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1 BRISTOL BAY FEDERAL SUBSISTENCE
2 REGIONAL ADVISORY COUNCIL MEETING

3
4 Volume II

5
6 October 7, 1999

7
8 Borough Assembly Chambers
9 Naknek, Alaska

10
11 Council Members Present:

12
13 Daniel J. O'Hara, Chair

14 Harold R. Samuelsen, Vice Chair

15 Peter M. Abraham

16 Andrew Balluta

17 Timothy M. Enright

18 Robert Heyano

19
20 Jerry Berg, Coordinator

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

2

3 CHAIRMAN O'HARA: Good Morning.

4

5 (Various good morning's)

6

7 CHAIRMAN O'HARA: All right, now we're
8 ready to cook. We're on record, okay. Terry, you're here
9 new this morning.

10

11 MR. HOEFFERLE: I was here yesterday
12 afternoon, Dan.

13

14 CHAIRMAN O'HARA: But we didn't get a
15 chance to say hi to you, so we're glad to have you here
16 today.

17

18 MR. HOEFFERLE: Good morning.

19

20 CHAIRMAN O'HARA: Good morning. We're
21 looking for Lake Clark today, where's Lee? All right,
22 right out of the shoot, huh?

23

24 MR. FINK: Well, good morning,
25 Mr. Chairman, Council members.

26

27 CHAIRMAN O'HARA: Good morning.

28

29 MR. FINK: I got a couple of things I'd
30 like to just pass around to the Council members before I
31 get started here.

32

33 (Pause)

34

35 MR. FINK: I just passed out just a couple
36 of supplemental handouts that I don't believe you received
37 in the mail. Let's see here.

38

39 CHAIRMAN O'HARA: We have that.

40

41 MR. FINK: Under Tab M there's a
42 subsistence issue update from Lake Clark National Park and
43 Preserve.

44

45 COURT REPORTER: Lee, could you state your
46 name, please?

47

48 MR. FINK: Oh, I'm sorry, Lee Fink, Lake
49 Clark National Park and Preserve. I'm lucky to be speaking
50 anything this time in the morning, I'm an evening person.

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1 And so I'm not going to read that, but I'll go over
2 a couple of the various sections there and I have a few
3 additional things to talk about.

4
5 Under the Lake Clark National -- or Subsistence
6 Resource Commission, the Commission met in Pedro Bay last
7 January and, at that time, they finalized the Lake Clark
8 National Park and Preserve Subsistence Plan for draft
9 review. Did everybody get a copy of this in the mail? We
10 mailed -- if we [sic] didn't, we have a few extra copies
11 here.

12
13 CHAIRMAN O'HARA: Yes, that I got, I
14 thought it was smaller.

15
16 MR. FINK: Okay. And we have -- this is
17 now out for comment, the comment period closes December
18 10th and there's not official Commission action required
19 here, it's just that individually we're interested in your
20 input. This was developed with park staff and Subsistence
21 Resource Commission, it kind of outlines all the major
22 components of a what is involved in subsistence management
23 and subsistence activities in the park and preserve. And
24 it is -- it's kind of a working document designed for
25 Commission members, for meetings, to kind of keep some
26 historical documentation that's kind of readily available
27 we can look through. You'll see it's all laid out, it's
28 color-coded, so it's kind of easy to kind of flip through
29 and see that the yellow color identifies and issue and then
30 the salmon color what the SRC has talked about on that
31 issue and it kind of goes through different colors like
32 that, they're all laid out in the front.

33
34 And we think it's -- you know, the Commission did a
35 lot of work on this and it's a -- I think it's going to be
36 great tool for us to utilize, so if you kind of have a
37 opportunity to read though it and see if there's anything
38 you'd like to see different or add or is unclear, you can
39 send comments to the address on the front or you can call
40 or call me and I'll call you back if there's anything you'd
41 like to talk about individually, I'd be happy to do that.

42
43 Are there any questions about that at this time?

44
45 CHAIRMAN O'HARA: Council members?

46
47 MR. SAMUELSEN: I read the document, I got
48 to commend you and your staff for putting it together. I
49 think the format was excellent, content was, you know, nice
50 and simple to read and flow of information was excellent.

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1 I think it was an excellent document.

2

3 MR. FINK: I'd like to -- Janis Meldrum
4 from the regional office in Anchorage really deserves a lot
5 of the credit, she's been doing these, helping the parks
6 with them. Denali National Park is just coming out with
7 one, they're presenting it at the Western Interior, next
8 Western Interior Council meeting, along with ours.
9 Because, as you know, we touch on three Council, we'll
10 present this to not only the Bristol Bay Regional Council,
11 but the Western Interior Regional Council and the
12 Southcentral Regional Council in case those folks have any
13 comments or, you know, though most of our issues really
14 come through this Council, they're peripheral Councils and
15 can be affected at some times and -- but thank you very
16 much.

17

18 Along with that I just handed out the Subsistence
19 Users Guide, and what this is, is this is basically a
20 condensed version of the working book, this is for the
21 general public, so any subsistence, you know -- when the
22 Subsistence Plan is finalized and everything is accurate
23 and the way we'd like to see it, you know, there's a few
24 minor errors in this, but when we get those all corrected
25 and get public comment, then we will update the Subsistence
26 Users Guide, which we'll try to get wide distribution for
27 and this will go to all the various villages and the
28 different subsistence users and kind of, in a much more
29 condensed format, give the important information that's in
30 the Subsistence Plan, you know, so folks can understand.
31 Because subsistence is, unfortunately, complexed at times
32 due to all the regulations and jurisdiction and so we're
33 trying to make it a little bit more understandable and make
34 sure everybody's on the same sheet of music.

35

36 CHAIRMAN O'HARA: Is that it?

37

38 MR. FINK: Yeah, that's it for that.

39

40 CHAIRMAN O'HARA: Any questions, Council
41 members?

42

43 (No audible responses)

44

45 CHAIRMAN O'HARA: I have a question for
46 you, Lee. I meant to ask you about this yesterday and then
47 it didn't dawn on me until this morning, but up at
48 Nondalton the other day when we had our annual shareholders
49 meeting, they -- one of the shareholders were concerned
50 about apparently the Lake and Pen Borough butts up against

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1 the Kenai Borough boundary up there and I'm not real
2 familiar with -- I know the area, that's where I grew up,
3 but I don't know the boundary, I don't know what separates
4 the boundary from the Lake and Pen Borough, but they were
5 talking about the -- a lodge moving in on Pile River, are
6 you familiar with that at all? And that would be on the
7 Kenai lands.....

8
9 MR. FINK: Right.

10
11 CHAIRMAN O'HARA:and they were
12 concerned about subsistence on that and I didn't know. We
13 wouldn't have any jurisdiction over Kenai, but that's a
14 pretty unique area. Unique.

15
16 MR. FINK: Yeah, like our fish down there.

17
18 CHAIRMAN O'HARA: Got to be careful about
19 that word "unique."

20
21 (Laughter)

22
23 MR. SAMUELSEN: Coffee's not done yet, Lee.

24
25 MR. FINK: Okay.

26
27 (Laughter)

28
29 CHAIRMAN O'HARA: Well, we'll monitor that
30 thing and see what goes on, we may not have any control
31 over it, but it's.....

32
33 MR. FINK: Right.

34
35 CHAIRMAN O'HARA:it's just such a
36 beautiful area, I just hate to see something move in there
37 and start disrupting the flow of all those things that
38 happen there.

39
40 MR. FINK: Yeah. We have very limited
41 jurisdiction on the Pile River. The park line is
42 approximately 10 miles up river from the mouth.....

43
44 CHAIRMAN O'HARA: Uh-huh.

45
46 MR. FINK:so that is where Pedro
47 residents, that is kind of their subsistence corridor, so
48 that is critical, I mean, that is where they have the
49 ability to use park resources is to go up the Pile River
50 and that's where their easiest access to moose, bears,

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1 whatever, most of the resources that they would be
2 interested in is up that Pile River.

3
4 CHAIRMAN O'HARA: Uh-huh. So you're north
5 of -- you're 10 miles north of the shoreline up the Pile
6 River.

7
8 MR. FINK: Yes. Yeah.

9
10 CHAIRMAN O'HARA: Yeah, it shows on this
11 map here that we have.

12
13 MR. FINK: Oh, does it?

14
15 CHAIRMAN O'HARA: Yeah, okay. Well, thank
16 you very much, we appreciate that. Okay.

17
18 MR. FINK: I just -- I guess as we move
19 through -- that was the first item on this subsistence
20 issue update, I'll -- the Federal registration hunts went
21 pretty well, the numbers are still changing for this year.
22 You know, all those programs are working well, obviously
23 you've helped develop a lot of these Federal registration
24 permit hunts as a Commission and that's going -- we
25 actually had our first potlatch moose harvested -- or
26 second actually, harvested this year, they had a -- later
27 on in the update there was a cultural camp over at Kijik
28 and a potlatch moose was harvested for that in I think that
29 was July. So those permits are working well and providing
30 opportunities.

31
32 There are several research projects going on at
33 Lake Clark, this was actually a really busy research year
34 for us. Just kind of the way things came together all at
35 one time and part of that, I think, I probably should
36 publicly address the unique fish just a little bit. I hope
37 that's a misconception on somebody's part. I kind of
38 checked the literature that we've written and don't really
39 see that word "unique" anywhere. I do think, quite
40 possibly, what may have gotten confused is that we are
41 looking for individual populations of fish and we're trying
42 to genetically identify fish that come up into Lake Clark
43 and its tributaries, and so part of that is genetic
44 sampling and this fall we've been, as the fish are now
45 spawned out, we're going into the spawning grounds and
46 using a seine net to capture some fish, taking a small fin
47 clip, identifying sex, doing some measurements and then all
48 those fin clips will go off and be genetically sampled.
49 And the idea is we will have, eventually, a good composite
50 of individual groups of fish. That hopefully they'll be

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1 identifiable downstream as to whether they spawn in Lake
2 Clark, Tlikakila River or any of the other major
3 tributaries into Lake Clark. So, you know, I don't think
4 anybody is trying to say that our fish -- except maybe our
5 fish maybe taste better than some other fish when they're
6 smoked properly for 12 days.

7
8 CHAIRMAN O'HARA: Better than Chignik's?
9 Better than the Chignik fish?

10
11 MR. FINK: Yeah. I think Andrew -- there's
12 the red fish after they're dried this time of year, but
13 I'll bring some of those maybe next meeting for you to
14 sample and you can compare them to the fish that comes from
15 your regions and we'll see who has the most unique flavor.

16
17 (Laughter)

18
19 MR. FINK: And other than that, we have a
20 lot of good water resource waters in progress, they're
21 identified in more detail than they are in your book on
22 this handout sheet that I've given you guys. And so I know
23 you're trying to keep things cranking along here and the
24 coffee's not done yet, so I'll just maybe take some
25 questions, unless you have specific.....

26
27 CHAIRMAN O'HARA: Questions? Yes.

28
29 MR. BALLUTA: I got a question for you.
30 Now that the fisheries been taken over by the Federal, at
31 Tazlumina and Chulitna River, is that going to be Federal
32 waters?

33
34 MR. FINK: Well, that probably depends on
35 who you ask. I think there's probably more questions.....

36
37 MR. BALLUTA: It's surrounded by the
38 corporation land and also inside of the park preserve.

39
40 MR. FINK: Yeah, I have as many new
41 questions myself as I do answers, but that may be similar
42 to the Togiak or -- there was a Togiak River issue that
43 some of the back row guys were talking about yesterday.
44 And.....

45
46 CHAIRMAN O'HARA: Oh, the back row
47 commission.

48
49 MR. FINK: The National Park Service, we
50 have a -- 36 CRF 1.2(b) is a regulation that states we have

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1 -- we claim jurisdiction on waters inside the boundaries of
2 the park and preserve. That is what our regulation reads
3 in the Code of Federal Regulations, I'm quite certain the
4 State doesn't agree with that particular regulation. It's
5 never been tested in court and fisheries management may
6 push that issue along a little sooner and it may be tested
7 sooner than not. We -- so I don't know that I have a clear
8 answer. Those rivers that you spoke of are inside the
9 boundaries of the park and preserve. We have a lot of very
10 difficult jurisdictional issues at Lake Clark, mainly
11 because we have a very complicated land status picture. We
12 -- I don't have a map with me right here, I think you have
13 small maps, but we've discussed land status when we've
14 looked at other proposals and we have a very cut up park
15 unit, it's not -- there's a lot of private inholdings
16 inside, corporation land, Native allotments, old homesteads
17 and so our jurisdiction is not always clear cut and in
18 these particular tributaries, the uplands are predominantly
19 either Kijik Corporation or Iliamna Native Limited. Though
20 they are inside the legislative boundary, we don't own the
21 upland, we still probably would try to effect the
22 regulations that allow us to manage water inside our park
23 and preserve boundary.

24
25 MR. BALLUTA: Well, the corporation land
26 doesn't own any water or any navigable water, but my
27 concern is the Tazimina River got no more fish in it
28 hardly, it's been really fished out, no more rainbows in
29 there, hardly any grayling left in there. And Chulitna
30 River, it's subsistence use in the Chulitna River for
31 people that live there.

32
33 MR. FINK: Right.

34
35 MR. BALLUTA: And now they're using air
36 boats up and down that river scaring all the game out of
37 there. That's my concern about those two rivers.

38
39 MR. FINK: Yeah, I share those concerns,
40 you know, as somebody that's lived around there for a long
41 time and the park manager. And, you know, possibly the
42 only bright side is maybe if we actually get a renewed
43 cooperative agreement in place with the State we could work
44 -- it's going to take some cooperation to really get that
45 -- some of those issues resolved and -- because the State
46 does claim jurisdiction on those waters.

47
48 CHAIRMAN O'HARA: Anything else, Andy?

49
50 (No audible responses)

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1 CHAIRMAN O'HARA: Okay. Robert.

2
3 MR. BALLUTA: Thank you.

4
5 MR. HEYANO: Thank you, Mr. Chairman. On
6 your salmon studies what do you hope to gain with the
7 information and how -- what do you plan to do with it in
8 the future?

9
10 MR. FINK: Well, you know, one of the
11 primary mission statements in the enabling legislation of
12 Lake Clark National Park was to protect and preserve the
13 sockeye spawning habitat in that watershed, you know, we're
14 at the head waters of the Bristol Bay drainage, or of the
15 Kijik drainage, and, you know, I think -- I think this is a
16 study that's long overdue, we've been managing the park for
17 18 years and this is the first sockeye salmon study that
18 we've been able to get funding for to undertake. We have
19 very -- there's very little information on the populations
20 in the Lake Clark drainage. Iliamna has -- FRI has done,
21 you know, work on Iliamna and its tributaries for many
22 years and we have some local knowledge that -- actually I
23 was really pleased to see our primary researcher, Dr. Carol
24 Ann Woody from BRD, she's been into all the surrounding
25 villages and gather -- she started her project gathering
26 traditional knowledge on where the salmon swim, where known
27 spawning sites are.

28
29 What we're trying to identify, we have -- there's
30 never been a count on what the population of salmon is in
31 Lake Clark is in its major tributaries, so we're trying to
32 get a handle on how many fish come in there, how many fish
33 get out of there, so what the spawning productivity is.
34 Where they spawn, there's really no -- it's -- Lake Clark
35 and many of its tributaries are heavily glacial influenced,
36 so the waters are particularly milky and you can't see fish
37 and so in a lot of these tributaries we have no idea --
38 this time of the year, like in the Tlikakila River through
39 Lake Clark Pass you'll start to see small populations in
40 the side tribs where they clear up and you'll see the red
41 fish as they start to turn really red, but I've been around
42 there for 15 years and this is first time we've seen fish
43 almost to Summit Lake because people are really, really
44 paying attention and looking and trying to figure out where
45 these fish are spawning. And, as far as I know, not many
46 people were aware that fish went that far up the -- up that
47 Tlikakila, we're talking 30 -- 25 miles anyways, maybe even
48 30 miles. So we're trying to get a composite picture of
49 what the population looks like of salmon and what kind of
50 production they're getting, you know, for return.

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1 So really a whole population structure is what
2 we're looking for, because our mandate is to preserve and
3 protect those -- you know that spawning habitat and if we
4 don't where it is and we don't know what kind of
5 productivity is occurring on that habitat we don't really
6 know what we're protecting. So I think it's a first step
7 in really being able to fulfill one of our primary
8 mandates.

9
10 CHAIRMAN O'HARA: What else do you have,
11 Robert?

12
13 MR. HEYANO: One other question on the
14 concerns that Andy brought up. How does that get addressed
15 for research project? How would it get addressed for a top
16 priority research project? You know, it's the basic
17 function of the park is to make sure the resources are.....

18
19 MR. FINK: Well, we have worked with the
20 State in past. Actually in 19 -- well, I'm not exactly
21 sure of the year, but in the late '80s we conducted a joint
22 research project with the Department of Fish and Game on
23 the Tazimina River for rainbow trout productivity and
24 abundance. I think Andrew was involved in that.

25
26 MR. BALLUTA: Yes, I was involved in it.

27
28 MR. FINK: And.....

29
30 MR. BALLUTA: At that time there were
31 rainbow in the river.

32
33 MR. FINK: Right, back then there were a
34 few more rainbow. So we have actually done a little bit of
35 research, but I think it's probably time to, you know, work
36 with the State and actually Dan Dunaway and I talked to
37 that yesterday after his presentation and, you know, the
38 difficulties is actually getting funding. In some cases,
39 when we work together as -- in a cooperative arrangement
40 with another agency we stand a little better chance of
41 competing for funds and, hopefully, we're going -- with the
42 concerns that have been raised on the Tazimina we're going
43 to try to target that for some more research, but
44 unfortunately that's only half the problem, because the
45 other problem is then trying to implement regulations. You
46 know, the research is actually the easier part for us, but
47 because of the jurisdictional issues it's often times
48 difficult to get results, you know, I mean some kind of
49 regulation which will either -- whenever you try to
50 restrict a resource it's a very difficult process because

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1 there's always somebody that doesn't want those
2 restrictions to take place, whether you're going to
3 restrict horsepower or whether you're going to restrict
4 numbers of people, numbers of boats, times of fishing,
5 whatever you're going -- it's a difficult process. So it's
6 not easy -- it's going to be easier for us to go in there
7 and say, oh, yeah, Andrew's right, you know, there aren't
8 any rainbow, than it is to go in -- and then go the next
9 step and say, well, because there are no rainbow, we're
10 going to implement some type of a restriction.

