIR CHYTHLOOK: Okay. Dan,  
45 did you have your hand up.

46

47 MR. DUNAWAY: Not for this.

48

49 MADAME CHAIR CHYTHLOOK: Okay. Dan,  
50 you have your mic.

1 Any comments, questions regarding that  
2 proposal.

3  
4 (No comments)

5  
6 MADAME CHAIR CHYTHLOOK: If not, ADF&G.  
7 George.

8  
9 \*\* MR. PAPPAS: Thank you, Madame Chair. Our  
10 comments are on Page 111. I'll briefly summarize here.

11  
12 Basically conservation issues. Reduced  
13 harvest on the Mulchatna herd is necessary to promote  
14 herd growth. The proposed reduced season dates  
15 eliminate harvest between September 2nd and December  
16 19th, preventing harvest of specific segments of the  
17 herd during the fall migration period. The uniform  
18 Federal and State bag limits would decrease a potential  
19 for enforcement problems across the mixed land  
20 ownership patterns in the area. In Unit 18, the  
21 proposed Federal subsistence bag limit would be  
22 different than the State bag limit, creating confusion  
23 amongst hunters.

24  
25 The Department recommends supporting  
26 this proposal with modification. The Department  
27 supports the proposed hunting season dates, which is  
28 more conservative than what's going on right now, and  
29 would like to modify the proposal to retain the current  
30 Federal subsistence bag limit of two caribou per year.

31  
32 \*\*\*\*\*  
33 STATE OFFICIAL WRITTEN COMMENTS  
34 \*\*\*\*\*

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

38  
39  
40 Wildlife Proposal WP12-42:

41  
42 This proposal changes the federal  
43 subsistence season and bag limit for the federal  
44 subsistence caribou hunt in Unit 18.

45  
46 Introduction:

47  
48 This proposal seeks to reduce the  
49 federal subsistence caribou hunting season from August  
50 1 through March 15 to August 1 through September 1 and

1 December 20 through February 29. Additionally, the  
2 proposal requests reducing the annual bag limit of the  
3 federal subsistence caribou hunt from two to one.

4

5                   Impacts on Subsistence Users:

6

7                   If adopted, the federal subsistence  
8 caribou hunting season in Unit 18 would be reduced by  
9 approximately 90 days and the federal subsistence  
10 caribou harvest limit would be reduced by 50% to one  
11 caribou per year.

12

13                   Opportunity Provided by State:

14

15                   State regulations for caribou in Unit  
16 18 follows:

17

18                   The season is August 1 through March 15  
19 with a limit of two caribou, of which no more than 1  
20 bull may be taken, and only one caribou may be taken  
21 from August 1 through January 31. This hunt is closed  
22 to non-residents.

23

24                   Conservation Issues:

25

26                   Reduced harvest in the Mulchatna  
27 Caribou Herd is needed to promote herd growth.  
28 Limiting take of both bulls and cows is needed for herd  
29 growth. Limiting take to 1 caribou per year is needed  
30 for conservation. The proposed reduced season dates  
31 eliminate harvest between September 2 through December  
32 19 preventing harvest of specific segments of the herd  
33 during fall migration period.

34

35                   Enforcement Issues:

36

37                   Uniform federal subsistence and state  
38 bag limits would decrease the potential for enforcement  
39 problems across the mixed land ownership patterns in  
40 the area. In Unit 18, the proposed federal subsistence  
41 bag limit would be different than the state bag limit,  
42 creating confusion among hunters.

43

44                   Recommendation:

45

46                   Support with modification.

47

48                   The department supports the proposed  
49 hunting season dates but recommends modifying the  
50 proposal to retain the current federal subsistence bag

1 limit of two caribou per year.  
2  
3 Thank you, Madame Chair.  
4  
5 MADAME CHAIR CHYTHLOOK: Okay. Any  
6 questions for George.  
7  
8 (No comments)  
9  
10 MADAME CHAIR CHYTHLOOK: George, if I  
11 understood you correctly, you wanted to -- or the State  
12 wanted to support with modification. And the  
13 modifications would be the dates?  
14  
15 MR. PAPPAS: The modification would  
16 be.....  
17  
18 MADAME CHAIR CHYTHLOOK: The month?  
19  
20 MR. PAPPAS: I'm sorry. The two  
21 caribou. So adopt the proposed reduction in season  
22 date length, but maintain the current bag limit.  
23 That's the Department's position.  
24  
25 MADAME CHAIR CHYTHLOOK: Okay. Thank  
26 you. Any other comments.  
27  
28 (No comments)  
29  
30 MADAME CHAIR CHYTHLOOK: If not, other  
31 Federal and State agency comments.  
32  
33 (No comments)  
34  
35 MADAME CHAIR CHYTHLOOK: Tribal.  
36  
37 (No comments)  
38  
39 MADAME CHAIR CHYTHLOOK: InterAgency.  
40  
41 (No comments)  
42  
43 MADAME CHAIR CHYTHLOOK: Subsistence  
44 Resource.  
45  
46 MR. MIKE: No comments from the SRC.  
47  
48 MADAME CHAIR CHYTHLOOK: Okay. Fish  
49 and Game Advisory.  
50

