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BRISTOL BAY SUBSISTENCE REGIONAL ADVISORY
COUNCIL MEETING

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City Hall Chambers
Dillingham, Alaska
March 12, 1998, 9:00 o'clock a.m.

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VOLUME I

21 Members Present:

22

23 Daniel J. O'Hara. Chairman

24 Alvin Boskofsky

25 Andrew Balluta

26 Robert Heyano

27 Peter M. Abraham

28 Timothy M. Enright

29 Harold Robin Samuelson, Jr.

30

31 Helga Eakon, Coordinator

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P R O C E E D I N G S

(On record)

CHAIRMAN O'HARA: Good morning. We'd like to welcome you today to the Federal Subsistence Council meeting. And we'll call the meeting to order at this time. And I'd ask our Manager, Helga Eakon, if she'd do a roll call, please.

MS. EAKON: Thank you, Mr. Chair. Alvin Boskofsky?

MR. BOSKOFSKY: Here.

MS. EAKON: Andrew Balluta?

MR. BALLUTA: Here.

MS. EAKON: Robert Heyano?

MR. HEYANO: Here.

MS. EAKON: Peter Abraham?

MR. ABRAHAM: Here.

MS. EAKON: Daniel O'Hara?

CHAIRMAN O'HARA: Here.

MS. EAKON: Timothy Enright?

MR. ENRIGHT: Here.

MS. EAKON: Robin Samuelson?

MR. SAMUELSEN: Here.

MS. EAKON: All present. A quorum is established, Mr. Chair.

CHAIRMAN O'HARA: Thank you. I'd like to welcome you to the meeting today. A couple of remarks to start off with today. If you wanted to testify, Helga, there's probably a sign up sheet at the entrance over there for people to put their names in under public comments, will be coming up here shortly.

We have a pretty full agenda today, so we're going to be on a fairly fast track. And we'd like to ask you if you're going to be testifying or if you're a Manager here today in various Departments, and we have them, we want your act very well put

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1 together and we'll ask that you not necessarily repeat yourself.
2 Get everything lined up because we have two full days of a very
3 heavy agenda. So we may encourage you very gently to get right
4 on with the program so we can get our work done and we'll take a
5 break at 10:00 o'clock this morning. We would like to leave for
6 lunch at 11:30. I know there are other meetings taking place in
7 Dillingham where it's going to be pretty crowded down at the
8 Muddy Rudder, if that's where you want to go to lunch, and so if
9 we could beat the rush by a little bit, we'd probably do that and
10 take an hour for lunch.

11
12 The other thing I might mention here today is that our
13 Court Recorder is David Haynes, I believe.

14
15 MR. HAYNES: Right.

16
17 CHAIRMAN O'HARA: Yes. And if you're going to come up,
18 he would like you to spell your last name if you would so he can
19 get the information from you. And the Council members, he'll
20 have us all here on the mikes and that will be fine. But it's
21 important that the recorder gets the names so that when we get it
22 in the minutes we have an accurate record who participated in the
23 meeting. And are there any comments this morning from the
24 Council members before we start? How about if we just real quick
25 like then, if you don't have a comment, go around and introduce
26 ourself. My name is Dan O'Hara. Let's start here and go around.

27
28 MR. SAMUELSEN: Robin Samuelsen, Dillingham.

29
30 MR. BOSKOFISKY: Alvin Boskofsky, Chignik Lake.

31
32 MR. ENRIGHT: Tim Enright, Ugashik.

33
34 MR. BALLUTA: Andrew Balluta, Iliamna.

35
36 CHAIRMAN O'HARA: Right here?

37
38 MR. ABRAHAM: Pete from Togiak.

39
40 MR. HEYANO: Robert Heyano, Dillingham.

41
42 MS. EAKON: Helga Eakon, Coordinator, from Anchorage.

43
44 CHAIRMAN O'HARA: David, we'll start with you and go
45 around the room.

46
47 MR. FISHER: Thank you. Dave Fisher, Fish and Wildlife
48 Service, Anchorage.

49
50 MS. McCLENAHAN: Pat McClenahan, Fish and Wildlife

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1 Service, Anchorage.