11
12 CHAIRMAN O'HARA: Go ahead.

13
14 MR. SAMUELSEN: Yeah, I don't know who's
15 managing the waters up there, but working with the Board of
16 Fish and on this Council, you know, this Council is going
17 err on the side of conservation, the Board of Fish is going
18 to err on the side of conservation, and if there's a
19 population crash in their rainbow, my recommendation is put
20 in a proposal in both places. Andy's concern about air
21 boats operating within that area, put in a proposal in both
22 places. Bristol Bay comes up next year on the State
23 rooster for proposals and we can deal with it in our spring
24 meeting when we call for proposals. And there's been
25 precedent setting cases within Bristol Bay on the use of
26 banning air boats. Wood-Tik State Park is a classic
27 example.

28
29 MR. FINK: Yeah. Well.....

30
31 CHAIRMAN O'HARA: Go ahead, Lee.

32
33 MR. FINK:we can move forward on
34 that, and I'm sure we will, because there's a lot of us --
35 there's a lot of folks that would like to see those
36 resources protected. This Council can only address
37 subsistence use, so -- and the Board of Game -- or the
38 Board of Fish can only address sport issues, so there's
39 still these others -- like the air boats are usually
40 hunting access as opposed to fishing access, so it's often
41 times complicated and I hope we can -- I mean, we're going
42 to work to find a solution, but they aren't easy solutions,
43 unfortunately, often times.

44
45 CHAIRMAN O'HARA: Any other questions,
46 Council members? Yeah, Robert.

47
48 MR. HEYANO: You know -- and I don't
49 disagree with you, they are complexed issues, but it's been
50 my experience when you -- if you're doing restrictions for

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1 allocative purposes that's different than trying to
2 implement restrictions to protect the resource. First, you
3 know, I think we need the documentation to back up Andy's
4 concerns that there is a decline in resource and then come
5 up with a solution. All the testimony yesterday we heard
6 how we're all going to cooperate and what not, this might
7 be a first step, see how well it works because it's going
8 to be a cooperative effort.

9
10 MR. FINK: Yeah. Well -- and we'll
11 certainly work towards that end and I think we can -- I
12 know we can put together, you know, plans to do some more
13 research on the Tazimina and certainly after talking to
14 Dan, we'll probably move -- Dunaway yesterday from ADF&G,
15 we will move that way and, you know, we have taken some
16 steps in the National Park Service to address the air boat
17 issue, but it's a complicated issue. The Park Service does
18 not allow air boats commercially, but ANILCA allows for
19 access into National Park and Preserve land with boats,
20 with motorized boats, and air boats fall under a motorized
21 boat, so it's an additional regulation process for us to,
22 you know -- I mean, I believe as Andrew, I think does, and
23 many people, that those have a negative impact on a
24 drainage like the Chulitna River, which is a significant
25 breadbasket for subsistence activities for people primarily
26 from Nondalton and air boats running up and down there are
27 -- cannot be a positive influence on those resources.

28
29 CHAIRMAN O'HARA: Any other questions,
30 Council members?

31
32 (No audible responses)

33
34 CHAIRMAN O'HARA: Lee, a couple of things.
35 One is in '97 and '98, I don't think they even met their
36 escapement goals, I could be wrong, in Lake Clark and
37 that's when we had the decline of salmon, you know, so
38 drastic that brought about the disastrous years that Robin
39 referred to yesterday. And so I can see where -- I think
40 John Bundy was the manager up there or working at the park
41 at the time in Lake Clark and when you see -- and maybe the
42 subsistence needs were met, just barely, but, you know,
43 can't have the subsistence needs met unless you have the
44 escapement. You got to have the escapement or none of us
45 are going to be able to have subsistence.

46
47 It's an issue where Taylor talked to us yesterday
48 about extraterritorial jurisdiction. A very graphic
49 example of if the fish are somewhere along the line,
50 whether it's in False Pass Area M, Nushagak, Egegik or

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1 Naknek, Kijik system has to be addressed to get those fish
2 back to that system -- it has to be addressed and that's
3 the bottom line. And this Council is right, we're not
4 going to deal with issues until we get the proper resource
5 back there, that's our goal, we don't care who has to step
6 aside along the sidelines to do so, including subsistence,
7 we got to get that resource back.

8
9 So that is something that we can't overlook. And
10 the other thing is, is it salmon that goes through that
11 river up to Lake Clark Pass, huh?

12
13 MR. FINK: Yes.

14
15 CHAIRMAN O'HARA: Remember in November you
16 see all those bears sitting along the river looking down
17 there in the water?

18
19 MR. FINK: Right. Yeah, all the way --
20 almost to Summit Lake, Johnson Canyon.

21
22 CHAIRMAN O'HARA: Uh-huh, I'm sure they go
23 into the lake. Why don't you put some nets in there to do
24 some research? For instance, I took a visit -- I was
25 privileged to go through the Yukon-Kuskokwim and I saw the
26 sonar units, which were so outdated by the State of Alaska
27 and I would hope that the Federal program is going to be
28 able to help the State of Alaska in the Yukon and Kuskokwim
29 because it's a desperate situation. And what they do is
30 they have about five different types of net with five
31 different size of mesh size and they got several species of
32 fish and these -- the State employees will do a very short
33 drift, and it's hard to do because all these snags on the
34 bottom, you know, and the muddy water. I mean, you could
35 put your hand in the water and you couldn't see your hand.
36 So you really can't figure out the resource, it's just a
37 very difficult situation anyway.

38
39 But they have these nets that they go through and
40 they'll do an eight minute drift with a certain mesh size
41 and see what they catch and another eight minute drift with
42 another mesh size and see what they catch and that's about
43 all they can tell on what they're getting. But that river
44 is so silt-ridden.

45
46 MR. FINK: Right.

47
48 CHAIRMAN O'HARA: But if you mine up there,
49 you know, in that river system and let that course stuff
50 down it'll kill every fish in that river system, and yet

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1 that silt coming down there they can survive, it's an
2 incredible thing.

3

4 So let's switch gears here a little bit now and
5 talk about the moose population. What's happened with the
6 survival rate of calves in your park since you are to
7 protect and preserve, as I quote you. And can we eat some
8 of those things, too?

9

10 MR. FINK: Yes, you can.

11

12 CHAIRMAN O'HARA: Okay. He's on record.

13

14 MR. FINK: Yeah, we've been harvesting
15 those and -- let me see, now, I had that somewhere.

16

17 CHAIRMAN O'HARA: If you need a little
18 longer you can come back.

19

20 MR. FINK: Huh?

21

22 CHAIRMAN O'HARA: If you need more inform --
23 you need a little longer, you can come back and look at it
24 later if you like.

25

26 MR. FINK: Yeah. No -- oh, yeah, okay.
27 The moose -- I don't think we have -- we probably don't
28 have too much new information because they haven't crunched
29 the numbers from this year's productivity since we met
30 last. There is some good preliminary indications this
31 year, it seems like calf survivability is up, but we're
32 still flying, you know, we have -- I think to date we have
33 38 collared cows that survived. During the project at one
34 time we had a high of 44 collared females and six have died
35 by one method or another, some we have an idea, some we
36 don't. But of the 38 that did survive this year there
37 seems to be a little higher survivability, we've seen more
38 calves, but we're just now flying that because as the
39 leaves comes off, it's really much better to get a clear
40 picture of just how many cows are still with calves.

41

42 CHAIRMAN O'HARA: Okay, we can have that
43 probably the next meeting?

44

45 MR. FINK: Next meeting we should have all
46 those numbers run and crunched and we'll know what happened
47 this year.

48

49 CHAIRMAN O'HARA: Okay. Good. All right,
50 thank you. Anything else, Council members?

00179

1 (No audible responses)

2

3 CHAIRMAN O'HARA: Well, we appreciate you
4 giving us information, Lee, and we drilled you pretty good
5 there, but we're going to work with you on that Tazimina
6 River and the Chulitna River over there and we just need to
7 ban those air boats, I guess, should not get started, they
8 need to get out of there and stay out of there, it's just a
9 miserable, noisy method of -- you know, if you got to go
10 back to the sail boats then that's good.

11

12 (Laughter)

13

14 CHAIRMAN O'HARA: All right, thanks.

15

16 MR. FINK: Thank you.

17

18 CHAIRMAN O'HARA: Coffee is done if anybody
19 needs coffee this morning.

20

21 Okay. Molly Chythlook, you going to come talk to
22 us this morning?

23

24 MS. CHYTHLOOK: Uh-huh (affirmative).

25

26 CHAIRMAN O'HARA: Okay, good.

27

28 MR. ABRAHAM: Excuse me, Dan, which of
29 these (whispered conversation)

30

31 CHAIRMAN O'HARA: Good morning, Molly.

32

33 MS. CHYTHLOOK: Good morning. My name is
34 Molly Chythlook and I work for Alaska Department of Fish
35 and Game, Subsistence Division in Dillingham. And right
36 now I'm the only one there, plus and admin clerk, Eunice
37 Dyasuk. And it's been -- I've enjoyed working, you know,
38 for the Division. Due to the fact that it's my -- you
39 know, I understand the process of harvesting and processing
40 and I just enjoy it, working with people.

41

42 And I'm also tickled to hear that the agencies and
43 workers up here compare how good their salmon is better
44 than other areas.

45

46 CHAIRMAN O'HARA: Oh, you like that, huh?

47

48 (Laughter)

49

50 MS. CHYTHLOOK: And how subsistence, you

00180

1 know, the women will -- eating -- and I'll do it up in bags
2 and I say, you know, my fish have more fat content than
3 yours.

4
5 (Laughter)

6
7 CHAIRMAN O'HARA: Lee, did you hear that?
8 We're going to have a contest here next meeting.

9
10 MS. CHYTHLOOK: On Tab M, last three pages,
11 I'll just kind of go over this. This was prepared by my
12 supervisor, Jim Fall, from -- the regional program manager
13 in Anchorage.

14
15 Since I've been working for the Division, Alaska
16 Department of Fish and Game has and is gradually having --
17 or has a long-standing harvest assessment programs for
18 subsistence salmon fisheries at the, you know, the Bristol
19 Bay and Chignik management areas. And it's been very --
20 and it's been a gradual upward improvement as people
21 understand the permit system and reporting. And in both
22 areas, the Bristol Bay and Chignik management areas,
23 subsistence fisher obtain permits from Alaska Department of
24 Fish and Game office in Dillingham and also in King Salmon.

25
26 And there's also village vendors in local
27 communities and I think due to the vendor program that we
28 have within the local communities the participation in the
29 harvest assessment programs, to date, is high and is
30 improving. And we still have a little bit of problem with
31 the Togiak and Twin Hills, they -- it's gradually improving
32 and I feel like right now to jump for joy, but I'm afraid I
33 might get ushered out here. But this year Twin Hills is the
34 first -- it's first for Twin Hills to have a vendor in the
35 village, before they've resisted, but now they -- we have a
36 vendor, subsistence vendor, in place.

37
38 And I -- you know, for the high participation in
39 the assessment programs, I think it's due to three major
40 areas and it's before we had the majority of the villages,
41 village vendors were located in the post office and now,
42 especially in the larger villages, we've hired vendors that
43 are not post masters, but village located. And we've
44 worked to get bilingual vendors that are dependable. And
45 we also educate these vendors as to why and use of data so
46 that they'll be able to relate these -- the messages to the
47 people coming into get permits.

48
49 And the vendors also -- and then we also encourage
50 the vendors to target the high harvesters within the

00181

1 villages. And then the vendors not only issue permits, but
2 retrieve permits after the season is over, and that's
3 helped us a lot with the phone calls from Dillingham. And
4 the last two years, the only phone calls I've been able to
5 make would be phone calls to Manokotak and Togiak and this
6 would be, like, the older folks that I need to talk in
7 Yup'ik to, to encourage, to either return or estimate the
8 harvests, and that's worked very well.

9
10 With our -- well, after the vendors helped to
11 retrieve permits and return, this data is, you know,
12 reported in the annual management reports prepared by
13 Division of Commercial Fish, Fish and Game. And then these
14 are prepared by our Subsistence Division. The annual
15 number of subsistence permits issued, our 10 year average
16 is about 1,100 permits for the Bristol Bay management area.
17 And these permits are, like, 90 percent Bristol Bay
18 residents and out of the 160,000 salmon that are harvested
19 95 percent are from Bristol Bay residents, and in the last
20 two pages of this report you can see the salmon harvests by
21 region and also by village.

22
23 The Chignik management area, I'm not too familiar
24 with because it's managed out of Anchorage, but they have
25 the same permit system and because there's a distance
26 between Anchorage and Chignik the permits are available in
27 the Council -- the Traditional Council and City Council
28 offices and just during the summer they're also available
29 in the Chignik River weir by Division of Commercial.

30
31 And although the permits are available and we have
32 vendors within the Council buildings, the Council people
33 are in there to work and they're stationary during the day
34 and then -- although people do come in and obtain permits,
35 sometimes the other households that don't come in are
36 missed. And so the Anchorage office hires a person to
37 collect these permits and in doing so they -- you know, if
38 there's households missed, they'll go into the household
39 and get either their -- you know, get the estimate of the
40 harvests for the households that haven't obtained permits.

41
42 And, as you can see, there's the five year average,
43 they got 150 permits, 90 percent are issued to residents of
44 Chignik area and the five year average for the harvest is
45 94 percent in the Chignik area. And this program that
46 we've had has been very successful, the only -- well, there
47 are a couple of areas that we were still trying to improve,
48 is that once -- you know, once in a while we'll get a
49 household, especially a high harvester household and it
50 will appear that they're missing about 50-100 fish and you

00182

1 go back -- I usually go back and ask was there a problem
2 with the harvesting and a lot of times you'll come to find
3 out that the fish that they had harvested and processed had
4 spoiled and either were thrown out or given to dogs for
5 feed and they didn't record them because they personally
6 didn't use, you know, the fish. And so in that case we
7 encourage people that anything harvested, even though you
8 don't personally use it, needs to be recorded in the
9 permit.

10
11 And then another area is commercial harvests,
12 especially the guys that are in their boats during the
13 summer and they take one or two to cook in the boat or
14 they'll bring home kings and sometimes silvers and those
15 aren't recorded and we do encourage households to record
16 those.

17
18 And I'm, you know, as far as -- and then we have --
19 personally, we don't have an annual harvest assessment
20 program for fresh water fish. And then other marine
21 invertebrates, like clams, we have the subsistence forms
22 available for fresh water fish, but due to budget we don't
23 have a program to do a data -- do anything with them, so
24 they sit, you know, in folders under village. If Allakaket
25 brings -- comes in and requests a fresh water fish permit,
26 we do hand the permits to them because that's required, but
27 we don't go by, you know, end of season and retrieve those
28 permits unless they voluntarily bring them in.

29
30 We got several baseline harvest data for these
31 non-salmon subsistence fisheries, you know, based upon
32 systematic household surveys that we have in our community
33 profile database and in several of our technical papers
34 and, you know, Board of Fish reports, and you can see
35 those, you know, referenced in the back of the -- this
36 report.

37
38 And that's all I've got and this program has been a
39 success and it's improving year by year.

40
41 CHAIRMAN O'HARA: Any questions, Council
42 members?

43
44 MR. ABRAHAM: (Inupiat)

45
46 CHAIRMAN O'HARA: We want an interpreter.

47
48 MR. ABRAHAM: What you mean interpreter?

49
50 CHAIRMAN O'HARA: Well, we don't know what

00183

1 you said.

2

3 MR. ABRAHAM: Well, you don't understand
4 this, but I'll say it. You should have sit a long time
5 ago.

6

7 CHAIRMAN O'HARA: Oh.

8

9 (Laughter)

10

11 CHAIRMAN O'HARA: It was Greek to me, so I
12 didn't know what you were saying. Yeah, Robin.

13

14 MR. SAMUELSEN: Yeah, on the fresh water
15 fish species, didn't the Board do a C&T finding on fresh
16 water fish that included rainbow that the villages in
17 Bristol Bay do have a C&T finding on all fresh water
18 fisheries?

19

20 MS. CHYTHLOOK: What we've got, and I do
21 believe we do, What we've got with that is fresh water
22 report and survey information for Togiak River and then we
23 also have a resource study survey that we've done
24 throughout the communities, except for Togiak and Twin
25 Hills but, you know, when we do our resource study surveys
26 for these villages, it's in different years and it's
27 stationary and we can look, you know, back if we need
28 information as to, you know, the -- I guess how and how
29 much each certain villages uses fresh water fish. But I do
30 believe, you know, we do have that or rainbow.

31

32 MR. SAMUELSEN: Yeah, and the Board did do
33 a C&T finding.....

34

35 MS. CHYTHLOOK: Uh-huh.

36

37 MR. SAMUELSEN:for, like, Naknek
38 here, they have a C&T finding four use of rainbow.

39

40 MS. CHYTHLOOK: Yeah.

41

42 MR. SAMUELSEN: Okay.

43

44 CHAIRMAN O'HARA: But there's no paperwork
45 trail as far as, you know, like every year I get back a
46 little slip saying how many reds did you catch and eat and
47 how many kings and chums, cohos and those type of things,
48 and I fill that out every year and sent it back and then
49 have on record, that's where you get your data here.....

50

00184

1 MS. CHYTHLOOK: Uh-huh.

2
3 CHAIRMAN O'HARA:on the number of
4 permits issued locally and how much fished used locally and
5 -- but I guess, it would be -- the reason I mention that is
6 if we don't have record of what we use, like Levelock
7 doesn't have a record of use for subsistence on caribou,
8 well, that doesn't mean they don't use caribou, they just
9 never reported it. And so it would be good if the Village
10 Council just went ahead and said, yes, a certain number of
11 households had a certain number of caribous and that goes
12 into the paper trail and if there ever comes a time when
13 they're going to have to have the caribou over other user
14 groups, such as Naknek or something, so it happen, they've
15 got a little bit of a paper trail anyway to deal with that.

16
17 MS. CHYTHLOOK: Uh-huh.

18
19 CHAIRMAN O'HARA: Any other questions you
20 might have, Council members?

21
22 (No audible responses)

23
24 CHAIRMAN O'HARA: I have one, Molly, and
25 this probably doesn't pertain to what you, but I don't know
26 who does this. Every year this lady calls me up and asks
27 me, did I hunt seal or did they get a seal. Is that a
28 mammal.....

29
30 MS. CHYTHLOOK: That's another program that
31 we do with help from NMFS, it's a NMFS and subsistence
32 program, that's a two year -- well, every -- well, it's
33 done -- it's a survey of sea li -- no, harbor seals and sea
34 lions.