1 (No comments)  
2  
3 MADAME CHAIR CHYTHLOOK: Summary of  
4 written comments.  
5  
6 MR. MIKE: Madame Chair. We did not  
7 receive any written public comments on this proposal.  
8  
9 MADAME CHAIR CHYTHLOOK: Do we have any  
10 public testimony regarding this.  
11  
12 (No comments)  
13  
14 MADAME CHAIR CHYTHLOOK: Okay. We're  
15 down to the Regional Council deliberation. Dan.  
16  
17 MR. DUNAWAY: I'll move to adopt WP12-  
18 42 for consideration.  
19  
20 MADAME CHAIR CHYTHLOOK: There is a  
21 motion to adopt WP12-42.  
22  
23 MR. BOSKOFISKY: I'll second.  
24  
25 MADAME CHAIR CHYTHLOOK: Seconded by  
26 Alvin.  
27  
28 Comments. Dan.  
29  
30 MR. DUNAWAY: One thing I noticed, this  
31 would make a more complicated caribou season. I'm kind  
32 of surprised there aren't more comments. How does this  
33 proposed new season dates match up with adjoining game  
34 management units that also -- where the Mulchatna herd  
35 also is hunted.  
36  
37 MR. MCKEE: Madame Chair.  
38  
39 You're asking for the other -- how did  
40 the proposed regulation square up with other?  
41 Unfortunately I don't -- I can't answer that question.  
42 Sorry. I should have that information with me, but I  
43 don't.  
44  
45 Our main concern was that it wasn't  
46 really going to -- as proposed, it wasn't really going  
47 to stop Federal users from hunting under State  
48 regulations, so the effectiveness would be limited.  
49  
50 And we certainly may need further

1 reduction, but we're also under the disadvantage of  
2 working with old data as well, because the last count  
3 on this herd was more than three years ago. And we're  
4 right at the minimum management objectives for the  
5 population right now as it is.

6  
7 MADAME CHAIR CHYTHLOOK: Okay. Any  
8 other comments, questions. Dan.

9  
10 MR. O'HARA: Yeah. Donald, is he a  
11 biologist, the gentleman at the table?

12  
13 MR. MIKE: I'm sorry. Madame Chair,  
14 Mr. O'Hara. This is Chris McKee. He's our wildlife  
15 biologist for the Bristol Bay region. He's new to our  
16 program, and he's been here for six months or so.

17  
18 MR. O'HARA: Is that on the Federal  
19 side or State side?

20  
21 MR. McKEE: Through the Chair. Mr.  
22 O'hara. That's on the Federal side.

23  
24 And I also -- I'm sorry, I should have  
25 the handy-dandy with me, but the regulations in Unit 17  
26 where this herd is also hunted are the same.

27  
28 MR. DUNAWAY: As proposed?

29  
30 MR. McKEE: Yes.

31  
32 MR. O'HARA: The proposal remains the  
33 same? That's kind of what I was.....

34  
35 MR. McKEE: No. No, sorry. Sorry.  
36 It's the same as the existing regs.

37  
38 MS. MORRIS LYON: In 17.

39  
40 MR. McKEE: In 17, yes.

41  
42 MR. O'HARA: Uh-huh. The reason I was  
43 making the comment, Madame Chair, was on the Alaska  
44 Peninsula Herd, we had 18,000 at one time and now I  
45 think it's -- I don't know if it's come back much this  
46 year or not, but it was as low as 1600, so I'm glad to  
47 see that we're being a little more conservative on this  
48 herd.

49  
50 Thank you.

1 MADAME CHAIR CHYTHLOOK: Okay. Thank  
2 you, Dan.  
3  
4 Any other comments.  
5  
6 (No comments)  
7  
8 MADAME CHAIR CHYTHLOOK: I'm having a  
9 hard time understanding, but, George, the state is  
10 wanting to retain -- or hoping to retain or have the  
11 Federal retain the two, the same as the State's harvest  
12 numbers. And why?  
13  
14 MR. BOSKOFISKY: And why.  
15  
16 MADAME CHAIR CHYTHLOOK: The bag limit  
17 of two.  
18  
19 MR. PAPPAS: Yes. Two. Yeah, on the  
20 State side the bag is two caribou, one of which -- no  
21 more than one bull could be taken, and only one caribou  
22 between August 1st and January 31st.  
23  
24 Yes, the State is asking for some type  
25 of conservation measure here, and the two options put  
26 forth by the proponent is to cut the bag limit in half  
27 and reduce the season. And the Department believes --  
28 recommends reducing the season at this time.  
29  
30 And I would assume that the in-season  
31 Federal designated individual has the ability to make  
32 an in-season call if something does happen or  
33 information does show that further restrictions are  
34 necessary.  
35  
36 Thank you, Madame Chair.  
37  
38 MADAME CHAIR CHYTHLOOK: Okay. Thank  
39 you, George.  
40  
41 Any other comments.  
42  
43 (No comments)  
44  
45 MADAME CHAIR CHYTHLOOK: If not,  
46 there's -- we need -- there's been a motion?  
47  
48 MS. MORRIS LYON: Uh-huh.  
49  
50 MADAME CHAIR CHYTHLOOK: There's been a