2

3 MR. FALL: My name is Jim Fall, I'm with the Division of
4 Subsistence, Fish and Game from Anchorage.

5

6 CHAIRMAN O'HARA: ADF?

7

8 MR. FALL: ADF&G.

9

10 CHAIRMAN O'HARA: Okay.

11

12 MR. MINARD: Mac Minard, Fish and Game, Dillingham.

13

14 MS. MEEHAN: Rosa Meehan, with the Subsistence Office in
15 Anchorage.

16

17 MR. EDENSHAW: Cliff Edenshaw, from Anchorage.

18

19 MR. HINKES: Mike Hinkes, Togiak Refuge, Dillingham.

20

21 MR. ADERMAN: Andy Aderman, Togiak Refuge, Dillingham.

22

23 MR. DeVALPINE: Andrew DeValpine, BBT, Dillingham.

24

25 MR. GEORGE: Fritz George, Akiachak.

26

27 MS. DYASUK: Eunice Dyasuk, ADF&G at Dillingham.

28

29 MR. AHELHOK: Philip Ahelhok, Jr., Ekwok.

30

31 MR. CHRISTOPHER: Peter Christopher from New Stuyahok,
32 subsistence user of New Stuyahok and Mulchatna Rivers.

33

34 CHAIRMAN O'HARA: Thank you.

35

36 MR. ELEY: I'm Tom Eley, U.S. Fish and Wildlife Service,
37 Anchorage.

38

39 CHAIRMAN O'HARA: Okay.

40

41 MS. NIELSEN: Wendy Nielsen, BBNA, Natural Resources.

42

43 MR. ANDERSEN: Ralph Andersen, BBNA, Natural Resources.

44

45 MR. KRIEG: Ted Krieg, BBNA, Natural Resources.

46

47 CHAIRMAN O'HARA: No kidding? All right. Anybody else
48 I left out. Gentlemen, would you like to introduce yourself?

49

50 MR. LISAC: Yeah, Mark Lisac, I'm with Togiak Refuge.

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1 CHAIRMAN O'HARA: Okay. Did I leave anybody out?

2

3 MS. JACK: I'm Carleen Jack, with Fish and Wildlife
4 Service, Anchorage.

5

6 CHAIRMAN O'HARA: I'm sorry, I didn't hear the name back
7 there.

8

9 MS. JACK: Carleen Jack.

10

11 CHAIRMAN O'HARA: Thank you very much. Appreciate that.
12 Larry Van Daele, you're here with us today?

13

14 MR. VAN DAELE: Yes, sir.

15

16 CHAIRMAN O'HARA: Okay. ADF&G. Thank you very much for
17 the introduction this morning. Council members, we'd like to
18 adopt the agenda with kind of a tongue and cheek type thing. We
19 do have the agenda today. We'll go down the agenda items, but
20 before we adopt it could we kind of get a consensus from the
21 Council members this morning that Joe Klutsch is going to be
22 coming over and testifying on the 9(E) Proposal of non-
23 subsistence users, representing all of the guides on the Alaska
24 Peninsula. He will be here this morning.

25

26 We do have the Chignik/Perryville people going to be on
27 teleconference, so we've got to kind of juggle this a little bit.
28 We do want to have a decision on this possibly before 11:30 so we
29 don't keep people waiting in the villages on the teleconference
30 and they want to be able to hear our -- I don't know if Helga can
31 get them back on line. What do you think, Helga?

32

33 MS. EAKON: Well, they're sitting by ready to patch with
34 us at 9:15, Mr. Chair. And I think if we go ahead and listen to
35 their testimony and then hang up, and when Mr. Klutsch arrives,
36 patch them back through. Because they do want to hear the
37 Regional Council recommendations.

38

39 CHAIRMAN O'HARA: All right. And then Joe Klutsch will
40 be here this afternoon to deal with the c&t finding with the
41 brown bear situation in Naknek. I think we can probably work him
42 in. Is that agreeable to the Council members? Have a motion to
43 approve the agenda.

44

45 MR. SAMUELSEN: So moved, Mr. Chairman.

46

47 CHAIRMAN O'HARA: Second?

48

49 MR. HEYANO: Second.

50

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1 CHAIRMAN O'HARA: Discussion?

2
3 UNIDENTIFIED VOICE: Question.

4
5 CHAIRMAN O'HARA: All those in favor say aye.

6
7 IN UNISON: Aye.

8
9 CHAIRMAN O'HARA: Opposed?

10
11 (No opposing responses)

12
13 CHAIRMAN O'HARA: All right. Review and adoption of the
14 minutes of September 23rd, 24th and February 12th, which was a
15 teleconference. Is there anyone that would make a motion to
16 accept it and then we will see if we need to make any corrections
17 or deletions. Have a motion?

18
19 MR. ENRIGHT: I make a motion to.