35
36 CHAIRMAN O'HARA: That's the one.

37
38 MS. CHYTHLOOK: Uh-huh, that's the one.

39
40 CHAIRMAN O'HARA: Yeah.

41
42 MS. CHYTHLOOK: And in that program we also
43 hire local monitors to do that survey.

44
45 CHAIRMAN O'HARA: Uh-huh. Yeah, okay, that
46 is a -- because I get a call every year on that and give a
47 report on that.

48
49 A vendor in a community, what does it mean a vendor
50 in a community? You said you got excited about the fact

00185

1 that Twin Hills has a vendor. We're excited about.....

2

3 MS. CHYTHLOOK: Well, a vendor -- a
4 subsistence salmon vendor is hired from -- and the vendor
5 is paid from Commercial Fisheries, Fish and Game, and
6 they're hired to do -- do distribute subsistence salmon
7 permits.

8

9 CHAIRMAN O'HARA: Oh, uh-huh.

10

11 MS. CHYTHLOOK: And in the case of Twin
12 Hills, I call Twin Hill even though they, you know, say,
13 well, we don't do subsistence salmon.....

14

15 CHAIRMAN O'HARA: Twin Hills.

16

17 MS. CHYTHLOOK:on a yearly basis I
18 call them and ask them, well, is there an interest in Twin
19 Hills to do a subsistence vendor. And, finally, this fall
20 there was break to in.....

21

22 CHAIRMAN O'HARA: Yeah, you should jump for
23 joy anytime Twin Hills answers their phone, you should jump
24 for joy.

25

26 MS. CHYTHLOOK: Yeah.

27

28 CHAIRMAN O'HARA: And for you bureaucrats
29 sitting here today, they don't even recognize the State of
30 Alaska, so more power to them, I think I'll move to there.

31

32 Anything else, Council members, you want to ask
33 Molly?

34

35 (No audible responses)

36

37 CHAIRMAN O'HARA: Well, thank you very
38 much, Molly, we really appreciate you.....

39

40 MS. CHYTHLOOK: Well, thanks for having me.

41

42 CHAIRMAN O'HARA:yeah, taking the
43 time to come here, sit for two days and give this
44 information. Thank you very much.

45

46 MS. CHYTHLOOK: Okay, thanks.

47

48 CHAIRMAN O'HARA: Yeah.

49

50 We'll take about a five-minute break here and then

00186

1 we'll come back and deal with other issues. Oh, by the
2 way, if you're here this morning and you want to testify,
3 be sure and sign in, then testify, get a blue card, okay?

4

5 (Off record)

6

7 (On record)

8

9 CHAIRMAN O'HARA: I want Storming Norman up
10 here. Public testimony today, Norman Anderson is going to
11 come and talk to us. Thank you, Norman. If you'd give us
12 your name for the recorder over here.

13

14 MR. ANDERSON: Thank you, I appreciate the
15 opportunity. My name is Norman Nicholas Anderson, I was
16 born and raised right here in Naknek, about 100 yards from
17 where I sit, so everything I say will be true.

18

19 (Laughter)

20

21 CHAIRMAN O'HARA: You're the first -- geez,
22 that's great.

23

24 MR. ANDERSON: For the benefit of the rest
25 of you, I recognize faces and some unfamiliar faces and you
26 may correct me as I go a long, I really don't keep my
27 finger on the pulse of many things that are happening.
28 This is one of the things that has been on the back burner
29 and has come to a boil, I think. I've watched it over the
30 year progress to that point to where it seems to have gone
31 from one office to the next and finally we're faced with it
32 and what we're going to do with it in the future. One of
33 the offices I do hold is the Chairman of our Tribe, I'm
34 the Village Council President here, and we have a open
35 dialogue with the Federal government on a one to one basis
36 and we continue to do so with respect and honor and we have
37 a good relationship with them.

38

39 In many other forums I've introduced myself always
40 as a commercial fisherman and that still stand true but, as
41 many of you, I'm a subsistence lifestyle liver and have
42 been so for many years and I pass that on to my children.
43 It's tradition in my household that the first caribou we
44 get, we pass on to the elders in sharing, where they don't
45 have -- either don't have someone to provide for them or
46 just don't have the opportunity to be able to get out and
47 do it themselves anymore. My children still do that and
48 will continue to do that, I passed that on to them. I
49 think that's the part of culture and tradition and usage of
50 being a subsistence lifestyle liver.

00187

1 To me, subsistence lifestyle is nothing more than
2 meager take to provide sustenance for my family and my
3 friends, and I think that is how Webster looked at it,
4 looked at the Native America lifestyle and conformed the
5 definition of the term right around there. That is the way
6 that we have always done it.

7
8 In regards to Federal management, I believe it very
9 important that we keep this dialogue between the federally
10 recognized tribes and the Federal government on a one to
11 one basis in terms of the communication between the two.
12 Although the Federal government seems to be miles and miles
13 away, they often times are more receptive than our
14 government in Juneau, and I wish that this body be able to
15 take endorsement along with you in speaking with the
16 Federal government. It's very important that we not be
17 left out of the broad picture when it comes to Federal
18 management, when it comes to subsistence lifestyle and
19 usage of game, whether it be on State or Federal lands.

20
21 Molly was very, very accurate when she spoke to the
22 usage of the game. As subsistence lifestyle users, as
23 you're well aware, we use everything on the animal, as much
24 as we possibly can and leave nothing to waste.

25
26 Again, I'll make this short and sweet, I had to
27 steal time away from work to get down here, but mostly the
28 message that I carry is that to continue a dialogue between
29 the Federal recognized tribes and the Federal government on
30 a one to one basis, be recognized as that of a friendly
31 olive branch of peace and that we continue to use that in
32 recognition of this dialogue.

33
34 Does anyone have any questions or.....

35
36 CHAIRMAN O'HARA: Council members, do you
37 have any questions of Norman?

38
39 (No audible responses)

40
41 CHAIRMAN O'HARA: Norman, we appreciate you
42 taking some time from your job to come down and talk to us
43 today. I was wondering if this Council probably has not
44 interacted with the Village Council here at all as far as
45 ever showing up at your meetings or giving a report or any
46 of those type of things. We come here at the meeting and
47 they have their Council time and we have our meeting time
48 and the two never gets together. And it may not -- we may
49 not get together, there may not be a need to get together,
50 but we don't want to overlook just what you talked about,

00188

1 and that would be a very grass roots of subsistence and we
2 appreciate you drawing that to our attention again today.

3
4 One of the things that I think that this Council is
5 going to have to address, and that is have -- you know,
6 it's comfortable to come to Dillingham and Naknek and have
7 a meeting, but I think it would be beneficial to go to
8 Iliamna or Port Heiden and have a meeting and that would be
9 a hard thing for an entourage this size, but I think you
10 get more of what really is happening with subsistence if
11 you get down to where their village level is at in their
12 subsistence needs. We appreciate you coming and drawing
13 our attention to the Village Council today.

14
15 MR. ANDERSON: Exactly, Dan, I think it's
16 very important that, although those people are silent here
17 today, that their outcry is ongoing. Last year with the
18 decline in the caribou population and because of this hoof
19 problem that they had, and the late migration this year of
20 caribou, the extension that was granted to villages like
21 Port Heiden is again ongoing that these people -- we live a
22 subsistence lifestyle and I think it's very good. We, on
23 the tribal level, keep our fingers as close to subsistence
24 lifestyle as we possibly can and that's our lifestyle, so
25 again, I appreciate your comments

26
27 CHAIRMAN O'HARA: Yeah, and you notice that
28 BBNC is now holding its annual meetings in the villages,
29 and that's a big entourage of people coming to a village
30 and you got to buy -- and you go to somebody's home and pay
31 them to stay there, which is fine, and it helps the economy
32 and let's the local people see exactly what's happening
33 with that corporation and what they're doing for them. And
34 this is a Council of the very basic subsistence needs that
35 we start off with.

36
37 We thank you for coming and sharing this time with
38 us.

39
40 MR. ANDERSON: Thank you. It's good to see
41 you all.

42
43 CHAIRMAN O'HARA: Randy Alvarez. Igiugig
44 Village Council?

45
46 MR. ALVAREZ: Yeah.

47
48 CHAIRMAN O'HARA: All right.

49
50 MR. ALVAREZ: Thank you, Mr. Chairman. My

00189

1 name is Randy Alvarez, I'm an Igiugig Village Council
2 member, I am also the Chairman of the Lake Iliamna Fish and
3 Game Advisory Committee, but I'm here on behalf of the
4 Igiugig Village Council. I appreciate the opportunity to
5 be here and to express our views. And I would like to
6 thank -- the Village of Igiugig would especially like to
7 thank the Park Service and Deb Liggett for -- because of
8 our school kids, children and a few of the adults that had
9 never been into the park and preserve, which is only 10
10 miles away in their entire lives. They really enjoyed the
11 opportunity to go there, see things that they've never, you
12 know, that they've never seen before and they really had a
13 great time and we hope it continues.

14
15 Our village is still waiting to hear about our ORV
16 use application in the Katmai Preserve, you know, it's -- I
17 heard Deb yesterday talk a little bit about that, they're
18 still -- right now they've been working with Kokhanok on
19 that, so I -- but I wanted to express our concern that we
20 are also still waiting for our determination.

21
22 Our Council also is disappointed that a couple of
23 our members did not get a favorable determination in C&T
24 use in the Lake Clark Preserve and it's -- we'll probably
25 be reapplying or going to -- we're not giving up on those
26 applications either, we're going to submit another
27 determination or get more evidence, but I believe there has
28 been -- since that -- the last two meetings, we've had some
29 more information on different people in the village that
30 used to live up there in that area and use, so their might
31 be -- it might be a village issue instead of an individual
32 one, and we're going to be working on that.

33
34 CHAIRMAN O'HARA: That's interesting.

35
36 MR. ALVAREZ: And I also understand that
37 last week or so the Park Service was up Igiugig, they
38 picked up dead salmon as the Park Service is interested in
39 obtaining an easement at the Kukaklek mouth outlet because
40 of the corporation that owns that, they've since leased
41 that to an individual that operates up in the park and
42 preserve as a lodge there and, apparently, he's been
43 telling all -- everybody landing there and fishing there
44 that he's the exclusive user for that, and from what I can
45 gather the Park Service must have got an earful from
46 everybody that couldn't go there and fish any more, but
47 it's -- according to what you guys were saying yesterday
48 that with all the use that that river is getting, it sounds
49 a lot better to have one user instead of it opened to
50 public access, which would make it a lot more -- a lot more

00190

1 pressure on the system.

2

3 And I also understand, too, that there's a lodge
4 owner trying to negotiate a lease to an allottee that has
5 an allotment at the forks on that Alagnak River, so that
6 probably isn't going to help the situation either, and I
7 don't know if it's going to go through or not, but it
8 sounded like it probably would and I'm not sure what's
9 going to be built there or what kind of operation is going
10 to go out of there because it's a lodge owner that has a
11 lodge up -- down the river in Igiugig. Probably a small op
12 -- I'd hate guess, but it's probably going to be everything
13 run out of the Igiugig -- the lodge there and flown over,
14 but that would add more pressure on the -- on that river
15 and we have to monitor this, you know. Yesterday you were
16 saying you didn't want to see it get like the Kenai, and
17 you have no control over the Native allotments, leasing it
18 out, but, you know, there has to be some kind of regulation
19 on how many can use it in the near future, otherwise it
20 probably will be. So we would like to keep that in mind.

21

22 Igiugig would still -- the Council would still a
23 cow moose in the winter season, like it used to be a number
24 of years ago. At our last meeting -- the last Board of
25 Game meeting in Anchorage, the State Board of Game meeting
26 last winter in Anchorage, I attended. We asked for a cow
27 moose and the State season for 9(B), but the biologist
28 didn't agree to it, so we didn't get it. But I asked Dick
29 Sellers, our biologist about what kind of numbers we need.
30 He says, well, the population is not a problem, we have
31 enough moose, he said, but what he would like to see is
32 more cows per bulls. Well, I asked him how much. He said,
33 well, right now we have about 25 cows per bull, he said
34 he'd like to see about 30 and then he'd consider having a
35 winter cow moose season for the local residents. And, you
36 know, it seems like quite a bit to us, you know, that ratio
37 and quite a few number of years ago it was a lot lower than
38 that, it didn't have to be that high.

39

40 Yesterday, Superintendent Liggett had mentioned
41 that the Park Service was talking to BBNA about
42 comanagement of the parks and preserves, you know, but it's
43 been -- I understand it's been mandated that they work with
44 the tribes on -- for comanagement. Well, I'd like to --
45 our Council would like to report that us -- our village and
46 a number of other villages have withdrew some of the
47 Federal programs out of BBNA and there are some, as
48 Nondalton, Pedro Bay and Iliamna that have withdrawn all
49 their Federal money out of BBNA, so BBNA does not represent
50 these villages on -- or couldn't for comanagement of, say,

00191

1 Lake Clark or Katmai, and it's our feeling that the Park
2 Service should be -- should have to negotiate or talk with
3 the individual village, especially those that live next to
4 or inside of the parks and preserves or have land in there.
5 Because if they're going to just talk informa -- take
6 comanagement with Bristol Bay Native Association, which
7 does not represent most of the villages up around the Lake
8 Clark Park and Preserve and Igiugig or the Village Council
9 of Naknek which has withdrawn their services also and are
10 doing their own programs themselves, that the Park Service
11 is going to have to deal with those individual villages to
12 comanage. And, you know, it's going to be interesting to
13 see what comes out of it, if they do or not because if they
14 don't deal with the individual villages and go through
15 BBNA, they'll be dealing with villages that aren't even
16 federally recognized by the government.

17
18 So I'd just like to express that point out. And
19 that's about all I had to say. And I'd like to thank you.

20
21 CHAIRMAN O'HARA: All right. Questions,
22 Council members?

23
24 (No audible responses)

25
26 CHAIRMAN O'HARA: Randy, do you have any
27 trails that you're going to be offering the superintendent
28 of parks on where to put these ATVs?

29
30 MR. ALVAREZ: Yes, there are some trails
31 upon -- back on the ridges beyond Igiugig and we've showed
32 them before, you know, but they've -- when you're trying to
33 show them in an airplane where they are and you're pointing
34 down, it's kind of hard for them to see what you're looking
35 at.....

36
37 CHAIRMAN O'HARA: You can always take a
38 ride.

39
40 MR. ALVAREZ: I know, the best way to do it
41 is to be there.

42
43 CHAIRMAN O'HARA: Yeah.

44
45 MR. ALVAREZ: But usually in the wintertime
46 when there's snow on the ground and there's a snowmachine
47 trail that somebody just got done going through it you can
48 see it, but there are some pretty good beaten trails,
49 though, that you can definitely make out and.....

50

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1 CHAIRMAN O'HARA: I think one of the
2 biggest problems with this ATV thing, and I wish I knew a
3 little more about it, is I think one of the things you
4 can't have is damage to the terrain and you just can't do
5 it. I fly over areas over the Alaska Peninsula almost on a
6 daily basis where a track vehicle has gone over there 30
7 years ago and it's still there, you know, and it's taken a
8 long time, it may never come back to -- it may, but it may
9 be a long time, so it's not an easy issue to deal with, but
10 it's something that people need to get on to go get animals
11 to use and we can't overlook that either, so we're not
12 going to.

13
14 The moose thing on Federal lands, you want a cow
15 season in the winter time. He want's how many cows?

16
17 MR. ALVAREZ: Well, he reported to us that
18 he would like to see 30 cows per bull, he says right now
19 there's about 25.

20
21 CHAIRMAN O'HARA: Okay, that was it. I
22 missed -- okay, so it's at 25, it's really close. And you
23 do have Federal land that you can do that on?

24
25 MR. ALVAREZ: Yes, that's back in the
26 preserve right behind Igiugig.

27
28 CHAIRMAN O'HARA: Yeah, that's the Katmai
29 National Preserve.

30
31 MR. ALVAREZ: That's probably.....

32
33 CHAIRMAN O'HARA: And you can -- are you
34 guys going to put a proposal in? We're not.

35
36 MR. ALVAREZ: We will.

37
38 CHAIRMAN O'HARA: Okay.

39
40 MR. ALVAREZ: And I understand Robin was
41 saying that the call for proposal will be at the next
42 meeting?

43
44 CHAIRMAN O'HARA: No, it's going to be in
45 November. The cut off date is what? November what, Jerry.

46
47 MR. BERG: November 5th.

48
49 CHAIRMAN O'HARA: November 5th, so, you
50 know.

00193

1 MR. BERG: We have proposal forms here.

2
3 MR. ALVAREZ: Okay.

4
5 CHAIRMAN O'HARA: The Branch River, the
6 Lake Clark air boats, you know. I don't think this Council
7 is going to put in a proposal for you guys after hearing
8 yesterday that we don't have no jurisdiction over waters,
9 over the Branch, you know, it's going to be up to you guys
10 to do and we'll support you. If we had an ounce of
11 jurisdiction to do something on that Branch, I'd have a
12 proposal of 10 people out of a lodge per day, period, you
13 know. And now that we got to get all of the land users
14 together and all nod our heads, it'll be in another
15 lifetime.

16
17 Okay, that's it, Randy, thank you very much.

18
19 MR. ALVAREZ: All right.

20
21 CHAIRMAN O'HARA: Yeah, appreciate it.

22
23 MR. ALVAREZ: Thank you.

24
25 MR. SAMUELSEN: Deb wants to come up.

26
27 CHAIRMAN O'HARA: Oh, did we need a
28 rebuttal here? We got one more testifier, too.

29
30 MS. LIGGETT: I can tell -- Randy warned me
31 -- this is Deb Liggett, Superintendent of Katmai and Lake
32 Clark -- that he was going to put me through my paces. I
33 can tell, Mr. Chairman, that there is an ATV ride in my
34 future.

35
36 (Laughter)

37
38 CHAIRMAN O'HARA: Bring along something to
39 sit on.

40
41 MS. LIGGETT: But let me talk about some of
42 the things that Randy address, just because this is a good
43 forum for me to be able to answer questions and cut off any
44 confusion, I hope. And I would add, in relation to Randy's
45 comments about moose when I was Kokhanok on Monday there
46 were several comments in the community about concern about
47 the length of the moose season and that the meat was bad
48 and that there was lots of wanton waste from sport hunters
49 in the preserve was there, because they felt like the moose
50 season was too long. So I don't know if you'll be

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1 receiving a proposal in relationship to that and I don't
2 know what the Igiugig Council might see.