1 motion and second. And we were in the discussion. Are  
2 we ready to vote in support of this proposal, WP12-42.  
3 All in favor say aye.  
4  
5 IN UNISON: Aye.  
6  
7 MADAME CHAIR CHYTHLOOK: Any  
8 opposition. Dan.  
9  
10 MR. DUNAWAY: I'm opposing it.  
11  
12 MADAME CHAIR CHYTHLOOK: Okay. Okay.  
13 So there's one, two, three, four, five, six in support  
14 and one opposition.  
15  
16 Okay. We're ready to move on WP12-53.  
17  
18 MR. McKEE: Madame Chair. Could I ask  
19 for clarification on what you just supported here,  
20 because from what I understand, what you just supported  
21 is making it more restrictive than the State; is that  
22 correct.  
23  
24 MS. MORRIS LYON: That's correct.  
25  
26 MR. McKEE: Thank you, Madame Chair.  
27  
28 MADAME CHAIR CHYTHLOOK: Pippa, you've  
29 got the table. The floor.  
30  
31 MS. KENNER: Thank you, Madame Chair.  
32 Members of the Council. For the record, my name is  
33 Pippa Kenner, and I'm with OSM in Anchorage.  
34  
35 The analysis for Proposal WP12-53  
36 begins on Page 117, 1-1-7, of your Council book. And  
37 there are copies on the table in the back of the room.  
38  
39 MS. MORRIS LYON: Mine is on 112.  
40  
41 MADAME CHAIR CHYTHLOOK: 112.  
42  
43 MS. KENNER: Well, I'll be. Thank you.  
44 Excuse me. Thank you for correcting.  
45  
46 Proposal WP12-53, submitted by the  
47 Yukon Delta National Wildlife Refuge, their main office  
48 is in Bethel, would prohibit a hunter in Unit 18 from  
49 pursuing with a motorized vehicle a caribou, moose or  
50 muskox that is fleeing.

1                   The proponent states that law  
2 enforcement has found it necessary to cite more than  
3 100 during the 2010/2011 for chasing caribou that were  
4 moving at full gallop, which means having all four  
5 hooves off the ground in one stride. The proponent  
6 states that adoption of this proposal would protect the  
7 declining Mulchatna Caribou Herd by reducing wounding  
8 of animals that are chased.

9  
10                   Chasing is biologically hard on a  
11 caribou herd, especially when animals are already weak  
12 near the end of the hunting season. And the proponents  
13 concern is not the hunter who repeatedly moves forward  
14 and stops while caribou trot off. The concern is  
15 motorized vehicles chasing caribou at a high constant  
16 speed.

17  
18                   According to both Federal and State  
19 wildlife regulations, it's illegal to chase wildlife  
20 from a snow machine. In addition, the State booklet  
21 distributed to the public, often called the handy-  
22 dandy, clarifies State wildlife regulations for the  
23 public by stating, you may not take game by pursuing  
24 with a vehicle an animal that is fleeing. And that's  
25 the language the Refuge has requested go into Federal  
26 regulation. It's not State regulation; it's only in  
27 their handy-dandy.

28  
29                   Again, while both State and Federal  
30 regulations prohibit the chasing of wildlife that is  
31 fleeing, this particular wording is only in the State  
32 handy-dandy, you may not take game by pursuing with a  
33 vehicle an animal that is fleeing. That specific  
34 language. And that is what the Refuge is proposing go  
35 into Federal regulations.

36  
37                   The analysis for the proposed  
38 regulation is focused on caribou even though the  
39 proposal concerns caribou, moose and muskox, also known  
40 as ungulates, all in Unit 18. But muskox are left out  
41 of the analysis, because Federally-qualified hunters  
42 are not allowed to hunt muskox in Unit 18. It's only  
43 considered a -- you can only hunt it in -- there's no  
44 C&T. There's no customary and traditional use  
45 determination for muskox in Unit 18.

46  
47                   And also the proponent states that  
48 caribou are more susceptible than moose to the  
49 detrimental effects of chasing. While caribou often  
50 flee rapidly when chased, moose generally walk away

1 when approached by a motorized vehicle. So in the  
2 analysis I focused on this issue about caribou.

3  
4 If this proposal is adopted, there  
5 would be no effect on Federal subsistence users in Unit  
6 18. The prohibition against chasing ungulates or moose  
7 and caribou that are fleeing, is encompassed in Federal  
8 subsistence general provisions and other wildlife  
9 regulations; thus there would be no effect from the  
10 proposed regulation. Similarly, if this proposal is  
11 not adopted, there would be no effect on Federal  
12 subsistence users in Unit 18. Either way, because the  
13 regulation already exists and is enforced.