20
21 CHAIRMAN O'HARA: And that'll cover 23, 24 of September
22 and February 12th, Tim?

23
24 MR. ENRIGHT: Yes.

25
26 CHAIRMAN O'HARA: Okay. Second?

27
28 MR. HEYANO: Second.

29
30 CHAIRMAN O'HARA: Robert second. Any corrections or
31 deletions to the minutes? Discussion? Question. All those in
32 favor say aye.

33
34 IN UNISON: Aye.

35
36 CHAIRMAN O'HARA: Opposed?

37
38 (No opposing responses)

39
40 CHAIRMAN O'HARA: All right. Thank you. At this time
41 we'd like to open the floor for any public comment that you might
42 be interested in presenting to the Council. Are there any
43 members of the public today that would like to testify before the
44 Council at this time? This is part of the agenda. All right.
45 Everyone understood then that this is the opportunity for public
46 comment? Should we go ahead and do the action agenda Item number
47 7 here then?

48
49 MS. EAKON: I think it will be appropriate, since the
50 people who are going to be teleconferencing in, namely Algott

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1 Anderson, Jr., from Chignik Lagoon, Robert Christensen and Nafuti
2 Orloff from Port Heiden and Johnny Lind I believe from Ivanoff
3 Bay already know their basis for their requests. I think it
4 might be appropriate to go ahead and listen to the analysis and
5 by that time they should be phoning in and then we can hear their
6 testimony, Mr. Chair.

7

8 CHAIRMAN O'HARA: At this time we do the introduction,
9 Helga, then.

10

11 MS. EAKON: Okay.

12

13 MR. BOSKOFISKY: Helga, Johnny Lind for Chignik Lake.

14

15 MS. EAKON: He's from Chignik Lake. Okay. Thank you for
16 that correction.

17

18 CHAIRMAN O'HARA: Introduction proposal, lead, Helga?

19

20 MS. EAKON: Dave Fisher will be the lead on this. Oh,
21 no, in answer to Pat's question, we're going to start off with
22 analyses and recommendations on three Special Action proposals as
23 stated there on your agenda. Pat's question went to Jim Fall's
24 presentation prior to your deliberation on the proposals. Jim
25 Fall, your presentation will happen before the proposals proper,
26 okay?

27

28 MR. FALL: Okay.

29

30 CHAIRMAN O'HARA: Are you ready, Dave?

31

32 MR. FISHER: Just about.

33

34 CHAIRMAN O'HARA: Okay.

35

36 MS. EAKON: Oh, I'm sorry.

37

38 MR. FISHER: I just wanted to put that map up there for
39 everyone to kind of acquaint themselves with Unit 9(E). The dark
40 green area there in the center is the Aniakchak National Monument
41 and Preserve. The light green area above that and below that is
42 the Alaska Peninsula/Becharof National Wildlife Refuge. And I
43 believe just in 9(E) there it's primarily the Alaska Peninsula
44 National Wildlife Refuge. And so for everyone's familiarity with
45 the area.

46

47 This Special Action request was submitted by the
48 Aniakchak National Monument, Subsistence Resource Division, and
49 this would close Federal public lands, those lands on that map
50 that are indicated in the two shades of green. It would close

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1 those lands to the hunting of caribou and moose, except for
2 qualified rural residents.

3
4 In addition, the moose harvest regulation would be
5 changed from one antlered moose to just one moose. As you will
6 recall, we through you people and the Federal Subsistence Board,
7 we closed that southern portion of 9(E) to all caribou hunting.
8 That was the result of the Ivanoff Bay resolution that they
9 submitted on top of Proposal 24. You people modified it, it went
10 on up and the Board closed that.

11
12 As I explained earlier what the Federal lands are, the
13 Aniakchak National Park area and the Refuge. The animals that
14 we're dealing with here are moose and caribou. And the caribou
15 consist of the Northern Alaska Peninsula caribou herd. And
16 historically over time this herd has fluctuated quite widely. In
17 the 40s there was somewhere around 2,000, the 1980s close to
18 20,000, and currently there's right around 10,000 animals.

19
20 Recent biological information seems to indicate there's
21 a little bit of a problem with the herd. Some poor calf
22 production, mediocre body condition and calves have a high
23 incident of lung worm. And I think when Dick Sellers gets here
24 maybe he'll shed a little bit more light on that. But I think
25 we're all aware of that. We talked about it at most of our
26 meetings. What's causing this? Probably range conditions,
27 overuse of the range and that's indicated by the movement of
28 those animals a little bit further north to seek new grazing
29 areas.