3
4 This has come up earlier, Randy talked about
5 comanagement, and I asked Taylor yesterday if he was going
6 to get into this and I guess I need to go there. I do not,
7 as a Federal land manager, right now, have the legal
8 authority to enter into comanagement agreements as
9 comanagement is defined as the legal term. With that said,
10 I certainly have the legal authority and I think the social
11 responsibility to cooperate under a variety of mechanisms,
12 cooperative agreements. Now, there may still be some
13 movement afoot in the United States Congress to give that
14 authority back to us, but so far the Feds don't have the
15 authority to comanagement on anything except marine
16 mammals. And that may be changing and that's history. But
17 it's imperative that we cooperate and with a variety of
18 mechanisms. Don't think that it was ever the National
19 Parks Service's intent or BBNA's intent to ever leave the
20 village out of any kind of agreement or talking. You know,
21 it's my understanding that BBNA serves and Terry's here at
22 the pleasure of the villages. Yeah, to 32 villages and so
23 I'm very sensitive to what Randy said regarding that.

24
25 The National Park Service has been very interested
26 in purchasing and easement, either purchasing outright or
27 purchasing an easement up on Nonvianuk, I think, isn't it,
28 Randy?

29
30 MR. ALVAREZ: Kukaklek.

31
32 MS. LIGGETT: Kukaklek, thank you. And, in
33 fact, there's still some money in the pipeline for me to do
34 that, and I think I ment -- when I was there early summer
35 that I mentioned that and we would like to pursue that.
36 There -- if the National -- if and when Igiugig would come
37 forward and -- it's my understanding it's currently leased
38 out at a five year lease and if the Council of Igiugig was
39 interested, you know, they're in total control of what they
40 want to give us in an easement. I mean that easement
41 potentially could be only administrative use or it could be
42 some kind of controlled use to the public. So we're still
43 interested in talking about that.

44
45 The issue of allotments and their access tot he
46 river, you know, one of the major lodges along the river is
47 on a lease from one of the villages, and it's the owners of
48 those allotments that are in the driver's seat on those,
49 but the concern about -- that Randy expressed about that
50 private allottees could sell all access rights is a very

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1 real one, which is why we all need to sit down at the table
2 and see if we can't establish some kind of a social norm.

3
4 Igiugig is -- I'm very aware that Igiugig is
5 interested in the ATV study, access study, similar to
6 Kokhanok, and what I asked them when I was there last time
7 was -- is to let us go first with Kokhanok and I'm happy to
8 talk with the Council later about that. And essentially it
9 comes down to this, I, of course, have no funding to do any
10 of this, we're just making it happen. And the only way
11 that I know to eat an elephant is one bite at a time. And
12 I'd like to eat it one bite at a time as opposed to blowing
13 up the elephant. So I'm very aware and sensitive to the
14 fact that Igiugig is interested.

15
16 I have not signed any denials of individual 13.44
17 permits. That is still an open issue and Donald Mike is
18 going to work with the applicants to try and obtain more
19 information before I make a final decision on those 13.44
20 permits.

21
22 And I think that's pretty much the stuff you asked,
23 Randy.

24
25 CHAIRMAN O'HARA: Donald, did you have a
26 comment? If you want to you can make a comment here. Give
27 us your name for the record, if you would, please?

28
29 MR. MIKE: This is Donald Mike with Katmai
30 National Parks, Subsistence Resource Specialist. I just
31 want to add on to Deb Liggett's easement with Igiugig on
32 the north side of the -- on Kukaklek Lake. There is
33 currently 17(B) campsite easement identified on the north
34 side of Kukaklek and that's where we're -- Deb was alluding
35 to that we were working with Igiugig trying to find a
36 suitable place for campsite easement.

37
38 CHAIRMAN O'HARA: Okay, all right. Thank
39 you very much, I appreciate it.

40
41 MS. LIGGETT: Thanks, I'm looking forward
42 to that ride, ATV ride.....

43
44 MR. SAMUELSEN: One question.

45
46 CHAIRMAN O'HARA: We got one question here,
47 okay?

48
49 MR. SAMUELSEN: Deb, does Igiugig's
50 Corporation land butt up against the Alagnak or is it just

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1 Levelock?

2

3 MS. LIGGETT: Oh, boy. Robin, you're
4 asking the wrong person without one of my lands maps here.
5 Donald, do you know the answer to that?

6

7 MR. MIKE: What was the question again,
8 Robin?

9

10 MR. SAMUELSEN: Does Igiugig's Corporation
11 land butt against the Alagnak River or is it just Levelock?

12

13 MR. MIKE: It's the -- Igiugig land, if I'm
14 correct, and Randy can correct me on this, is near the
15 outlet of Kukaklek Lake and there's a huge parcel there on
16 the north side of the outlet of Kukaklek.

17

18 MR. SAMUELSEN: Okay. Maybe at our spring
19 meeting we could have a map of the ownership of corporate
20 lands, or other maps upon the wall.

21

22 MR. MIKE: Okay, we can go ahead and do
23 that, we can provide some land status maps within the
24 Katmai Park Service areas.

25

26 MR. SAMUELSEN: Thank you.

27

28 MS. LIGGETT: Thank you.

29

30 CHAIRMAN O'HARA: Terry Hoeffferle is going
31 to do (indiscernible - away from microphone)

32

33 MR. SAMUELSEN: Terry, you're next.

34

35 MR. HOEFFFERLE: Thank you, Mr. Chairman.
36 For the recorder, my name is Terry Hoeffferle, I'm the
37 Executive Officer at the Bristol Bay Native Association.
38 I'd just like to share with the members of the Council this
39 morning a few fears and hopes as we go into a new period of
40 management of resources in the state and in this region. I
41 think with all of the fears that are brought about by
42 bifurcated management and having several different
43 management bodies trying to manage the same resource. And
44 I won't recount all of those fears.

45

46 I think that there are also some hopes. One of the
47 -- and those hopes related, particularly, to subsistence
48 issues. I think that what I would like to use as an
49 example is in the area of sport fish. In the last couple
50 of days I think you, as well as well as the members of our

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1 board, have heard that -- I've heard reports on sport fish
2 issues in the waters of Bristol Bay.

3
4 One of the things that stood out in my mind while
5 Kevin Delaney of the Sportfish Division was talking to the
6 Bristol Bay Native Association Board about was the fact
7 that there are three main species of sport fish of concern
8 in Bristol Bay, those being king salmon, coho salmon and
9 rainbow trout. And since the Federal government and,
10 therefore, this Council is going to have a new purview on
11 anadromous fish stocks. The two anadromous fish there, I
12 guess, are the king salmon and the cohos, have not met
13 their escapement goals throughout Bristol Bay, I guess,
14 with a few very rare exceptions. King salmon on the
15 Nushagak River a couple of times in the last decade, but in
16 any of the river drainages in Bristol Bay those stocks of
17 fish that are targeted by sport fishermen have not met
18 their escapement goals. I think that that poses a real
19 conservation threat.

20
21 My hope is, is that as that Federal agencies gets
22 into the management of subsistence fisheries, that we might
23 see a counter balancing, I think, of these terminal
24 fisheries where subsistence will be able -- will counter
25 balance some of the research and political sport and so on
26 that sport fish have had for many years. And I'm very
27 hopeful in listening to Mr. Brelsford and others talk about
28 the attention that the Federal government will put on
29 monitoring subsistence resources that we may be able to see
30 some research scientific money brought to bear on the side
31 of subsistence fisheries that can kind of counter balance
32 that.

33
34 We're very sensitive in Bristol Bay in areas as
35 diverse as the Alagnak River and Nushagak and Togiak and
36 about the quality of subsistence, as Mr. Samuelsen
37 mentioned yesterday, the quality of the experience. And I
38 think that for subsistence users that quality of experience
39 is as important, or more important, than it is to sport
40 fish users. And I think that it's incumbent upon this
41 Council and all of us, as we move into this era of Federal
42 management that we need to pay particular attention to
43 that.

44
45 We see on the Naknek River, for example and on the
46 Alagnak River and increasingly on the Nushagak and also on
47 the Togiak Rivers some conflicts between sport users and
48 subsistence users, and there seems to be an assentotic (ph)
49 curve, I guess, is the correct phrase for it, but a
50 geometric increase in sport fish usage on the rivers of

00198

1 Bristol Bay. And I think that that causes concerns for the
2 quality of experience of subsistence users and I think that
3 it also causes concerns for the health of the resource, as
4 evidence by the fact that the species that are targeted by
5 sport fishermen are species that haven't met their
6 escapement goals throughout the region for a long time.

7
8 I guess with those comments, Mr. Chairman, I would
9 just like to say that some of our hopes for Federal
10 subsistence management are that we can perhaps develop,
11 cooperatively, some management tools that would assist in
12 the management of sport fisheries and subsistence
13 fisheries, that would lead to increased health of the
14 resource and safeguard the subsistence lifestyles of the
15 members of our association.

16
17 Thank you.

18
19 CHAIRMAN O'HARA: Questions, Council
20 members? Yes.

21
22 MR. HEYANO: Thank you, Mr. Chairman. Good
23 morning.

24
25 MR. HOEFFERLE: Good morning, Robert.

26
27 MR. HEYANO: You know, Terry, we've heard
28 that some of the problems in some of the areas and in other
29 areas, to a larger degree, that the competition on the
30 increase and whether it's sport hunting or sport fishermen
31 is a direct result of those individuals being able to
32 access private inholdings. I know your organization has a
33 contract where you through BIA to assist in the Native
34 Allotment Program. And I understand that, you know, you're
35 pretty much confined to looking out for the best interest
36 of the allottee under that contract, but on the same token
37 I think if we're ever going to get around the issue of the
38 subsistence user and his quality of experience and the
39 competition he faces with other users, we need to find some
40 other mechanism for those individuals who are those private
41 inholders, other than a straight out lease that results in
42 a direct competition or, worse yet, the sale of. And I
43 think we need to hurry up and work towards some other
44 solution. And I think there is other solutions out there,
45 but I think if we all don't get together and make that a
46 priority a lot of what we can do on Federal lands or
47 Federal waters won't have much of an impact with private
48 inholdings, if we don't find another solution to these
49 private inholders to, you know, obviously derive some sort
50 of income, but hopefully still maintain ownership of that

00199

1 land and still be able to use that land for what it was
2 originally directed for (inaudible - turns away from
3 microphone) activities. A lot of these parcels are located
4 in prime resource areas for the (inaudible - turns away
5 from microphone) areas for subsistence. You know, along
6 with the Park Service and the Federal people, I think BIA
7 and BBNA and BBNC and some of the larger land holders, the
8 village corporations need to hopefully get together and
9 hopefully make this a priority and come up with a solution
10 other than what currently happened because I think what
11 we're seeing here is just the start and it's going to
12 rapidly expand.

13

14 Thank you.

15

16 MR. HOEFFERLE: Uh-huh. Mr. Chairman.

17

18 CHAIRMAN O'HARA: Yes, Go ahead.

19

20 MR. HOEFFERLE: Mr. Heyano, I -- the
21 Bristol Bay Native Association represents the interests of
22 42 Native (inaudible) River and similar numbers on the
23 other river systems in the region. The majority of the
24 Native allotments in Bristol Bay are located on the
25 waterways, very few of them, I guess, are isolated from the
26 waters. Their individual interests, I think, may conflict
27 with the interest of the larger group. I think that in the
28 history of land ownership, Anglo/Saxon land ownership and
29 stuff, that's the reason for zoning laws.

30

31 But we have an obligation to respect the land
32 ownership rights of those Native allottees and we will
33 continue to do so. The Association, for example, has for
34 the last five years had an agreement with the Levelock
35 Natives Limited and we support their river patrol program
36 that's designed to mitigate trespass, both on Native
37 allotments and on corporate lands on the Alagnak River.
38 Currently we're working with stakeholders on the Nushagak
39 River, that includes the village corporate interests along
40 the Nushagak and Mulchatna Rivers, the Native allottees,
41 the tribal interests and communities along the Nushagak and
42 Mulchatna Rivers. The State is one of the stakeholders in
43 that Nushagak/Mulchatna watershed group, as is the Lake and
44 Peninsula Borough and a couple of other governmental
45 interests.

46

47 Our attempt is to get all of those stake holders to
48 identify some of their concerns and the values that they
49 place upon the resources in that watershed and then to try
50 to identify in their areas of concerns ways that all of the

00200

1 stakeholders might be able to sort through conflicts and
2 they're always going to occur. I guess I have no silver
3 bullet, we recognize that it's a problem, we would like to
4 continue to work on this and expand that watershed group to
5 other drainages as well, it was just showcased in a
6 watershed management meeting in Anchorage here two weeks
7 ago.

8
9 I would also welcome any of your thoughts or the
10 Council's thoughts on ways that we might be able to address
11 some of these conflicts. It is a problem, it will continue
12 to be a problem and I think that I -- I wish that I could
13 remember the phrase that Deb used a minute ago talking
14 about social norms, I think, might have been the word that
15 she used in trying to get people to sort of accept certain
16 kinds of values as the norm and maybe we can develop some
17 ways of addressing these issues as we move forward. My
18 fear is, is that with the geometric increase in use that we
19 may not be fast enough in doing so. As each year or season
20 goes on, the vested interest of commercial users, I think,
21 become more and more entrenched.

22
23 I'm sorry I was so long-winded, Mr. Chairman, I'll
24 to.....

25
26 CHAIRMAN O'HARA: Yeah, that's okay.
27 Anything else, Council members, you want to ask?

28
29 (No audible responses)

30
31 CHAIRMAN O'HARA: Thank you very much. We
32 really appreciate you testifying today.

33
34 MR. HOEFFERLE: Thank you, Mr. Chairman.

35
36 CHAIRMAN O'HARA: We would like to, at this
37 time, call for the Bristol Bay Native Association, Ted
38 Krieg, come up and talk to us and the last report that we
39 have today, unless there's others that's going to be coming
40 before this body.

41
42 Ted. Just continue on right from where your boss
43 left off.

44
45 MR. KRIEG: Yeah, Ted Krieg, Bristol Bay
46 Native Association, Natural Resource Department. Helga
47 made me a name plate here, so I want to be sure I use it.
48 Or somebody did, so thanks. Mr. Chairman and Council
49 members, I guess I've got about five things I'm going to
50 touch on. The first thing is going to be the longest and

00201

1 then it will get progressively shorter.

2

3 We've talked about the Board of Game. I guess the
4 Tier II State hunt for the Northern Alaska Peninsula Herd,
5 I'm going to start off with that. And, Dan, earlier in the
6 meeting had talked about the Board of Game meeting, and I
7 think I gave a little report on that last time, too, but
8 the Board of Game meeting last March, you know, was a
9 pretty significant meeting because nobody -- going into
10 that meeting nobody wanted to go into Tier II, but, like
11 Dan had said, when we got there it was our only option
12 without compromising subsistence.

13

14 The option was that we could reduce, as I remember
15 it, reduce the number needed for subsistence from this
16 Northern Alaska Peninsula Caribou Herd and that -- the
17 number that the Board of Game set was 1,200. And, you
18 know, when we looked at the numbers, the years that BBNA
19 did the subsistence harvest surveys, the villages in the
20 region averaged about that number, 1,200 caribou, so, you
21 know, anything less than that wasn't going to be enough and
22 we didn't want to drop it down to provide, you know, for
23 additional sport hunting.

24

25 So, anyway, I guess when we decided -- when we
26 found out that we were going to be going into Tier II, the
27 big concern was that if local people applied for the
28 permits they would have the best chance to get them, if
29 they didn't apply, people from Anchorage or out of the
30 region would probably get them. The Tier II process is
31 cumbersome and there's some things that, you know -- that --
32 we've heard some things already, not everybody likes the
33 process, but it's -- I did the best I could, BBNA Natural
34 Resource Department, we did the best we could to try to
35 inform people about the process and what needed to be done
36 to get those permits.

37

38 One of the things I wanted to say, too, at that
39 Board of Game meeting, it was pretty significant. At one
40 time somebody counted 19 people that were representing the
41 Northern Alaska Peninsula area and that was pretty
42 significant and I thought about the -- you know, the agency
43 people here, if we got 19 people in here we could almost
44 match the agency people here. So that was a pretty
45 significant meeting and I was impressed with the turn out
46 for that.

47

48 So and a little bit about -- the State -- the Board
49 of Game meets in March and then after that March meeting
50 when they get the Tier II, they get these permit

00202

1 supplements and the application, they get those together,
2 and once they get those together it's usually about the end
3 of April, people have the month of May to apply,
4 applications are due on May 31st. So, you know, their
5 thing is they're working on a pretty tight line, and then
6 by mid-July the results of the application process come
7 out.

8
9 Well, anyway, we set up with two State people,
10 Susan Bowen from ADF&G Wildlife Conservation and Charles
11 Utermohle from the Subsistence Division were able to come
12 out to a Tier II training workshop that was held in Port
13 Heiden April 26th and 27th. And it was held for the 12
14 Alaska Peninsula 9(C) and 9(E) villages. And, let's see,
15 Naknek wasn't able to send -- their representative couldn't
16 attend, so we had 11 of the villages represented at the
17 training. Susan and Charles, the training that they
18 provided was how to accurately complete the applications
19 and then they identified some of the sticking points or
20 parts of the application that created some confusion.

21
22 Oh, and I have to back up a second, the funding to
23 bring in the people for the training was provided by the
24 BIA, the Natural Resources Office at the BIA provided
25 funding to bring in the reps.

26
27 Let's see, after the training and kind of during
28 the training at the workshop the Port Heiden residents were
29 invited in to fill out the applications and the village
30 representatives that were there filled out the
31 applications. If they had questions they were answered.

32 When the village representatives went back to the
33 village they had -- each of them got as many forms and
34 applications supplements as they needed and were able to
35 take those back to the village and start working to get
36 people to fill them out, you know, have them available for
37 people to fill out right away.

38
39 Okay, and then some of the -- I guess I touched on
40 this a little bit already, but the applications needed to
41 be postmarked -- the official deadline was May 31st, but
42 the way it turned out this year, they really needed to have
43 it done on -- postmarked by Saturday, May 29th because the
44 30th was Sunday and the 31st was a Federal holiday and, at
45 least, for the villages. I think in Anchorage maybe the
46 airport post office stays open all -- you know 24 hours a
47 day, 365 days a year, but in the villages the post offices
48 were closed on the 31st, so, you know -- in essence the
49 people had -- everybody had to have their permits,
50 applications, postmarked by May 29th, and the applications

00203

1 had to be received in Anchorage by June 10th. And, you
2 know, the State people admitted that they knew that this --
3 you know, from mail coming from a village like, say, the
4 Chignik area, I mean it may take more than 10 days to get
5 there, but rules were rules and if it came in after the
6 10th they weren't included.