14  
15 The intent of the proponent is to make  
16 explicit that using a motorized vehicle to pursue an  
17 ungulate or a moose or a caribou that is fleeing at or  
18 near full gallop is prohibited. To this end, the OSM  
19 Staff and the InterAgency Staff Committee recommended  
20 that the language included in the State booklet, or  
21 handy-dandy, distributed to the public, which was  
22 mentioned earlier, be added to the Federal handy-dandy  
23 that's distributed to the public. And it would say,  
24 you may not take ungulates by pursuing with a motorized  
25 vehicle an animal that is fleeing at or near full  
26 gallop.

27  
28 And therefore the OSM preliminary  
29 conclusion is to oppose this proposal.

30  
31 Thank you, Madame Chairman. That's the  
32 end of my presentation.

33  
34 MADAME CHAIR CHYTHLOOK: Okay. Any  
35 comments, questions for Pippa.

36  
37 (No comments)

38  
39 MADAME CHAIR CHYTHLOOK: If not, we can  
40 move right into ADF&G.

41  
42 MR. PAPPAS: Thank you, Madame Chair.  
43 Our comments begin on Page 120. I'll summarize from  
44 there.

45  
46 Adoption of this proposal would have an  
47 unknown impact as the Department is unaware if Federal  
48 subsistence caribou hunters are illegally using  
49 snowmachines to pursue ungulates in Unit 18.

50

1 State methods and means prohibit the  
2 use of snowmachines to position caribou in Unit 18.  
3 And also harassment of game or herding of game with a  
4 motorized vehicle, including a snowmachine is already  
5 illegal.

6  
7 For enforcement issues, full gallop may  
8 prove difficult to determine, leaving enforcement of  
9 this measure to subjective inconsistent determinations.  
10 Differences in Federal and State regulations resulting  
11 from adoption of this proposal create enforcement  
12 difficulties in areas of mixed land ownership as the  
13 boundaries are difficult to determine in the field.

14  
15 The Department opposes this proposal.

16  
17 And some other information, I was  
18 assigned some homework from some of the RACs. What  
19 happens to wounded animals. What if you shoot an  
20 animal, you wound it. You hop on your snowmachine to  
21 go after it. Will you be cited because the animals  
22 galloping or fleeing from you at full speed. Talking  
23 to the enforcement folks on the State side, if you  
24 shoot an animal, that's taking an animal. If you're  
25 wounding an animal, it's taking an animal. But  
26 salvaging an animal, which you're required to do by  
27 law, you can go after the animal. But it's a case-by-  
28 basis. If you hop on your machine, zip up next to it.  
29 Hop off your machine and finish the animal  
30 respectfully, that would be different than if you  
31 hopped on your snowmachine, put in a 50-round clip with  
32 your M-14, and went after them, shooting while you're  
33 running. There are exceptions for methods and means  
34 for salvaging an animal that are different than taking  
35 an animal. It's a case-by-case basis.

36  
37 So the Department does oppose this  
38 proposal.

39  
40 \*\*\*\*\*  
41 STATE OFFICIAL WRITTEN COMMENTS  
42 \*\*\*\*\*

43  
44 Alaska Department of Fish and Game  
45 Comments to the Regional Advisory Council

46  
47 Wildlife Proposal WP12-53:

48  
49 This proposal requests the federal  
50 subsistence hunting regulations be changed to clearly

1 define how a snowmachine may be used to pursue  
2 ungulates in the Unit 18 federal subsistence hunts.

3

4 Introduction:

5

6 The proponent requests the Federal  
7 Subsistence Board further define the use of motorized  
8 snowmachines in the Unit 18 federal subsistence hunts  
9 targeting ungulates to better position them for  
10 harvesting in Unit 18. The proponent indicates  
11 adoption of this proposal will strengthen the existing  
12 regulations protection of ungulates. The proponent  
13 also indicates this proposal was submitted in response  
14 to federal subsistence hunters illegally pursuing game  
15 on snowmachines.

16

17 Impact on Subsistence Users:

18

19 Adoption of these proposals would have  
20 an unknown impact as the department is unaware if  
21 federal subsistence caribou hunters are illegally using  
22 snowmachines to pursue ungulates in Unit 18. If this  
23 proposal is adopted, federal subsistence users would be  
24 prohibited from pursuing ungulates with snowmachines .  
25 Need input here on BENEFITS or Detracts from fed sub  
26 users.

27

28 Opportunity Provided by State:

29

30 State methods and means prohibit use of  
31 snowmachine to position caribou hunters in Unit 18.

32

33 General state methods and means  
34 regulations addressing off road vehicles:

35

36 5AAC 92.004. Policy for off-road  
37 vehicle use for hunting and transporting game.