7
8 There's -- let's see, I'm going to read a couple of
9 things out here because it's just easier than me trying to
10 paraphrase it. But there was a possible -- well, apply
11 early. By applying early there is more time for us to
12 verify your application and provide you with an opportunity
13 to correct errors. If a daytime phone number is provide an
14 attempt will be made to resolve applications errors, when
15 practical, and if time permits. So, you know, they -- and
16 there, they're giving themselves an out, I mean, they can,
17 if they have time, if they see some problems with the
18 permit, you know, give the people -- contact you and let
19 you correct those errors.

20
21 The other this is that there is an appeals process
22 and, I don't know if I need to read all of this, but
23 basically you can appeal within 10 days and the appeal time
24 that they set up was between July 12th to July 21st, and
25 I'm not sure, I don't remember exactly when they made the
26 announcement of who received the permits, but if you had a
27 problem you could call in, there's a number here, call in
28 and appeal your score if you felt like, you know, you
29 should have scored higher.

30
31 You had to be 12 years old or older to apply. One
32 permit per person and you were limited to three permits per
33 household. It turned out -- I mean we felt like the
34 process was pretty successful, I mean there were some
35 problems that we heard about, you know, but 97 percent of
36 the 600 people who received permits identified residency in
37 the Alaska Peninsula villages. So that was pretty good,
38 because, like I said, the big fear going into all of this
39 was that if local people didn't apply those permits were
40 going to go to somebody out of the region.

41
42 One thing that still needs to be done and people
43 need to be aware of because there's -- well, they need to -
44 - there's reporting requirements, there's a part of the
45 Tier II application form, you know, you have to report what
46 harvested, even if you didn't harvest something, you still
47 have to send in your report. And what State is saying, if
48 you don't send in your report what might happen and
49 probably will happen is that the next year you won't be
50 able to receive a permit, you'll be blacklisted for at

00204

1 least the next year, so it's really important that people
2 report their take.

3
4 I waited 'til the end of this part to pass these
5 out and, you know, maybe I don't need to go -- I'll go over
6 one part of this, but this is information from Jim Fall in
7 the Subsistence Division, he looked at the applications
8 that came in and ones that were turned away or had
9 problems. Helga's got enough there, I've got a few extra
10 here. And there's -- on one side you have the little memo
11 from Jim Fall that kind of explains the results, but I
12 think, you know, the important thing to look at is in this
13 first section where it says "Applicant Errors" where it
14 says "Subtotal Errors" those are the permits that, you
15 know, if people didn't sign them or missing a birth date or
16 if they came in late, those are the number of permits for
17 each of the 12 villages that were rejected for that reason.
18 The ones on the other column were just -- didn't mean -- it
19 was, like, if more than three people applied for a
20 household, if three people got the permits then, you know,
21 that was as many as they could get. So, as Jim said, I
22 mean these on the other column it didn't result in somebody
23 not getting a permit where in the "Applicant Error" column
24 it did. And you can see, like, for Naknek there were 13
25 applications that were thrown out for various reasons, that
26 was the high, and I guess it looks like Pilot Point only
27 had one and Chignik Lake only had one. So that's just for
28 your information.

29
30 The next thing that came up then was the -- after
31 the 600 number was set, there's the Federal permits and
32 BBNA had a cooperative agreement to help with distribution
33 of those 60 Federal permits and, you know, we participated
34 in teleconferences and, you know, tried to work things out
35 about how to -- you know, how the permits should be
36 distributed and, like Jerry had said, I mean there's some
37 things to work on and maybe it'll be a smoother process
38 next year. But it seemed to work out okay.

39
40 And I guess my main thing was I helped set up a
41 person in the village that issued the permits and then I
42 contacted them, traveled to the village to answer questions
43 and pick up the Federal permits and then helped, you know,
44 with any of the paperwork. And I also attempted to have on
45 hand any of the forms, like, oh, there's -- I didn't
46 realize exactly how many forms there are but, you know,
47 there's a lot of different forms for obtaining different
48 types of licenses, low income licenses. If you're over 60
49 years old you can get a free permit and ID license that's
50 good for the rest of your life. I had applications for

00205

1 license vendors, I sent out, I think, maybe two of those to
2 various villages. So I tried to get all the information
3 together to, you know, educate and, I guess, education was
4 one of the big things about this, the whole Tier II and the
5 Federal permits, was -- you know, it's something nobody --
6 we hadn't done before and it's -- there's a -- it's a
7 stringent, you know, reporting requirements. It's, you
8 know, something that people really haven't had to deal with
9 before.

10
11 Next topic, migratory birds, subsistence harvests
12 surveys. We have a cooperative agreement, this will be our
13 third year doing those, we've done them in 1995, 1997 and
14 1999. And our cooperative agreement is to coordinate with
15 the 13 Nushagak Bay, Nushagak River and Iliamna Lake
16 villages. And we're in the process of doing that right
17 now.

18
19 And I already touched on -- you know, I won't go
20 into that a whole lot again, but we have -- there was a
21 cooperative agreement that we have with migratory bird
22 management to make the villages aware of this, you know,
23 the process that's going on right now for comments on the
24 different options for management bodies for the Migratory
25 Bird Treaty Acts. And then just, you know, I mean make the
26 village aware, anybody can make comment up until, like, the
27 end of this month. This book was sent out, you know, to
28 various place, each of the villages should have received at
29 least one. And just about all the information is in here
30 except for -- like we talked about yesterday, the Native
31 Migratory Bird Working Group proposal for a different
32 management system. And that should be finalized today,
33 like I said, there's -- I guess there was a scheduled
34 teleconference for the Migratory Bird Working Group to kind
35 of finalize this and present it, see if it's going to fly
36 with Fish and Wildlife Service.

37
38 And then the last thing that I was going to mention
39 was at the request of the Port Heiden Tribal Council, they,
40 at the end of caribou season for the Northern Alaska
41 Peninsula Caribou Herd, September 20th, by that time the
42 caribou hadn't really been moving through their area, they
43 couldn't get any bulls, I think they only harvested three,
44 like Robin had mentioned, and so they requested out help to
45 put in a proposal to the Board of Game and to the Federal
46 Subsistence Board to extend that hunt to the end of
47 September and, you know, I contacted Jerry and I know he
48 worked hard to -- and I guess once we got the proposals in
49 or the request that it kind of took on a life of its own
50 and it did happen fast, so I know people worked hard at

00206

1 that.

2

3 That's all I got.

4

5 CHAIRMAN O'HARA: Any questions? Yes.

6

7 MR. HEYANO: For the year 2000 caribou
8 hunt, that's an automatic Tier II, it doesn't take any
9 further Board action?

10

11 MR. KRIEG: Right, yeah, it's in Tier II
12 until the -- until Dick Sellers finds that the numbers are
13 up enough that we can go back to a regular hunt and it's --
14 you know, he's looking at that bull:cow ratio, but it was
15 at 31 bulls per 100 cows and if it drops down to -- I think
16 25 is his cut off, 25 bulls per 100 cows, then there's
17 probably not going to be any hunting at all.

18

19 CHAIRMAN O'HARA: Go ahead.

20

21 MR. HEYANO: So the problem you had with
22 the (inaudible) time congestion when the Tier II
23 applications came out and the deadline shouldn't be a
24 problem this year; is that correct? You should be able to
25 get the permits earlier?

26

27 MR. KRIEG: Well.....

28

29 MR. HEYANO: Or is there a problem?

30

31 MR. KRIEG: No, see, because they still
32 have to wait -- I mean, as I understand it, they still have
33 to wait for the Board. If the Board meets in March again,
34 there's a possibility that there might be another Tier II
35 hunt some other place in the state, so I think that's kind
36 of the time line, as I understood it, that they're usually
37 on, is that they have to wait until that March Board
38 meeting, then they start getting this stuff together. And,
39 by the way, if anybody wants, these are outdated, but if
40 anybody wants I got a bunch of these permits, the
41 supplements yet, too.

42

43 CHAIRMAN O'HARA: Anything else, Robert?

44

45 MR. HEYANO: No, thank you.

46

47 CHAIRMAN O'HARA: Any other questions,
48 Council members?

49

50 (No audible responses)

00207

1 CHAIRMAN O'HARA: There's a -- in
2 relationship to that meeting that took place with Game
3 Board in Anchorage, it's kind of interesting how that group
4 worked around and around and around and then all of a
5 sudden the option became Tier II and that's what it became,
6 but there was a consensus there. However, they kept the
7 number of subsistence harvest at 1,200, even through we
8 weren't going to get it, because what happens is when the
9 animals do come back then you begin at the number you
10 usually use, and then you don't have to work back from six.
11 In other words, you start there instead of starting at the
12 bottom and working to the top again. And I can't remember
13 now if Hazel Nelson or who brought that up, or you, but
14 that was -- the light came on, we can't go -- we only get
15 600, but we're usually at 12-1,500 and that is still there.
16 So that was very important.

17
18 I think that's the only question I had. Yeah,
19 good, thank you very much, appreciate it.

20
21 MR. KRIEG: Thank you.

22
23 CHAIRMAN O'HARA: Any other reports to come
24 before this body today?

25
26 (No audible responses)

27
28 CHAIRMAN O'HARA: Okay. New business.
29 Nushagak Shore Subdivision. This is Tim Enright had a
30 concern that he brought before us.

31
32 Want to take a break? Okay. Let's do this and
33 then we'll take a break. Tim, you want to speak to your
34 concern?

35
36 Robert, did you have a concern?

37
38 MR. HEYANO: Mr. Chairman, Peter Abraham
39 hand the Nushagak Shore Division, Tim Enright had a
40 resolution from the Lower Bristol Bay Advisory.

41
42 CHAIRMAN O'HARA: Sorry about that, Peter.
43 You going to talk to us?

44
45 MR. ABRAHAM: Yeah.

46
47 MR. HEYANO: Mr. Chairman, I think that the
48 resolution is from Tim.

49
50 CHAIRMAN O'HARA: Now, wait a minute.

00208

1 MR. BERG: I think there's two separate
2 resolutions, wasn't there one from Tim and one from Pete?

3
4 MR. SAMUELSEN: I haven't received Pete's,
5 I think I got Tim's.

6
7 CHAIRMAN O'HARA: I've got Tim's here, it's
8 handwritten.

9
10 MR. ABRAHAM: Which one is first? I'm
11 confused now.

12
13 CHAIRMAN O'HARA: Yeah, I am too. Let's
14 take a 10-minute break and work through this then. Let's
15 just take a 10-minute break.

16
17 (Off record)

18
19 (On record)

20
21 CHAIRMAN O'HARA: Okay, let's bring
22 everybody back to order here, Council members come on in.
23 Taylor Brelsford just put the travel arrangements up there
24 on the bulletin board. And then we'd like to, before we go
25 into new business and handle a few issues here, we do have
26 a couple of back issues that need to be taken care of. And
27 customary trade is going to be handed by Taylor at this
28 time. Then after that Jerry Berg will handled deferred
29 proposals, we'll come to new business and we will be
30 finished.

31
32 MR. BRELSFORD: Jerry, does everybody have
33 the.....

34
35 MR. BERG: Yes, that should be in the -- in
36 your folder, it's kind of a light cream color.

37
38 CHAIRMAN O'HARA: Under Tab H?

39
40 MR. BRELSFORD: No, actually this will be
41 in the supplemental folder.

42
43 CHAIRMAN O'HARA: Oh, yeah, okay.

44
45 MR. BRELSFORD: And the heading is Regional
46 Advisory Council Meetings, Fall of 1999, Recognizing
47 Customary Trade Practices.

48
49 CHAIRMAN O'HARA: Okay, you're on.

50

00209

1 MR. BRELSFORD: Thank you, Mr. Chairman.
2 This is Taylor Brelsford and our purpose here is actually
3 to request some input from the Council members. We talked
4 yesterday, in a more general way, about the issue of
5 customary trade and about the need for more specific
6 definitions in the regions and perhaps additional
7 protections to ensure that there's no abuse of subsistence
8 take of fish being deflected into the commercial market.
9 So what this flyer outlines is perhaps what new information
10 -- midway down the sheet it talks about the overall process
11 and time frame. And I want to just highlight a couple of
12 the milestones here.

13
14 At this time, in the fall of '99, we are asking
15 each of the Regional Councils to provide us examples of
16 long-standing customary trade practices in the regions.
17 Information about the way people lived this aspect of the
18 subsistence life.

19
20 In the winter, at the winter 2000 meetings, we will
21 have the documentation pulled together, summarized,
22 including some material from the Subsistence Division, so
23 there will be kind of a compilation of existing practices
24 of customary trade for you to review. We're going to ask
25 your recommendations at that point about what kinds of
26 policies, regulations or other protections should be put
27 forward. So we're asking for the input now, the report
28 will be back before you in the winter 2000 meetings and
29 next fall we want to get down to the specifics of
30 additional regulation where that would be needed.

31
32 So, again, at this point, what we'd like to do is
33 have discussion about existing historic or contemporary
34 customary trade practices. So of the paper here has some
35 definitions and looking at the differences between barter,
36 where you would exchange goods for goods, as compared to
37 customary trade, where there is an exchange of cash
38 involved. Commercial fishing is sort of the opposite
39 extreme here where we're talking about things plainly in
40 the commercial sector. So if you want to offer comments on
41 the definitions, the accuracy or completeness, that's fine,
42 but I guess my sense is the heart of this is really to get
43 some information about the existing practices so that we
44 can ensure that the regulations provide -- accommodate the
45 existing practices and protect against any misuse of those
46 existing customary trade opportunities.

47
48 So with that I'll stop and we can take comments at
49 this point or written comments at a later time, I know our
50 time is short so it doesn't have -- this won't be the last

00210

1 opportunity, but anything that you could provide to us at
2 this point would be very helpful.

3
4 CHAIRMAN O'HARA: Our time is pretty good,
5 actually, and I don't know if there's members of the
6 audience who've come in who might have fear stricken to
7 their heart by customary trade, because this is not
8 something that commercial fishermen like to hear, but we
9 really appreciate you bringing this to our attention,
10 Taylor, and we need to address is, so I'll turn it over to
11 the Council here and, Robin, you have your hand up.

12
13 MR. SAMUELSEN: Some commercial fishermen.

14
15 CHAIRMAN O'HARA: Some commercial
16 fishermen, yeah.

17
18 MR. SAMUELSEN: Not all commercial. I
19 don't have a problem with the "barter." In the Bristol Bay
20 Region there's a lot of bartering going on between
21 communities, individuals. Classic example is the lack of
22 caribou over in the Pacific side in the Chignik area and
23 people are trading halibut, they're trading octopus.....

24
25 CHAIRMAN O'HARA: Crab.

26
27 MR. SAMUELSEN:crab, a number of
28 species to over here and further west to get caribou. I
29 think that practice has been going on for a long time. I'm
30 kind of dismayed to see "barter-trade," again I think that
31 when you list "barter-trade" there's confusion, making the
32 issue clouded and I'd like to see it spelled out in
33 "trade." It's my past experience traveling around the
34 region that there's very little trade in our region. Sale
35 of cash, it's usually small. Sales of smoke fish, I do it
36 myself when I go to Ekwok, I'll buy 10 fish that has less
37 oil that's been smoked. I think that we need to put a --
38 under "trade" there's got be a set of guidelines, a dollar
39 amount set in there, what dollar amount should be used, but
40 I think if we accept trade we got define the limits of the
41 trade, so we don't end up with Southeast herring roe \$9,000
42 sale.

43
44 That's all I have, Mr. Chairman.

45
46 CHAIRMAN O'HARA: Any other Council members
47 want to address this? Pete.

48
49 MR. ABRAHAM: Mr. Chairman, from my
50 experience in the further north out of here, around

00211

1 Kuskokwim area, Togiak, sometimes I experience or see for
2 trade, food or whatever, is being traded for cash, but the
3 party that's selling fish or whatever would say, just trade
4 me for cash, for my gas, or it would be an item for food.
5 It's been going on for years and years. Like, for
6 instance, the white fish in Kuskokwim or Yukon, or salmon
7 strips the Kuskokwim or the Yukon are very -- those are the
8 delicacies in Togiak area. So instead of -- because those
9 are dried or frozen. A lot of times a person will trade
10 with second net or mended net or sometimes a web or, say,
11 I'll buy your gas for your next trip to go fishing, stuff
12 like that, it's been going on for years and years now.
13 That should be -- I think that should be put in there.

14
15 That's all I have.

16
17 CHAIRMAN O'HARA: Okay. Any other
18 comments, Council members?

19
20 MR. SAMUELSEN: Some clarifications.

21
22 CHAIRMAN O'HARA: Okay.

23
24 MR. SAMUELSEN: I don't know where this
25 fits, Taylor, between -- and Pete brought it up, barter and
26 trade. You know the biggest Native community is Anchorage,
27 State of Alaska, and those people in Anchorage trade for
28 their Native foods also. A lot of trading goes on with
29 them folks in Anchorage for kids clothes, let's say.
30 Somehow we need to come up with, I think, a definition of --
31 and a limit or some kind of mechanism to recognize that
32 under the barter scenario it isn't subsistence -- to share
33 their parts for subsistence food, it's subsistence fish for
34 other things that are not readily available.

35
36 MR. BRELSFORD: For good of some sort.

37
38 MR. SAMUELSEN: For goods, yeah, uh-huh.

39
40 CHAIRMAN O'HARA: Is this Council's place
41 to give you a dollar amount that people can use or amount
42 of fish they can use or not?

43
44 MR. BRELSFORD: I think the whole range of
45 management provisions is on the table here and Robin spoke
46 very specifically to the idea of a dollar threshold. I'll
47 be interested to hear if other people support that -- see
48 that as a helpful way, and if you had any ideas of what
49 that threshold should look like. I've heard here, and
50 other places, that the \$9,000 out of this case in Southeast

00212

1 is too high. And I guess you were talking yesterday about
2 the North Pacific Management Council -- or it was the
3 International Pacific Halibut Commission.....

4
5 MR. SAMUELSEN: Council.

6
7 MR. BRELSFORD:the Council looking at
8 values in the one to \$300 range, so we're looking for the
9 -- this is a controversial issue on the part of outsiders
10 who believe this will be subject to wide abuse, it is also
11 a difficult issue on the part of some of the village
12 communities who feel like it's going to be clamped down,
13 that the restrictions will be too severe and existing
14 practices will suddenly be limited or eliminated. So we
15 want to spend a good year and a half laying the ground
16 work, kind of getting the right balance, and we think
17 that's probably different between the regions, that what
18 makes sense on the Yukon or in Norton Sound may not be the
19 same thing as in Prince William Sound or Bristol Bay, so I
20 would welcome your input, dollar amounts, the value -- you
21 know, whether the threshold idea is the best management
22 tool here, all of that is important for us to hear from you
23 about.

24
25 CHAIRMAN O'HARA: Robert, you had your hand
26 up over there.

27
28 MR. HEYANO: Mr. Chairman, I also agree, I
29 think barter and trade needs to be separate. I don't think
30 we need the definition of "tradesman." I guess I, too,
31 have some concerns about if we're going to do this, I think
32 we need to recommend a dollar amount, that we need to
33 clarify that, is that a dollar amount per transaction, per
34 individual for the year. And I think the other thing
35 that's kind of bothering me is enforceability of this. Has
36 anybody give some thought on how this is going to be
37 enforced? The other question that I have is that how our
38 State regs going to play into this? Currently, I think,
39 there are certain big game species where compensation is
40 prohibited.

41
42 CHAIRMAN O'HARA: Robert, along that same
43 line, I'd like you to -- you and Robin, both, since you
44 both have brought up this barter and trade thing, inform us
45 a little bit on what the problem with this is? The
46 exchange of subsistence fish or other parts for subsistence
47 food? I give Chignik caribou, they give me crab, okay?

48
49 MR. HEYANO: All right. My concern is
50 "barter-trade" I think we ought to have a definition for

00213

1 barter and a definition for trade and don't lump them
2 together, Mr. Chairman.

3
4 CHAIRMAN O'HARA: Oh.

5
6 MR. SAMUELSEN: That was my concern.

7
8 CHAIRMAN O'HARA: So you have barter on the
9 first page.

10
11 MR. HEYANO: Right.

12
13 CHAIRMAN O'HARA: And that's just an
14 exchange, how is that exchanged?

15
16 MR. SAMUELSEN: Clear definition.

17
18 CHAIRMAN O'HARA: All right. Trade, what's
19 the difference?

20
21 MR. SAMUELSEN: Well, I don't think it
22 should be "barter-trade" I think it should be "trade."

23
24 CHAIRMAN O'HARA: Oh, just trade, you want
25 it to be just trade, okay. All right.

26
27 MR. HEYANO: Yes.

28
29 CHAIRMAN O'HARA: Okay. And then you don't
30 necessarily like the idea of "tradesman" or persons?

31
32 MR. HEYANO: I don't think that's the
33 definition that fits here, especially to this area or this
34 region, you know, it's your -- either you do it in exchange
35 for subsistence species or you do it for something other
36 than that.

37
38 CHAIRMAN O'HARA: Okay. That's good, I
39 appreciate you helping me out with that.

40
41 Taylor, can a Village Council or corporation begin --
42 this is an individual type thing?

43
44 MR. BRELSFORD: I think that's our
45 intention here, is that it would remain at the low level
46 village, very localized basis, and not get into -- we
47 prohibit, in the regulations, anything out into the
48 commercial processing sector where a processor might begin
49 to buy subsistence foods.

50

00214

1 CHAIRMAN O'HARA: Who are we?

2

3 MR. BRELSFORD: The Federal regulations.

4

5 CHAIRMAN O'HARA: Is that spelled out?

6

7 MR. BRELSFORD: Yes. So that the

8 intention.....

9

10 CHAIRMAN O'HARA: That's not something that

11 -- this is something that the act itself has spelled out?

12

13 MR. BRELSFORD: No, not in a statute, these

14 would be in the regulations that were published in January

15 and came into effect on October 1st.

16

17 CHAIRMAN O'HARA: And who did these?

18

19 MR. BRELSFORD: They were prepared by the

20 Federal Subsistence Board, these are -- there was the

21 Proposed Rule, that we've gone over with you guys.....

22

23 CHAIRMAN O'HARA: Yeah, okay.

24

25 MR. BRELSFORD:and then later the

26 Final Rule. So it has on customary trade a permissive

27 statement that the regulations allow customary trade, the

28 exchange of small amounts of cash for subsistence taken

29 foods and their parts. It prohibits the sale of those

30 subsistence taken foods into the commercial sector for the

31 resale, where an operator would buy lots of small amounts,

32 put it together and then begin to see at a larger

33 commercial sale. That's the two aspects of the regulations

34 that are currently in place.

35

36 CHAIRMAN O'HARA: Example, Levelock were to

37 take and individual or get jars of salmon that they put up,

38 they could take it to Alaska Sausage, put it on the shelf

39 and sell it, yes or no?

40

41 MR. BRELSFORD: Let me follow it real

42 carefully.

43

44 CHAIRMAN O'HARA: They process.....

45

46 MR. BRELSFORD: These are subsistence taken

47 fish.

48

49 CHAIRMAN O'HARA: Yeah, they process it in

50 Levelock, just for example.

00215

1 MR. BRELSFORD: Right.

2

3 CHAIRMAN O'HARA: And then that product is
4 marketed in the store in Anchorage, Alaska Sausage on
5 Benson and Arctic.

6

7 MR. BRELSFORD: I don't think that would be
8 kosher.

9

10 CHAIRMAN O'HARA: That's not going to fly,
11 huh?

12

13 MR. BRELSFORD: That's commercial sector.

14

15 MR. SAMUELSEN: Give you an example,
16 Mr. Chairman.

17

18 CHAIRMAN O'HARA: Okay, let's get to Pete
19 and then we'll take Robin.

20

21 MR. ABRAHAM: On that part right there,
22 whomever makes jars or salmon strips or what not, before he
23 sells them he has to have a commercial -- I mean a business
24 license.....

25

26 CHAIRMAN O'HARA: That's interesting.

27

28 MR. ABRAHAM:to the company or
29 whatever to Alaska Sausage, whatever, because I know for a
30 fact it's prohibited for individuals to sell anything
31 because they have to have a business license first.

32

33 MR. BRELSFORD: The health inspection, that
34 whole aspect of licensing when things are in the commercial
35 sector, but when these are the traditional practices that
36 have gone on at a small scale within and between
37 neighboring villages.....

38

39 CHAIRMAN O'HARA: You can kill each other
40 off, but let's not do it on a large scale basis, huh?

41

42 MR. BRELSFORD: Well, basic.....

43

44 CHAIRMAN O'HARA: Go ahead, Robin.

45

46 MR. SAMUELSEN: Well, I think,
47 Mr. Chairman, is how important is the subsistence program
48 and we want to recognize the customary and traditional
49 practices of trade and barter within the subsistence
50 program. We don't want to spawn a new commercial industry

00216

1 or open Pandora's Box. And my example, I used -- and the
2 Council one, two and \$300 for customary trade of halibut.
3 Because that's what identified me from the working group.
4 Now, you take a seal hunter that puts up seal along the
5 coastline or Nunavak and then travels all the way up the
6 Kuskokwim River in a seal boat that sells seal oil and seal
7 meat, that's a whole different arena. And I think what
8 needs to be done is we need to identify species, region by
9 region and -- because that seal boat, I've seen them seal
10 boats going up the Kuskokwim when I was a kid and, Pete,
11 you probably seen them too, they were full of seal pokes,
12 full of seal oil and down underneath was fermented and
13 salted seal meat. Those boats were loaded like a 32-footer
14 going up the river and they sold to every village and every
15 fish camp along the river. And what they couldn't see,
16 they traded for up river stuffs, voluks (ph) and what not,
17 that they didn't have down river. And that boat probably
18 had a value on it of -- there was probably \$30,000 worth of
19 seal oil on that boat when it left the coastline and it
20 came back empty.

21
22 MR. ABRAHAM: You're talking about my dad.

23
24 (Laughter)

25
26 MR. SAMUELSEN: That's the one. And that's
27 different than Robin Samuelsen going to Ekwok and buying 10
28 pieces of fish from an individual. And I think we need to
29 recognize the cultural difference of our people within
30 Alaska, but, you know, I think the underlying thing if we
31 want to keep subsistence, we got to recognize the customary
32 and traditional practices in the past, not trying to spawn
33 a new industry because Title VIII could go away tomorrow if
34 it's abuses. And subsistence is not a guarantee in life,
35 it's an opportunity granted by the Federal Government under
36 Title VIII.

37
38 CHAIRMAN O'HARA: Any other comments,
39 Council members? Yes, Andy.

40
41 MR. BALLUTA: Mr. Chairman.

42
43 CHAIRMAN O'HARA: Andy.

44
45 MR. BALLUTA: Does this only reply [sic] to
46 wildlife or does it apply to, like, berries or.....

47
48 MR. BRELSFORD: The specifics refer to fish
49 and wildlife because those are regulated species with
50 season and bag limits, in some cases, and so on. We don't

00217

1 regulate berries, plants, firewood, berries, medicinal
2 plants, they're not regulated as part of the subsistence
3 program, so they're not mentioned in this particular
4 regulation.

5

6 MR. BALLUTA: Because I mean that's been
7 traded to -- like he says, Anchorage, or for different type
8 of food.....

9

10 CHAIRMAN O'HARA: Or sold.

11

12 MR. BALLUTA:stuff like that.

13

14 CHAIRMAN O'HARA: Or sold, too. Yeah, we
15 buy berries.

16

17 MR. BRELSFORD: Good point.

18

19 CHAIRMAN O'HARA: Pete.

20

21 MR. ABRAHAM: I think bartering or trading
22 should be between the Native people, but not between a
23 retailer and Native. You know, put it in writing because
24 you do that you're going to have whole Alaska dealing with
25 the retailers from the subsistence. I mean you can't.....

26

27 CHAIRMAN O'HARA: This is good to stimulate
28 this conversation, today, we're not going to reach any kind
29 of agreement or even a dollar amount, I don't think, but
30 you take, for instance, I take and buy 20 fish from an
31 individual up on Lake Iliamna and I send him \$200, you've
32 exceeded way beyond, and this is just me, one individual
33 doing it, there may be 20 people who will buy from that
34 same person 20 fish at \$200, so it's already in place.
35 Illegal maybe, State of Alaska doesn't approve of it, but
36 we do it.

37

38 MR. SAMUELSEN: That's legal.

39

40 CHAIRMAN O'HARA: That's legal? So we're
41 going to have to wrestle with the dollar amount on an
42 individuals basis. And I think the reason, Robert, I
43 mentioned when we get to Anchorage for the big Council
44 meeting that we're going to have with all the other Council
45 members, this is going to be, I think, a really, really
46 good issue, this will be one of the cores of what we're
47 going to deal with.

48

49 Any other discussion on this item?

50

00218

1 (No audible responses)

2
3 CHAIRMAN O'HARA: You want to fill out a
4 blue card? Fill out a blue card.

5
6 MR. KNUTSEN: N: Well, I just want to make
7 a comment.

8
9 CHAIRMAN O'HARA: You fill out a blue card,
10 you can make a comment.

11
12 (Laughter)

13
14 CHAIRMAN O'HARA: No exception to the
15 trade.

16
17 While he's doing that, are you finished, Taylor?

18
19 MR. BRELSFORD: Yes, sir, that's all I.....

20
21 CHAIRMAN O'HARA: Thanks for muddying the
22 waters up real good here, late in -- no, it's a good
23 subject.

24
25 MR. BRELSFORD: I had a comment about
26 parasites, but.....

27
28 (Laughter)

29
30 CHAIRMAN O'HARA: Save it for the Federal
31 Board. Thank you, Taylor.

32
33 MR. BRELSFORD: Save it for the Board.

34
35 CHAIRMAN O'HARA: It says Smiley on here.
36 Knutsen, write Knutsen on there. Come on up.

37
38 MR. KNUTSEN: I just wanted to make a
39 comment. John Knutsen, representing myself, disregard the
40 uniform. I just wanted to give you an example of what
41 bartering or trading might include and a good idea of a
42 dollar value, two, \$300 is not -- certainly not a high
43 enough amount. Right now trade 200 salmon in the summer,
44 you know, dollar value of that this summer would be about
45 \$960 of raw fish for -- I gave to lady, local lady, she
46 smokes it and returns 50 to me and the value of 50 smoked
47 fish is about \$1,000, you know. You know to keep it around
48 200-300 is certainly not a high enough amount. And 50
49 smoked salmon is certainly not enough to last me all
50 winter, so it needs to be -- you know, 100 smoke salmon

00219

1 might be -- for my family of two, might be an equitable
2 amount so.....

3
4 CHAIRMAN O'HARA: Good.

5
6 MR. KNUTSEN:those things need to be
7 considered when you're talking about barter and trade.

8
9 CHAIRMAN O'HARA: Robin.

10
11 MR. SAMUELSEN: Thank you, Mr. Chairman.
12 Smiley, I don't look at that as barter and trade, I look at
13 that as under Title VIII you have certain provisions,
14 you're sharing. That's sharing, you've got preservation,
15 all these different steps in subsistence, and that's what
16 it falls under.

17
18 MR. KNUTSEN: Okay.

19
20 MR. SAMUELSEN: You're sharing -- your part
21 is going out and catching the fish, her part is -- and
22 because you both live in Naknek you're subsistence users,
23 just because you caught the fish doesn't mean you have to
24 smoke it, you're sharing in that experience with her, so it
25 isn't -- that isn't a trade and barter.

26
27 CHAIRMAN O'HARA: So it doesn't represent a
28 dollar amount then?

29
30 MR. SAMUELSEN: In my eyes it doesn't, no.

31
32 CHAIRMAN O'HARA: I see. That's a good
33 point, yeah.

34
35 MR. SAMUELSEN: I mean, Robert Heyano and I
36 we share -- and another family share a joint smoke house
37 and whoever goes and picks their fish doesn't mean they're
38 owners of the fish, you know, and whoever gets the
39 driftwood doesn't necessarily get to do the smoking. And
40 when it comes time to divvy up, it's divvied up equally
41 amongst everybody.

42
43 MR. KNUTSEN: And if the person I traded
44 the fish for, they, in turn, sells part of it to someone
45 else.

46
47 MR. SAMUELSEN: Then I think that's when
48 you get into the -- if she trades it, it gets into barter
49 and if she sells it gets into trade.

50

00220

1 MR. KNUTSEN: Okay.

2

3 MR. SAMUELSEN: Maybe, I'll ask you,
4 Smiley, you're born and raised here, how much trade goes on
5 in Naknek, not the barter now, not I'll give some smelts
6 for geese, none of that, strictly trade for the sale of
7 cash. How much do you think the average subsistence users
8 from Naknek sells subsistence food for cash? Maybe instead
9 of a dollar amount, is it minimal, it's about a medium
10 practice or is it a large scale practice here in Naknek?

11

12 MR. KNUTSEN: It's a large scale practice.
13 Before I got into deal with trading 200 fish for 50 smoked
14 I'd have to go and buy 50 smoked from local people for
15 about \$20 a fish, so, there again, a thousand dollars. And
16 I mean, year after year after year and that's hard to find
17 good quality smoked fish and for that good a price.

18

19 MR. SAMUELSEN: What is a spawned out red
20 salmon worth?

21

22 MR. KNUTSEN: A lot here, and
23 (indiscernible - multiple voices)

24

25 CHAIRMAN O'HARA: Especially when you have
26 to go to Thailand to get it.

27

28 MR. SAMUELSEN: I 70 home. Let's start a
29 bidding war.

30

31 (Laughter)

32

33 MR. KNUTSEN: And just an example, I trade
34 bear fat since we're not allowed to hunt bear in our
35 traditional areas with people from Port Heiden, like
36 Orville. Or I trade.....

37

38 CHAIRMAN O'HARA: You're on record.

39

40 (Laughter)

41

42 MR. KNUTSEN: I know. Well, I trade with
43 people from Chignik for crab and halibut in the winter and
44 in the spring for other traditional foods from Naknek, so
45 it's pretty wide spread. And I trade with people from
46 Iliamna, Kokhanok, Igiugig and there's quite a -- whether
47 you know it or not, there's a lot of trading going on and a
48 lot of sale of subsistence food because it's not available
49 for a lot of people.

50

00221

1 CHAIRMAN O'HARA: Any other questions?

2
3 (No audible responses)

4
5 CHAIRMAN O'HARA: Thank you, Smiley, we
6 appreciate you coming to the microphone.

7
8 MR. KNUTSEN: Thank you.

9
10 CHAIRMAN O'HARA: I'd like to call Donald
11 Mike up here, if you would please? This is a uniform part
12 of public hearing.

13
14 MR. MIKE: I'm Donald Mike, I'm -- this is
15 my views, I'm not representing any agency or organization,
16 but customary trade, I believe, people grow up with that
17 and they don't know it's a customary trade, it's just a
18 fact of life of everyday living in the rural bush areas.
19 Where I grew up from, my family, my neighbors they used sea
20 fish as a customary trade item, either for resource they
21 don't have or for cash to continue their subsistence
22 activity, whether to buy gasoline or automobile parts,
23 snowmachine parts and that sort. So I'd like to see
24 customary trade continued and I believe there should be a
25 dollar amount limits so it does not come to a significant
26 commercial enterprise. So I just want to see customary
27 trade continued and protected.

28
29 That's all I have.

30
31 CHAIRMAN O'HARA: Any idea, Donald, on what
32 a dollar amount should be or should a dollar amount
33 represent, you know, a different dollar amount for seal or
34 a different dollar amount for salmon or a different dollar
35 amount for beluga or something or what do you think?

36
37 MR. MIKE: Well, my experience is that --
38 well, for example, on the Yukon River we trade -- we have
39 customary trade for sea fish with the coastal folks and we
40 customary trade value on a single sea fish, I don't know
41 what the price is right now, but you'd be up to \$5 a fish.

42
43 CHAIRMAN O'HARA: How much?

44
45 MR. MIKE: At least \$5.

46
47 CHAIRMAN O'HARA: \$5 a fish?

48
49 MR. MIKE: Right. And the sea fish on the
50 Yukon River is -- it has high fat content and that's a lot

00222

1 of our local neighboring villages look for.