38 (a) Off-road vehicles are a legitimate method of  
39 transporting hunters and game in the state, subject to  
40 requirements of federal, state, and local landowners.  
41 If the Board of Game, through its public process, finds  
42 that off-road vehicle use attributed to hunting  
43 activities in a specific area has resulted or is likely  
44 to result in one or more of the following conditions,  
45 it will, in its discretion, take action to avoid or  
46 minimize the conditions:

47

48 (1) soil erosion or compaction, or  
49 vegetative changes, significantly affecting important  
50 wildlife habitat, including wildlife food sources such

1 as fish and fish streams, or wildlife distribution or  
2 abundance;  
3 (2) harvest of a population, sex, or age class  
4 significantly affecting condition, abundance, or trophy  
5 size relative to area management goals; (3) wildlife  
6 disturbance significantly affecting reproductive  
7 success, abundance, or condition; movement patterns,  
8 distribution, or behavior; or avoidance of important  
9 habitats such as mineral licks, birthing sites,  
10 wintering habitat, or fish spawning, incubation, and  
11 rearing sites, and other wildlife feeding sites and  
12 food sources; (4) chronic conflicts with other user  
13 groups leading to a decline in the quality of the  
14 outdoor experience. (b) The provisions of (a) of this  
15 section do not prevent the board from taking other  
16 action that it considers necessary or advisable to  
17 adopt or modify off-road vehicle regulations that might  
18 affect hunting or the transportation of hunters,  
19 hunting gear, or game. (c) In this section, "off-road  
20 vehicle" includes four-wheel drive trucks and  
21 automobiles, motorcycles, three- to eight-wheeled  
22 all-terrain recreation and utility vehicles, vehicles  
23 with two tracks, air-cushioned vehicles, and airboats  
24 operated outside of a navigable waterway.  
25 5AAC 92.080 Unlawful methods of taking game;  
26 exceptions. The following methods of taking game are  
27 prohibited: (4) unless otherwise provided in this  
28 chapter, from a motor-driven boat or a motorized land  
29 vehicle, unless the motor has been completely shut off  
30 and progress from the motor's power has ceased, except  
31 that a,,, (4)(B)(i.): in Units 22 and 23, a snowmachine  
32 may be used to position a hunter to select an  
33 individual caribou for harvest, and caribou may be shot  
34 from a stationary snowmachine.

35  
36 Other Comments:

37  
38 Harassment of game, or herding of game  
39 with a motorized vehicle including a snow machine is  
40 already illegal.

41  
42 Enforcement Issues:

43  
44 Full Gallop may prove difficult to  
45 determine leaving enforcement of this measure to  
46 subjective and inconsistent determinations.  
47 Differences in federal and state regulations resulting  
48 from adoption of this proposal create enforcement  
49 difficulties in areas with mixed land ownership. The  
50 boundaries between federal and state lands are not

1 marked and often difficult to locate on the ground.

2

3 Recommendation: Oppose

4

5 Thank you, Madame Chair.

6

7 MADAME CHAIR CHYTHLOOK: Okay. Any  
8 comments for George. Dan, did you have one.

9

10 (No comments)

11

12 MADAME CHAIR CHYTHLOOK: I guess my  
13 question to Pippa would be, is there an existing  
14 regulation already in place similar to this, or is this  
15 a new regulation?

16

17 MS. KENNER: Thank you, Madame Chair.  
18 The proposer appears to want this to clarify what's  
19 already in regulation. Do you want a little bit of a  
20 back story?

21

22 MADAME CHAIR CHYTHLOOK: Yeah.

23

24 MS. KENNER: Okay. What's happening is  
25 that -- in a nutshell, what's happening is that it has  
26 occurred that Federal and State enforcement staff are  
27 working together oftentimes in a plane. And if the  
28 State enforcement officer does the enforcement against  
29 this chasing, molesting of a caribou, a herd or one  
30 caribou in full gallop, snowmachine going after them,  
31 that individual has to go to Bethel to receive the  
32 fine. If there's Federal enforcement the individual is  
33 given the citation immediately with the fine and does  
34 not have to show up in Bethel. However, if he chooses  
35 to fight the charge, he ends up having to go to  
36 Anchorage, whereas with the State, if you decide to  
37 fight the charge, you can go to Bethel.

38

39 And so because of this, the Federal  
40 enforcement in some instances appears to have felt like  
41 he needed to take it upon himself to do the  
42 enforcement, and this has occurred with people who are  
43 villagers.

44

45 It appears that there's two issues  
46 related to this specific proposal. One is that we have  
47 newcomers to Bethel from out of state who are able to  
48 afford nice, fast snowmachines, and in the proper  
49 environment can really rip across the tundra in the  
50 wintertime. And there have been instances of people

1 coming from outside the area, becoming hunters and  
2 chasing wildlife down. They had an instance of that  
3 happening this winter. When they stopped the  
4 individual to ask, what are you doing, why are you  
5 doing this, he said he'd run out of ammunition. And  
6 it's people who aren't used to the environment, don't  
7 know the mores, don't know the traditions, don't really  
8 know how to hunt.