2

3 CHAIRMAN O'HARA: Uh-huh, okay. Any
4 questions, Council members?

5

6 (No audible responses)

7

8 CHAIRMAN O'HARA: Thank you very much,
9 Donald, we appreciate that.

10

11 All right. Okay, I think we'll go over here now --
12 and thank you, Taylor, for giving us that information.

13

14 Deferred proposals, Number 98-53, and Jerry is
15 going to be handling these for us, if you would, please?

16

17 MR. SAMUELSEN: Under Tab I.

18

19 MR. BERG: Yes, Mr. Chair, under Tab I
20 you'll find some of these deferred proposals, on the second
21 page under Tab I.

22

23 MR. SAMUELSEN: I don't have 53.

24

25 MR. BERG: And Helen Armstrong was going to
26 cover these, but we just felt that it was better for us to
27 just go ahead and cover it. I think you've seen these
28 before in 1998, Proposal Number 53-98 was proposed by the
29 Akiak and Akiachak IRA Councils and this proposal will be
30 brought before this Council and the Y-K Council at their
31 winter meetings for recommendation, but I just -- we put it
32 in here just as a note and it would basically be for Unit
33 17 -- residents of Unit -- residents -- or to include
34 residents of Akiak and Akiachak for caribou in Unit 17. So
35 there's really no action necessary for the Council at this
36 time, it's just for your information.

37

38 And then deferred proposal on the next page 98-54
39 is for Unit 17(A) and 17(B) caribou and currently there's a
40 C&T for residents of Kwethluk and this proposal is to
41 include all residents of Unit 18 for a specific area in
42 Unit 17(A) and (B). And they didn't have the information
43 to do that analysis in '98 and they feel like they have
44 enough information now to follow up with that.

45

46 CHAIRMAN O'HARA: Okay.

47 MR. BERG: So unless there's any comments
48 on those two proposal, I'll just move on to the next one.

49

50 On the following page, there was a proposal

00223

1 submitted in 1998 by the Copper River Native Association
2 and it has statewide implications and so the Board deferred
3 this proposal at their meeting May until such time that the
4 Federal Board and staff can interact more fully with ADF&G
5 and the Regional Councils to address this issue in a broad
6 fashion. And so there's somewhat of a discussion down
7 below that identifies the current regulation that
8 identifies that currently it's restricted to one sex and
9 when the regulation is restricted to one sex in a local
10 area no person may possess or transport the carcass of an
11 animal in that area unless sufficient portions of the
12 external sex organs remain attached to indicated,
13 conclusively, the sex of the animal.

14
15 So that's basically the issue, and if you go to the
16 following page, the arguments for and against maintaining
17 this regulation. The folks opposed to maintaining this
18 regulation in their area state that leaving the sex organs
19 attached spoils the meat adjacent to the organ, especially
20 during the rut. That it's not a customary and traditional
21 practice, that they are required to bring the antlers with
22 them with the carcass anyway, and also, in some areas, that
23 it's culturally offensive and that subsistence users should
24 be trusted to be able to tell bulls from cows.

25
26 The argument for maintaining this regulation in
27 place, statewide, are that cows are protected in unstable
28 or otherwise weak local moose populations. It provides the
29 option for moose hunters -- for subsistence hunters hunting
30 for moose to leave the antlers in the field if they prefer
31 or winter subsistence harvest of antlerless bull can be
32 monitored more closely. And then, lastly, that Federal
33 regulations are currently consistent with State regulation
34 and this simplifies requirements for moose hunters and
35 changing that would make it a little bit more confusing
36 between State and Federal regulations.

37
38 So what they're asking -- the Board would like to
39 get comments from the Council and they've identified four
40 different questions on that last page. The first being,
41 this regulation serves the purpose of protecting cow moose
42 and bull-only harvest strategies. Would you suggest any
43 alternative methods to achieving this goal that would be
44 less culturally offensive or better to preserve the quality
45 of the meat? Should this regulation be changed on a
46 statewide basis or should it remain an regional issue? How
47 would this Council feel about maintaining the regulation as
48 it is or changing it?

49
50 Maybe I'll just stop there and maybe it's better

00224

1 for you to address each one, or I don't know if you want to
2 make a recommendation as a Council, as a whole.

3
4 CHAIRMAN O'HARA: So this is an action item
5 today?

6
7 MR. BERG: This is -- they would like to
8 get some response from each of the Councils for this
9 coming.....

10
11 CHAIRMAN O'HARA: I think we can do that.
12 Robin, did you have a concern?

13
14 MR. SAMUELSEN: Well, I think, you know,
15 under the State regulations, all Alaskan users are
16 subsistence users in the eyes of the State, and we got to
17 keep that in mind.

18
19 CHAIRMAN O'HARA: Equal access, yeah.

20
21 MR. SAMUELSEN: A guy from Fairbanks,
22 Anchorage is a subsistence user just like a fellow from
23 Naknek or a fellow from Igiugig and I don't know, just
24 going through this list of questions, Mr. Chairman,
25 subsistence users need to have accountability in order to
26 keep the program in place. It's all right for these guys
27 that submitted the proposal to pack the horns out because
28 there's a monetary value in Asia for horns. I just think
29 that with the influx -- you know, we can't talk out of both
30 sides of our mouth, we're see our river systems and the
31 sport guiding increasing in our region, the villages are
32 all complaining about it and with all Alaskans being
33 subsistence users there's got to be accountability.

34
35 I remember 20 years ago when we had a cow:bull
36 ratio problem because the locals weren't harvesting bull
37 moose, they were harvesting cows because the season was too
38 late and our ratio got out of kilter over there and.....

39
40 CHAIRMAN O'HARA: So what's the point?

41
42 MR. SAMUELSEN: I don't know, my point is
43 that I think it's a total bogus proposal and we should keep
44 it the way it is, there's accountability for everybody and
45 I don't think that this proposal should affect our region
46 or it should be adopted in other regions.

47
48 CHAIRMAN O'HARA: Any other Council
49 members. Robert.

50

00225

1 MR. HEYANO: Thank you, Mr. Chairman. I
2 think in those areas where you have a season on bull moose
3 only it's there for a specific reason, and that is to
4 protect that resource. I don't know of any other way,
5 other than what's currently on the regulation book for a
6 quick and easy determination in the field, that that, in
7 fact, is a bull moose. You know, a pair of antlers could
8 go to many, many moose, there's no way to determine that
9 that antler -- set of horns actually came from that animal.
10 I think it's a needed regulation for the protection of the
11 resource.

12
13 CHAIRMAN O'HARA: Oh, you want the horns
14 and the sex organ.

15
16 MR. HEYANO: The horns are -- the way I
17 understand it, the sex organ is the evidence for a bull
18 moose and I think -- my opinion is that regulation is in
19 there to protect that resource, to make sure that there's
20 some enforceability or accountability that you are
21 harvesting only a bull moose. You don't necessarily have
22 to bring out the antlers, unless you're hunting in a hunt
23 that has an antler restriction, then my understanding is
24 the antlers need to accompany the animals. I don't know
25 any other way to determine a bull moose in the field that's
26 been dressed, other than leaving it attached though.

27
28 CHAIRMAN O'HARA: Any other Council
29 comments?

30
31 (No audible responses)

32
33 CHAIRMAN O'HARA: For me, I don't want to
34 see them have to bring a sex organ out or the horns out.
35 Bring the meat out and I wouldn't support this proposal
36 all, my vote would be no. You can do it -- if you need a
37 motion.....

38
39 Pardon?

40
41 MR. SAMUELSEN: You don't.....

42
43 CHAIRMAN O'HARA: I don't bring the horns
44 out or the sex organs now, I don't plan on doing so.

45
46 MR. SAMUELSEN: Then you support the
47 proposal?

48
49 CHAIRMAN O'HARA: Yeah, if that's what
50 they.....

00226

1 MR. SAMUELSEN: You say you didn't.

2

3 CHAIRMAN O'HARA: Yeah, I know. I don't
4 support the -- I support this as on the books now.

5

6 MR. SAMUELSEN: You don't support this?

7

8 CHAIRMAN O'HARA: I do not support bringing
9 the horns out or the sex organs out, period.

10

11 MR. SAMUELSEN: Okay.

12

13 CHAIRMAN O'HARA: Just bring the meat out.

14

15 MR. SAMUELSEN: Okay.

16

17 MR. BERG: So you support the proposal.

18

19 CHAIRMAN O'HARA: I support the proposal,
20 yeah. I don't do it now, I don't plan to do it in the
21 future, okay. And that's my vote on this issue.

22

23 So what is the wishes of the Council, anybody want
24 to make a motion on it or.....

25

26 MR. HEYANO: Well, I guess, Mr. Chairman,
27 to get it on the table and move it around, I would move
28 that we oppose the proposal.

29

30 CHAIRMAN O'HARA: Uh-huh.

31

32 MR. SAMUELSEN: Second. And my comments,
33 Mr. Chairman are.....

34

35 CHAIRMAN O'HARA: Okay, you support
36 bringing the horns our and the sex organ out?

37

38 MR. SAMUELSEN: I support what's in current
39 regulations, in some hunts you bring out the horns for
40 evidence and some hunts you bring out -- you just got to
41 leave the male sex organ attached to the meat until you
42 bring it out.

43

44 CHAIRMAN O'HARA: Okay.

45

46 MR. SAMUELSEN: So it's either/or, I guess.

47

48 CHAIRMAN O'HARA: Okay. So basically the
49 proposal say we'll bring out the horns and the sex organ --
50 no?

00227

1 MR. HEYANO: No, Mr. Chairman, this
2 proposal.....

3
4 CHAIRMAN O'HARA: No, I mean our motion.

5
6 MR. HEYANO: No, our motion is -- this
7 clarification. This proposal asks to repeal the regulation
8 that requires you to leave the sex organ on. My motion is
9 to oppose that and go with the existing regulations that
10 would require you to leave it on, the sex organ on the
11 animal. Nothing about antlers, because this proposal
12 doesn't speak to horns or antlers.

13
14 CHAIRMAN O'HARA: So according to my
15 comment that I made earlier, I could not support the
16 proposal.

17
18 MR. HEYANO: Yes, if you oppose.....

19
20 CHAIRMAN O'HARA: Yeah, I oppose it.

21
22 MR. HEYANO:leaving the sex organs
23 on.

24
25 CHAIRMAN O'HARA: Yeah.

26
27 MR. HEYANO: The motion I made is.....

28
29 CHAIRMAN O'HARA: Okay.

30
31 (Laughter)

32
33 MR. HEYANO: And I guess, for the record,
34 Mr. Chairman, I would just incorporate my previous
35 comments.....

36
37 CHAIRMAN O'HARA: Sure, that would be fine.
38 Okay.

39
40 MR. HEYANO:speaking to the motion.

41
42 CHAIRMAN O'HARA: Yeah. Andy, do you have
43 a comment?

44
45 MR. BALLUTA: No.

46
47 CHAIRMAN O'HARA: Okay, any other
48 discussion?

49
50 (No audible responses)

00228

1 CHAIRMAN O'HARA: Everybody understand the
2 motion?

3
4 MR. SAMUELSEN: Question.

5
6 CHAIRMAN O'HARA: Question, okay. All
7 those in favor of the motion say aye.

8
9 MR. HEYANO: Aye.

10
11 MR. SAMUELSEN: Aye.

12
13 MR. BALLUTA: Aye.

14
15 MR. ENRIGHT: Aye.

16
17 MR. ABRAHAM: Aye.

18
19 CHAIRMAN O'HARA: Opposed? Me.

20
21 It is not a rubber stamp Council, huh? Okay.
22 Anything else, Jerry, that needs to be taken care of there.

23
24 MR. HEYANO: You took my place as a
25 minority, Mr. Chairman.

26
27 (Laughter)

28
29 CHAIRMAN O'HARA: Go to same day as
30 airborne on the Nushagak Peninsula.

31
32 Is there anything else?

33
34 MR. BERG: Mr. Chair, I do have the other
35 three regulations that don't line up with the State
36 regulations that Dave Fisher identified and I'd like to
37 pass those out to the Council.

38
39 CHAIRMAN O'HARA: Okay. This is.....

40
41 MR. BERG: Beaver trapping.

42
43 CHAIRMAN O'HARA:bookkeeping type
44 thing? Just aligning Federal dates for State dates?

45
46 MR. BERG: Uh-huh.

47
48 CHAIRMAN O'HARA: Okay.

49
50 MR. BERG: These are brought before the

00229

1 Council just as information for the Council. If the
2 Council would like to pursue these as proposals for the
3 upcoming year, the Subsistence Office, our office would
4 draft up these proposal on behalf of the Council, if that's
5 what you so wish.

6
7 CHAIRMAN O'HARA: What's the wishes of the
8 Council?

9
10 MR. HEYANO: Mr. Chairman, I guess I -- my
11 recommendation would be to get -- to have the U.S. Fish and
12 Wildlife draft these up before the November 5th deadline
13 and then during our winter meeting we can act on them.

14
15 CHAIRMAN O'HARA: Is that a directive then
16 to the -- is that okay with the Council members? You'd
17 have in the form of a proposal or would that be too late?

18
19 MR. BERG: No, that would be fine. Would
20 you like them submitted on behalf of the Bristol Bay
21 Regional Council?

22
23 CHAIRMAN O'HARA: That be okay?

24
25 (No audible responses)

26
27 CHAIRMAN O'HARA: Sure.

28
29 MR. HEYANO: I haven't had the opportunity
30 to look at the dates and the season and the bag limits is
31 why I would rather have them submit it, Mr. Chairman,
32 rather than us.

33
34 CHAIRMAN O'HARA: So you don't want any
35 action on this today?

36
37 MR. HEYANO: It seems to be in the past
38 their role as a housekeeper, keeping us straight on this,
39 so I just -- my preference would be just to allow them to
40 continue.

41
42 MR. SAMUELSEN: Yeah, and I think that we
43 don't want to -- you know, it's the wishes of this Council
44 to make, to the maximum extent possible, our regulations
45 align with State regulations. And if the State has
46 changed, I think Robert's suggestion on realignment, have
47 Fish and Wildlife submit the proposals, we can made the
48 determination.

49
50 CHAIRMAN O'HARA: That takes care of that.

00230

1 Anything else, Jerry?

2

3 MR. BERG: No, that's it, thank you very
4 much.

5

6 CHAIRMAN O'HARA: Let's go back to our
7 agenda items then. Okay, we've taken care of customary
8 trade, deferred proposals and we're under new business.
9 And we have a concern before us today on the Nushagak Shore
10 Subdivision, which I think, Pete, that you'd like to speak
11 to today.

12

13 MR. ABRAHAM: Uh-huh (affirmative).

14

15 CHAIRMAN O'HARA: Would you like to talk to
16 us a little bit about that?

17

18 MR. ABRAHAM: I guess -- you know, some of
19 you might have information on Nushagak Shore Subdivision
20 that's happening in Nushagak River, somebody bought an
21 allotment up there and subdivided. I won't be -- I mean
22 because you got -- most of you guys know what would happen,
23 so I'm not going to talk about it much, but on preserve,
24 park areas, someplace over there the local guys sell their
25 allotments to the guides or to whomever, this is what would
26 happen to the allotment.

27

28 The reason I'm bring up this over here is our
29 refuge in Togiak over there is -- has -- or have money to
30 buy out allotments that whomever is willing to sell. The
31 reason why I brought this up over here is because I'm
32 concerned about, you know, allotments that might be sold.
33 So the only thing I'm asking is from Advisory Council over
34 here is a letter of support for more money so the refuge
35 can have, you know, have more money to buy out. Togiak
36 Traditional Council has written a letter already to Babbitt
37 and I think BBNA has one too, I don't know for sure. If
38 Advisory Council is able to write a letter to Babbitt for
39 more money on behalf of the refuge that's all I ask.

40

41 CHAIRMAN O'HARA: That's your pitch? Okay.
42 Council members, what's your comments? The buy-out
43 program. Robert, you had your hand up?

44

45 MR. HEYANO: No.

46

47 CHAIRMAN O'HARA: Robin, did you have a
48 concern? Yeah?

49

50 MR. SAMUELSEN: Yeah, I'd like to ask

00231

1 whoever, staff, we can't -- I know other Federal boards
2 that I sit on, we can't tell the Secretary that -- how to
3 spend that agency's money. And I guess what I'm asking,
4 does this fall in within that area?

5

6 MR. BERG: I think you're correct. Maybe
7 I'll ask Taylor to come up and clarify the specifics on
8 funding. Did you miss that?

9

10 MR. BRELSFORD: I did.

11

12 MR. BERG: Could you repeat that for us,
13 Robin?

14

15 MR. BRELSFORD: I got the short straw, I
16 thought all the short straws were gone.

17

18 MR. BERG: They're asking the Council to
19 support sending a request to the Secretary for support a
20 program for buying these allotments on the Nushagak.

21

22 MR. BRELSFORD: Okay, I follow. All of you
23 know that the Federal Subsistence Board doesn't have any
24 jurisdiction in this issue. The mandate of the Regional
25 Council extends beyond the seasons and bag limits, the
26 direct subsistence management of the Federal Board and you
27 are authorized to offer comments on other issues that
28 affect subsistence harvests. So as long as you're
29 directing it to the right place and you understand that the
30 Federal Board is not going to act on it, it goes to a
31 different manager, a different set of -- a different
32 jurisdictional setting, then I think it is a matter on
33 which the Council is free to offer views and
34 recommendations.

35

36 CHAIRMAN O'HARA: So then we could actually
37 make a recommendation to the refuge people to come up with
38 the money to purchase allotments that might have an adverse
39 affect upon the refuge itself or the Park Service or
40 something. Is that kind of what we're talking about?

41

42 MR. SAMUELSEN: Well, I think what -- you
43 know, I think we've heard comment that we've got a big
44 increase in sport fish and growth in sport hunting
45 throughout Bristol Bay, we're concerned about the impacts
46 to the resource and to subsistence users, and I think we
47 could support the concept of what -- I don't know what you
48 call this, it's a buy-out, but support that, you know,
49 whether it's a conservation easements or whatever, we could
50 support that concept, but just to pick -- narrow it down to

00232

1 a program on a river system, I think, it would be wrong, I
2 think we should just support the concept.

3
4 Maybe Aaron, back there, since he's involved in it
5 can come up and just give us a one minute version on what
6 we're talking about.

7
8 CHAIRMAN O'HARA: All right, Aaron, come on
9 up and talk to us, if you would.