9

10 The second problem is people who are  
11 unfortunate, who live in communities who when the  
12 caribou come by, need to get out there right away.  
13 What happens is, is when the caribou come by, people  
14 will start hunting them, and people -- the caribou will  
15 get chased off. And there are people who can follow  
16 those caribou for miles up into the mountains. They  
17 have the money for the gas, and they have the parts for  
18 their snowmachines. But for those individuals who  
19 can't, they may resort to hunting if they feel like  
20 they have to harvest -- they may resort to chasing if  
21 they feel like they have to harvest right now.

22

23 Both of those are illegal. And that  
24 appears to be the impetus for this proposal is to  
25 clarify that if you are chasing caribou that are at or  
26 -- near or at full gallop, meaning all four feet are  
27 off the ground, and you are witnessed, you will be  
28 cited.

29

30 MADAME CHAIR CHYTHLOOK: So to my  
31 understanding, it sounds like there is already a  
32 regulation in place for chasing.

33

34 MS. KENNER: That's correct.

35

36 MADAME CHAIR CHYTHLOOK: And then this  
37 one is just describing how a caribou would look if they  
38 were, I guess, being chased.

39

40 MS. KENNER: And it also puts it in  
41 plain language in the handy-dandy. So the little --  
42 the book that you usually look through to find the  
43 hunting regulations, it's in there in plain language.  
44 Yeah.

45

46 MADAME CHAIR CHYTHLOOK: Nanci.

47

48 MS. MORRIS LYON: Thank you, Madame  
49 Chair.

50



1                   It would seem to me like this could be  
2 taken care of with a housekeeping move to put it in the  
3 handy-dandy. Is that not correct? And it shouldn't  
4 take extra burdensome regulation?

5  
6                   MS. KENNER: Thank you, Ms. Chair.  
7 Yes.

8  
9                   MADAME CHAIR CHYTHLOOK: Dan or Dan.  
10

11                  MR. DUNAWAY: Yeah. Thanks, Madame  
12 Chair.

13  
14                  I was thinking the same thing, and that  
15 maybe this more a public education issue that maybe,  
16 yeah, a full page in the handy-dandy. Just like I've  
17 seen the ads that were posted around here, you know,  
18 don't drive your truck in a salmon stream, don't chase  
19 animals with a snow-go, and help emphasize that this  
20 isn't acceptable.

21  
22                  Now, I know it's probably a little more  
23 common than a lot of people want to believe, but, yeah,  
24 it's kind of making a second regulation when we already  
25 have one; it seems unnecessarily redundant.

26  
27                  Thank you.

28  
29                  MADAME CHAIR CHYTHLOOK: And I can  
30 understand if like how George explained it, if a  
31 caribou is wounded, and they're still alive and going,  
32 and instead of just letting it go while it was wounded,  
33 then a person with a snowmachine would need to and have  
34 to go after that caribou and kill it. So I think with  
35 modification or not even dealing with this would  
36 probably work.

37  
38                  Any other comments.

39  
40                  MR. O'HARA: Madame Chair.

41  
42                  MADAME CHAIR CHYTHLOOK: Dan.

43  
44                  MR. O'HARA: So the difference between  
45 the Federal cite -- or the State cite, whenever you get  
46 a State citation, you go to a court and they'll -- it's  
47 going to be in Naknek or Bethel or Anchorage, wherever  
48 it's going to be at, and then they will decide at that  
49 time if you get a fine. And the Federal side is when  
50 the guy or when the person is given the citation in the

1 field, that's judge and jury; is that right?

2

3 MS. KENNER: Thank you, Mrs. Chair.  
4 This is Pippa Kenner with OSM.

5

6 I can't really address the issue about  
7 the judge and the jury, but the idea is that some of  
8 these people who are cited live quite a ways from  
9 Bethel. Bethel isn't their hub. It's not a place that  
10 they go to regularly.

11

12 But, yes, my understanding from  
13 interviewing law enforcement people on the Federal side  
14 is that when you get a fine, they have a list of the  
15 citation type and the fine right next to it. And if  
16 you get cited for this, this is what you pay. Whereas  
17 in the State system, you're right, you go to court and  
18 then you are fined, but you have to show up to court.

19

20 MR. O'HARA: Madame Chair. If you do  
21 decide you want to oppose it, then you go to Anchorage  
22 and go to court; is that right, Pippa?

23

24 MS. KENNER: Through the Chair. My  
25 understanding, on the Federal side, if you get a  
26 Federal citation and you wanted to fight it, it would  
27 have to be some arrangement through the Federal court  
28 in Anchorage.

29

30 MADAME CHAIR CHYTHLOOK: George, you  
31 have a comment.

32

33 MR. PAPPAS: Thank you, Madame Chair.  
34 Through the Chair. Good to see you, sir.

35

36 As I understand, as explained to us at  
37 the Yukon Delta RAC, the citation under State  
38 regulation, it's a misdemeanor, which includes losing  
39 the animal, forfeiting the animal, fine, reparations  
40 and mandatory court appearance. And on the Federal  
41 side, I understood it was identical. So I'm not a  
42 Federal enforcement officer, but I can speak for the  
43 State side.

44

45 Thank you, Madame Chair.

46

47 MR. O'HARA: Madame Chair. Nanci's  
48 comment here, Council member, why are we dealing with  
49 this proposal if it's something that can't be done in-  
50 house without us going through a whole year's proposal.

1 MADAME CHAIR CHYTHLOOK: Chris.  
2  
3 MR. McKEE: Yes. From what I  
4 understand, it is the same on the Federal side. And  
5 the purpose of this proposal, as was told from me by  
6 the Refuge, right now all they have is a hammer, and  
7 they don't want to use a hammer. They want to make  
8 this a bailable offense. So rather than have somebody  
9 have to go through all of this and have the burden, if  
10 they want to challenge it, to go into Anchorage, rather  
11 just basically pay the money and be done with it. But  
12 at this time, on the Federal side, their hands are  
13 tied, and there's not much else they can do other than  
14 this more heavy-handed approach.  
15  
16 MS. KENNER: And to clarify, this is  
17 Pippa Kenner, OSM, I got the information, most of it,  
18 from an interview with the Refuge, and it isn't a  
19 mandatory Federal court appearance. The person cited  
20 is not required to come into Anchorage or make other  
21 arrangements with the Federal court. They can just pay  
22 the fine.  
23  
24 And there are other details. On the  
25 Federal side, after a couple of years, it goes off your  
26 record. On the State side, it stays on your record  
27 longer. There's a lot of details about it that  
28 contribute to the differences between the two  
29 citations, the State and the Federal.  
30  
31 MADAME CHAIR CHYTHLOOK: Well, you  
32 know, before a person gets to that stage, they would  
33 have to be cited, and like I said before, what happens  
34 to a caribou that's wounded and on the run. Do I just  
35 let it go and not dare chase it with a snowmachine to  
36 harvest it.  
37  
38 MS. KENNER: Thank you, Mrs. Chair.  
39  
40 Well, you know, George Pappas  
41 representing the State, really got into the language a  
42 lot. My understanding of this is that when they talk  
43 about -- when take is referred to in the regulations,  
44 you may not take, it means firing. I think wounded  
45 caribou that are on the run may be a different story.  
46 In both the State and the Federal law enforcements'  
47 minds. This proposal is referring purely to the firing  
48 at moose and caribou while they're at gallop.  
49  
50 MADAME CHAIR CHYTHLOOK: Dan.

1 MR. DUNAWAY: Well, once again I think  
2 it's a public education thing, and I'd encourage OSM to  
3 help with that. I think the Refuge could do something  
4 on that, produce videos, get them on the TV out there.

5  
6 Personally I like to see a big hammer  
7 for somebody that's chasing game around. I'd like to  
8 see them suffer a lot of consequences, because it's  
9 wrong. It shouldn't be done.

10  
11 They just -- but there's a lot of  
12 people that don't know about it. And it goes on around  
13 here, and it's a really poor practice. I've heard  
14 people saying, ah, somebody gave me the meat. They  
15 chased a caribou all over. It's terrible. I don't  
16 hunt that way.

17  
18 So, yeah, if the guy actually gets  
19 caught, which isn't that often, go to Anchorage, lose  
20 his snow-go, I don't really care.

21  
22 But I think public education is the  
23 place to reach it. You have the regulation. I mean, I  
24 would encourage them to just -- or administratively put  
25 a page in this regulation book, harassing animals with  
26 motor vehicles is illegal.

27  
28 Thank you.

29  
30 MADAME CHAIR CHYTHLOOK: Nanci.

31  
32 MS. MORRIS LYON: Page 16. Use of a  
33 motorized vehicle to drive, herd or molest wildlife.  
34 Not. You may not. It's one, two, three, four, five,  
35 six, seven, eight -- Number 8 bullet down the page.

36  
37 MADAME CHAIR CHYTHLOOK: Okay. Any  
38 more comments for this.

39  
40 (No comments)

41  
42 MADAME CHAIR CHYTHLOOK: I guess we're  
43 moving down to other Federal and Staff.

44  
45 (No comments)

46  
47 MADAME CHAIR CHYTHLOOK: Tribal  
48 comments.