10
11 MR. ARCHIBEQUE: Aaron Archibeque, Togiak
12 Refuge. I think what Pete's talking about in the last
13 couple of years we've seen a real increase in individuals
14 interested in selling their allotments within the refuge
15 and this Nushagak Shore Subdivision has really spurred some
16 concerns that someone from outside can come in and purchase
17 allotments, subdivide, build a lodge, whatever it is, and
18 that results in increased competition for those resources
19 out there. Fish and Wildlife Service, we've been able to
20 purchase a couple of allotments through some emergency
21 acquisition funding that were within, basically, the heart
22 of the refuge, they were within -- along the Togiak River
23 within the federally designated wilderness area, we've been
24 able to do that.

25
26 Fish and Wildlife Service has asked for some
27 appropriation through the Land and Water Conservation Fund
28 for land acquisition, mainly to try to acquire the
29 allotments that folks are interested in selling, from
30 willing sellers, this is not, you know, go out and try to
31 purchase everything or all the inholdings within the
32 refuge, this is from individuals that are willing and
33 interested in selling. And, unfortunately, this year that
34 money was taken out. Well, Bristol Bay Native Corporation,
35 it wasn't Bristol Bay Native Association, as I understand
36 it, they can't be an advocate for the sale of a Native
37 allotment, Bristol Bay Native Association. But the
38 corporation has seen this as a long-term threat and they
39 did write a letter to the congressional delegation asking
40 for increased funding though the Land and Water
41 Conservation Fund for the purchase of these allotments if
42 there are interested and willing sellers.

43
44 Togiak has done the same. Choggiung, the Native
45 corporation in Dillingham has done the same and I think
46 that's just starting to develop, this interest. Choggiung
47 hosted a meeting this summer looking -- with some up river
48 villages on the Nushagak, outside of the Togiak Refuge,
49 looking at ways to try to deal with this issue because of
50 this Nushagak Shore Subdivision. One of the things they

00233

1 were talking about is was even looking at developing a land
2 trust, they know they can't purchase these individual
3 allotments, but looking at getting a land trust together
4 where they could purchase conservation easements or work
5 with the allottees to try to prevent this type of activity
6 occurring in the future.

7
8 At this point, we are very interested in trying to
9 acquire those inholdings and we've gone through a priority
10 system, it's our Land Protection Plan, we're right in the
11 middle of doing that, that prioritizes the inholdings
12 within the refuge boundary and looking at that for possible
13 acquisition in the future. At this point, we don't -- it
14 doesn't look like we'll have any additional funding for
15 that this year. We are working with two allottees right now
16 through some emergency funding to try to purchase two
17 allotments from folks that are definitely interested in
18 selling.

19
20 That's, I guess, kind of the issue in a nutshell.

21
22 CHAIRMAN O'HARA: Do you have any
23 questions?

24
25 MR. SAMUELSEN: No.

26
27 CHAIRMAN O'HARA: Any questions, Council
28 members? Yes, Robert.

29
30 MR. HEYANO: Yes, Mr. Chairman. I don't
31 have a problem supporting the concept. The problem I have
32 is the -- is not affording the individual private land
33 holder another option and I think that option, rather than
34 an outright sale should be the sale of his development
35 rights. You know, I think that's a win/win situation, it
36 would accomplish the concerns that the refuge has for
37 development, it still allows that individual to use that
38 land, what it originally intended for and his children in
39 the future and it provides him or her with a certain amount
40 of cash, which I think is what they're looking for, you
41 know, and obviously if they have their heart set on an
42 outright sale then it wouldn't work, but I think they
43 should be afforded that opportunity.

44
45 CHAIRMAN O'HARA: Hum.

46
47 MR. ARCHIBEQUE: I guess I could address
48 that. That opportunity is available, the Service does have
49 the ability to purchase conservation easements on those
50 private lands if that's the desire of the allottee, if they

00234

1 choose to go that route. There are lots of ways we could
2 do this. Right now the individuals that have interested in
3 selling, they'll obviously get more if the allotment is
4 sold. They still -- I think it's still viewed as a win/win
5 situation, those allotments now fall under the Togiak
6 Refuge, they're subsistence priorities are now protected,
7 now they have, obviously, a priority with those lands.
8 They can still continue to use them, it's not -- just that
9 it's not going to be developed down the road. But there
10 are opportunities to work with individuals on conservation
11 easements, corporations, those are there, those options are
12 there.

13

14 CHAIRMAN O'HARA: Robert.

15

16 MR. HEYANO: Well, I think in - my earlier
17 comments to Terry Hoefflerle, I think that people in
18 organizations, such as the Togiak Wildlife Refuge, BBNA
19 needs to make this option a high priority. I read that
20 issues that BBNC asked a resolution of support, there was
21 no mention in it for buying the development rights,
22 everything I read was focusing the money toward the
23 outright sale. I think that's -- there is no more Native
24 allotment land, there probably never will be, it's a unique
25 piece of land and I think that as people who are working
26 with the Native population needs to protect that for future
27 generations.

28

29 And this thing about -- you know, I think the
30 outright sale -- the monies to be used for an outright sale
31 ought to be the absolute last resort. And if people don't
32 start bringing the concept up of development rights,
33 selling those, and the advantages of it, people won't know
34 about it and won't take advantage of it. You know, I think
35 the Nondalton Corporation in the Lake Clark, didn't they,
36 sell a bunch of development rights? That, to me, is very
37 positive.

38

39 CHAIRMAN O'HARA: What's the difference
40 between those rights for sale and the real estate sale,
41 there's probably a big difference dollars amount, huh?

42

43 MR. ARCHIBEQUE: I don't know what the
44 difference would be. I know we've only purchased two
45 allotments at this point and I don't know what the
46 difference would be if you were just selling the
47 development rights.

48

49 CHAIRMAN O'HARA: Bristol Bay Native
50 Corporation, a profit-making forum, told you what on those

00235

1 purchases as a refuge. You said it earlier and I didn't
2 quite get it.

3
4 MR. ARCHIBEQUE: No, I said -- I think that
5 Pete had indicated that there was a letter that was written
6 in support of increased funding for land acquisition by
7 Bristol Bay Native Association, that was incorrect, it was
8 Bristol Bay Native Corporation that wrote a letter in
9 support of increased funding for the refuge.

10
11 CHAIRMAN O'HARA: They did, okay. And we
12 could do the same from this body, just to lend strength to
13 the getting more money for it.

14
15 MR. ARCHIBEQUE: If you so choose. I have
16 to -- I -- it's talking about the issue, but I have to be
17 real careful, my position, that I'm not soliciting funding.

18
19 CHAIRMAN O'HARA: No. All right. Good,
20 no, no.

21
22 MR. ARCHIBEQUE: This is just an issue
23 that's come before the Board, I'm just trying to explain
24 it.

25
26 CHAIRMAN O'HARA: Yeah, sure, okay. We'll
27 totally exclude you from that, then, if we should decide to
28 do so, we don't want to put you into that compromise.

29
30 MR. ARCHIBEQUE: Right.

31
32 CHAIRMAN O'HARA: And I appreciate you
33 doing that, yeah. Go ahead, Taylor, if you.....

34
35 MR. BRELSFORD: Thank you. Taylor
36 Breslford, there are two cautions to put on the record and
37 then maybe I can propose a pathway out on this. The
38 Federal government does exercise a trust interest in those
39 allotments and nothing that you're talking about here is a
40 breach of that trust interest, the exercise of the full
41 protection of the allottees' rights, so we're not talking
42 about overriding those rights in any fashion. These are
43 willing sellers who would otherwise sell someplace else.
44 And this allows the conservation purposes and resource
45 protection purposes to be held up.

46
47 The second caution has to do with lobbying the
48 Congress and asking for funds. And you all, as a federally
49 constituted body when you're meeting in formal session on
50 Federal funding cannot lobby the Congress about funds, so

00236

1 my suggestion.....

2

3 CHAIRMAN O'HARA: The light just come on,
4 yeah, all right.

5

6 MR. BRELSFORD:my suggestion will be
7 along the lines that Robin made and that is that you
8 address the Secretary of Interior, not the Congress, you
9 urge the Secretary to seek additional funding from the
10 Congress, that's his role. You really land on the need,
11 why is this important, we had lots of discussion in the
12 last two days about the risks, about the trends, expansion
13 in this danger in the Bristol Bay Region, so it's
14 completely in good faith with the other things that you
15 said. And then I think leave the suggest -- leave the
16 recommendation at the end fairly general, don't be specific
17 about this program or that river system, but identify the
18 need. Your job is to be the eyes and ears of the Secretary
19 on behalf of subsistence protections in this area and tell
20 him what you need in the general, in the sort of board
21 terms that I think Robin was aiming for.

22

23 CHAIRMAN O'HARA: In real life, this little
24 subdivision versus a Native allotment that took place in
25 Katmai National Park wilderness area certainly got a lot of
26 highlight in dollar amount and push, big time, so, yeah,
27 that's good, I appreciate that. Well, we can do that, just
28 exactly like you said.

29

30 And, Jerry, you can work on that, huh?

31

32 MR. BERG: Sure.

33

34 (Laughter)

35

36 CHAIRMAN O'HARA: If you still have a job
37 later on.

38

39 MR. BERG: We'll draft it up.

40

41 CHAIRMAN O'HARA: All right. That'll be
42 fine.

43

44 Pete, do you have any more little things you want
45 to put five minutes more agenda or not?

46

47 MR. ABRAHAM: Nope.

48

49 CHAIRMAN O'HARA: All right, thank you.

50

00237

1 MR. ENRIGHT: Second.

2

3 CHAIRMAN O'HARA: We got time. Go ahead.

4

5 MR. ENRIGHT: This is a resolution of
6 support between the State and the Feds, the Fish and
7 Wildlife from Lower Bristol Bay Advisory Council. I was
8 asked to bring it up and deliver it.

9

10 CHAIRMAN O'HARA: Can you read it? Can you
11 understand the writing to read it to us?

12

13 MR. ENRIGHT: No, I can't, I didn't write
14 it.

15

16 CHAIRMAN O'HARA: I'm having a hard time,
17 so do you have a copy of this, Jerry?

18

19 MR. BERG: Yes, I do.

20

21 CHAIRMAN O'HARA: Okay.

22

23 MR. BERG: This is -- read down through
24 here.

25

26 CHAIRMAN O'HARA: It's 99-01 Resolution
27 that they passed.

28

29 MR. BERG: Right, a resolution from the
30 Lower Bristol Bay Advisory Committee that all subsistence
31 uses of all wild resources, particularly salmon, in the
32 traditional -- is the traditional and remains the heart of
33 the living in Bristol Bay villages; and

34

35 Whereas, proper management of both subsistence and
36 commercial fisheries is essential to the benefit of local
37 people and sustain the biological base of the ecosystem;
38 and

39

40 Whereas, the Legislature failed to authorize the
41 people of Alaska to vote on a constitutional amendment to
42 allow the State to regain management authority, and

43

44 Whereas, dual management authority now is vested in
45 both the Federal and State agencies,

46

47 CHAIRMAN O'HARA: Now, therefore, be it
48 resolved.

49

50 MR. BERG: Okay, here we go, yeah, sorry, I

00238

1 better finish that.

2

3 Now, therefore, be it resolved.

4

5 (Laughter)

6

7 CHAIRMAN O'HARA: That's the kicker right
8 there.

9

10 MR. BERG: I'm not used to these
11 resolutions.

12

13 Now, therefore, be it resolved by the Lower Bristol
14 Bay Fish and Game Advisory Committee that cooperation
15 between the Federal and State systems be optimized to
16 prevent duplication of effort and waste of limited
17 financial resources, and

18

19 Further be it resolved by the Lower Bristol Bay
20 Advisory Committee that the management and research
21 expertise of the ADF&G be recognized and that research
22 effort be expanded to improve knowledge of Bristol Bay
23 fisheries and management of these fisheries.

24

25 And it's adopted unanimously by the Lower Bristol
26 Bay Advisory Committee on October 5th, 1999.

27

28 CHAIRMAN O'HARA: Okay. Council members,
29 did you want to take action on this resolution today? Yes,
30 Robin.

31

32 MR. SAMUELSEN: Mr. Chairman, I think
33 throughout this meeting that we have -- both staffs of U.S.
34 Fish and Wildlife Service, Fish and Game, as well as the
35 Council has expressed, basically, the same thing that the
36 Lower Bristol Bay Advisory Committee has expressed in a
37 resolution, so, you know, I think we're consistent with
38 them. (Inaudible) action that needs to be required of us.

39

40 CHAIRMAN O'HARA: Okay. Tim, did you want
41 to address this a little bit more? Or, no? Is this
42 satisfactory to you then?

43

44 MR. ENRIGHT: Yeah.

45

46 CHAIRMAN O'HARA: Okay. The other item to
47 come before this Council today would be to -- whether or
48 not this Council wants to support two additional members of
49 the Council. It was pointed out yesterday that we are
50 members at large, but I think there's been somewhat

00239

1 probably a careful selection by perhaps a panel or
2 somebody, some organization somewhere within the Federal
3 program that there be some representation, knowledgeable
4 people serving on the Council from the regions. So if we
5 were to look at maybe the expansion of two more additional
6 members on this Council we would be thinking in terms of
7 someone coming from the Nushagak (inaudible) but knowing
8 that you have the Koliganek Village, the New Stuyahok
9 Village and the Ekwok Village in that area. And then the
10 other one would be the Chignik, which would be Chignik Bay,
11 Lake, Lagoon, Perryville and Ivanof and a representative
12 coming from that area.

13
14 So this is for discussion purposes, if you really
15 have a very strong opinion on this and you want to go ahead
16 and recommend to the Federal Board that we expand it by two
17 more, we can certainly do so, and so with that I will just
18 leave this at the wishes of the Council.

19
20 Any discussion on this?

21
22 (No audible responses)

23
24 CHAIRMAN O'HARA: Okay, hearing none, we'll
25 just leave the issue on the table.

26
27 Time and place of the next meeting?

28
29 MR. SAMUELSEN: Call of the Chair.

30
31 CHAIRMAN O'HARA: Okay. There's going to
32 be a request from villages that we meet in some of the
33 bigger communities, the bureaucrats may have to sleep on a
34 school floor somewhere with a little foam mattress, that's
35 okay. You know, if we get a chance to go to some of the
36 places.

37
38 Robin.

39
40 MR. SAMUELSEN: I think, Mr. Chairman, that
41 this meeting we could move around to the villages, but when
42 we do proposals we got to be in a central location because
43 I don't know how many proposals we're going to get but, you
44 know, the people from the -- we've heard from the Chignik
45 people, it's very expensive for them to get here.

46
47 CHAIRMAN O'HARA: Yeah.

48
49 MR. SAMUELSEN: It's very expensive for
50 them to get to Togiak. Now, on the flip side of that coin,

00240

1 it's very expensive for the people of Togiak to get here,
2 let alone to the Chigniks.

3
4 CHAIRMAN O'HARA: Yeah.

5
6 MR. SAMUELSEN: So in calling the meeting,
7 I'd asked the Chair to take into consideration that we are
8 deliberating on proposal next meeting and those people that
9 have submitted proposals that'll show up to testify before
10 us, recognize their costs.

11
12 CHAIRMAN O'HARA: Yeah. March or April is
13 when our next meeting is going to be?

14
15 MR. BERG: Yes, the window opens up
16 February 21st and then closes on March 24th.

17
18 CHAIRMAN O'HARA: Okay. So somewhere in
19 that time frame we'll get your schedules and have a meeting
20 and it'll most likely be in Dillingham, and we've been kind
21 of treading back between the two, but you're right, the
22 fall meeting where we have all the information input that
23 would be good. That's a good point.

24
25 Yeah, go ahead.

26
27 MR. SAMUELSEN: Yeah. Well, I think that
28 we leave it up to you to look at where the proposals are
29 coming from, I'm not, you know, really found of having it
30 in Dillingham or having it here, one of them two places
31 need to be selected because they're kind of in the middle
32 of the hub.

33
34 CHAIRMAN O'HARA: Yeah.

35
36 MR. SAMUELSEN: But it should depend on
37 where we get the most proposals from and expectations of
38 people coming in, so we can afford them that.

39
40 CHAIRMAN O'HARA: All right. That's a good
41 point.

42
43 Any other items, Council members, that you want to
44 address?

45
46 We would like to, just before we adjourn today,
47 thank Jerry Berg very much for helping us, you've done a
48 very fine job and I know it's been a lot of additional work
49 for you and you can go back to your department, what you've
50 been doing prior to meeting us, and we want to thank you

00241

1 very much. I think we ought to give him a good hand.

2

3 (Applause)

4

5 MR. BERG: Thank you, Dan, I sure
6 appreciated the opportunity to work with the Council, it
7 certainly a very active region and it's been a lot of
8 challenges and I've enjoyed everyone of them. And you guys
9 are a very dynamic team of people that work on these issues
10 and I really admire your work and really appreciate the
11 opportunity, so thank you very much.

12

13 CHAIRMAN O'HARA: Good. Yeah, I think we
14 have an exceptional Council, I really appreciate the hard
15 work from each of the members. And Helga will be coming
16 back to join us again at our next time.

17

18 And if we have nothing further to come before this
19 Council, thank you very much, audience, for being with us
20 and staying with us, we appreciate that.

21

22 Is there a motion to adjourn.

23

24 MR. ENRIGHT: I make a motion we adjourn.

25

26 CHAIRMAN O'HARA: We adjourn, second?

27

28 MR. SAMUELSEN: Second.

29

30 CHAIRMAN O'HARA: We're out of here.

31

32 (Off record)

33

34 (END OF PROCEEDINGS)

C E R T I F I C A T E

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2
3
4
5
6

UNITED STATES OF AMERICA)
) ss.
STATE OF ALASKA)

7 I, Joseph P. Kolasinski, Notary Public in and for
8 the State of Alaska and Owner of Computer Matrix, do hereby
9 certify:

10
11 THAT the foregoing pages numbered 166 through 241
12 contain a full, true and correct Transcript of VOLUME II,
13 BRISTOL BAY FEDERAL SUBSISTENCE REGIONAL COUNCIL PUBLIC
14 MEETING, taken electronically by David Haynes on the 7th
15 day of October, 1999, beginning at the hour of 8:00 o'clock
16 a.m. at the Borough Assembly Chambers, Naknek, Alaska;

17
18 THAT the transcript is a true and correct
19 transcript requested to be transcribed and thereafter
20 transcribed by under my direction to the best of my
21 knowledge and ability;

22
23 THAT I am not an employee, attorney, or party
24 interested in any way in this action.

25
26 DATED at Anchorage, Alaska, this 20th day of
27 October, 1999.

28
29
30
31
32 _____
33 Joseph P. Kolasinski
34 Notary Public in and for Alaska
My Commission Expires: 4/17/00