49  
50 (No comments)

1 MADAME CHAIR CHYTHLOOK: InterAgency.  
2  
3 (No comments)  
4  
5 MADAME CHAIR CHYTHLOOK: Donald.  
6  
7 MR. MIKE: Comments for SRC, there's  
8 none.  
9  
10 MADAME CHAIR CHYTHLOOK: Subsistence  
11 Resource.  
12  
13 MR. MIKE: None.  
14  
15 MADAME CHAIR CHYTHLOOK: Fish and Game  
16 Advisory.  
17  
18 (No comments)  
19  
20 MADAME CHAIR CHYTHLOOK: As noted  
21 before, there's nobody here.  
22  
23 Summary of written public comments.  
24  
25 MR. MIKE: Madame Chair. There are no  
26 written public comments received.  
27  
28 Thank you.  
29  
30 MADAME CHAIR CHYTHLOOK: Public  
31 testimony.  
32  
33 (No comments)  
34  
35 MADAME CHAIR CHYTHLOOK: None. And so  
36 we're down to Regional Council deliberation.  
37  
38 MR. DUNAWAY: Do we want to add?  
39 (Indiscernible, mic not on).  
40  
41 MADAME CHAIR CHYTHLOOK: Pippa. Sorry.  
42  
43 MS. KENNER: No. Mrs. Chair. Thank  
44 you.  
45  
46 I forgot to clarify that this is Unit  
47 18. This is Unit 18 ungulates. And the C&T that  
48 involves -- it's a crossover proposal to the Bristol  
49 Bay region, but it's Togiak, Manokotak, and Twin Hills  
50 are included in the customary and traditional use

1 determination for caribou in Unit 18. And that's who  
2 would be affected by this. I'm sorry, I forgot to  
3 mention that.

4  
5 MADAME CHAIR CHYTHLOOK: Nanci.

6  
7 MS. MORRIS LYON: Yes, Madame Chair.

8  
9 Yeah, I understood that, Pippa.

10  
11 And I guess I'm just looking for some  
12 direction from my fellow Council members. I would  
13 either take no action or oppose this. I see it as  
14 burdensome and unnecessary, and I'm really at this  
15 point wondering why I'm wasting my time on it. And I'd  
16 be happy to listen to somebody else's ideas if they  
17 have some.

18  
19 MADAME CHAIR CHYTHLOOK: I think a  
20 majority of us feel the same way, so maybe.....

21  
22 MS. MORRIS LYON: Okay. You know  
23 what.....

24  
25 MADAME CHAIR CHYTHLOOK: A motion.

26  
27 MS. MORRIS LYON: I will. I'm going to  
28 make a motion to put on table so we can oppose it,  
29 because I don't want it to go forward by taking no  
30 action. I don't want it to be misinterpreted. So I'm  
31 going to put on the table WP12-53.

32  
33 MR. WILSON: Second.

34  
35 MADAME CHAIR CHYTHLOOK: Okay. There's  
36 been a motion and a second to oppose the 53 proposal.  
37 Comment.

38  
39 (No comments)

40  
41 MS. MORRIS LYON: Question.

42  
43 MADAME CHAIR CHYTHLOOK: There's a  
44 question called. All in favor of opposing WP12-53 say  
45 aye.

46  
47 IN UNISON: Aye.

48  
49 MADAME CHAIR CHYTHLOOK: Any  
50 objections.

1 (No opposing votes)  
2  
3 MADAME CHAIR CHYTHLOOK: Hearing none.  
4 We're done with this.  
5  
6 And we're to the point I think where we  
7 can take a break and start -- Mike, you have -- I mean,  
8 Donald, you have a comment. Dan.  
9  
10 MR. DUNAWAY: I think I can anticipate  
11 what he's going to say, but before we quite take that,  
12 we took action on WP10-45, and we didn't say anything  
13 about all the other ones. I was wondering even if we  
14 just verbally agree that.....  
15  
16 REPORTER: Your microphone.  
17  
18 MR. DUNAWAY: I'm sorry. We didn't  
19 take any action -- we took action on WP10-45 about the  
20 moose. We didn't say anything about 46 through 52. I  
21 was just wondering if even just verbally we can say  
22 here that we chose to address the problem with that  
23 proposal and we're taking no action on the rest of  
24 them. Just kind of to get it on the record, if that's  
25 the consensus of the Board or the Council.  
26  
27 MADAME CHAIR CHYTHLOOK: Donald.  
28  
29 MR. MIKE: Yeah. Thank you, Madame  
30 Chair. I was going to address the same issue. So the  
31 Council can adopt 46, 47, 48, 49, 50, 52 and take no  
32 action based on the action taken on 45.  
33  
34 Thank you.  
35  
36 MR. WILSON: I'll so move.  
37  
38 MR. DUNAWAY: Second.  
39  
40 MR. O'HARA: I'll second it, yeah.  
41  
42 MADAME CHAIR CHYTHLOOK: All in favor  
43 say aye.  
44  
45 IN UNISON: Aye.  
46  
47 (No opposing votes)  
48  
49 MADAME CHAIR CHYTHLOOK: Okay. We're  
50 done. So we'll take a break for the evening and be

1 back by 8:30 tomorrow morning.

2

3 MR. MIKE: Before the Council leave, I  
4 got some information that Verner Wilson discussed. He  
5 brought resolutions for the Council to consider or  
6 review for presentation tomorrow.

7

8 So I'll just hand them out.

9

10 (Off record)

11

12 (PROCEEDINGS TO BE CONTINUED)



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C E R T I F I C A T E

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  )ss.  
STATE OF ALASKA                                )

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Salena A. Hile  
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