30
31 We looked at some harvest data. Seven years of harvest
32 tickets were analyzed and it showed a downward trend of harvest
33 in that area. And if you'll look at the information in that
34 Special Action there's a chart there that shows reported caribou
35 harvest on and off Federal land in Sub-Unit 9(E), 1987 to 1993.
36 And you can see from 1987 to 1993 a sort of a downward trend.
37 And somewhat of a downward trend on Federal public lands. And if
38 you'll turn over on the next page you'll see an upward trend in
39 harvest in 9(C), which is the result of hunting some of that
40 Mulchatna herd.

41
42 MR. SAMUELSEN: Dave, can I ask you a couple of
43 questions?

44
45 MR. FISHER: Yes.

46
47 MR. SAMUELSEN: Then the proposed area for closure would
48 be here and here under this proposal?

49
50 MR. FISHER: No.

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1 MR. SAMUELSEN: Or just here?

2

3 MR. FISHER: The whole area would be closed under this
4 proposal. All of 9(E), the whole unit.

5

6 CHAIRMAN O'HARA: From here to here, this is already
7 closed.

8

9 MR. SAMUELSEN: Okay.

10

11 MR. FISHER: The whole unit.

12

13 CHAIRMAN O'HARA: This is already closed.

14

15 MR. FISHER: To caribou hunting.

16

17 MR. SAMUELSEN: What is this land here, is this Village
18 Corporation selections?

19

20 MR. FISHER: Or private lands, yes. The only Federal
21 public lands are the shaded areas.

22

23 MR. SAMUELSEN: Okay. Mr. Chairman, if I may.

24

25 CHAIRMAN O'HARA: Sure. Go ahead.

26

27 MR. SAMUELSEN: On Table 1, is that the combined
28 subsistence sport hunt totals?

29

30 MR. FISHER: Yes.

31

32 MR. SAMUELSEN: How accurate is subsistence caribou hunt
33 reporting in the villages?

34

35 MR. FISHER: It's only as accurate as the number of
36 harvest tickets we get from those people. I don't really have a
37 good handle on that.

38

39 MR. SAMUELSEN: Do you have a breakdown to show what
40 portion is subsistence, what portion is sport?

41

42 MS. EAKON: This is Helga. Who is on line?

43

44 TELECONFERENCE OPERATOR: Hi Helga, I have Glenn
45 Kalmakoff.

46

47 MS. EAKON: Excuse me, Mr. Chair.

48

49 TELECONFERENCE OPERATOR: Algott Anderson, Robert
50 Christensen and Johnny Lind.

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1 MS. EAKON: Okay. Patch them through. Thank you very
2 much.

3
4 TELECONFERENCE OPERATOR: Okay. You're welcome.

5
6 MS. EAKON: Okay. Algott Anderson?

7
8 MR. ANDERSON: Yes, I'm here.

9
10 MS. EAKON: Robert Christensen?

11
12 MR. CHRISTENSEN: Here.

13
14 MS. EAKON: And Johnny Lind?

15
16 MR. LIND: Yes.

17
18 MS. EAKON: Okay. You have just joined the Bristol Bay
19 Regional Council meeting. Glenn Kalmakoff, are you there as
20 well?

21
22 MR. KALMAKOFF: Yes, ma'am.

23
24 MS. EAKON: Okay. Dave Fisher is just in the process of
25 presenting the analysis of this Special Action request. Go
26 ahead.

27
28 MR. SAMUELSEN: Dave, do you have a breakdown on how many
29 of these animals are subsistence taken and sports taken?

30
31 MR. FISHER: I'll have to call on my partner over here,
32 Ron Squibb to help me on that, he has some data.

33
34 MR. SAMUELSEN: Okay. I'd like to see that.

35
36 MR. FISHER: Okay. You want to just see it and.....

37
38 MR. SAMUELSEN: No, after your report.

39
40 MR. FISHER: Okay.

41
42 MR. SAMUELSEN: Thank you, Mr. Chair.

43
44 CHAIRMAN O'HARA: Yeah.

45
46 MR. HEYANO: Mr. Chairman, when he brings that
47 information up I'd like to see the harvest by sex too, the number
48 of males and females.

49
50 MR. FISHER: Okay. Moving on. In looking over the

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1 harvest data and talking with Mr. Sellers, we estimate that about
2 65 percent of the harvest is by hunters from local communities.
3 The non-local hunters that hunted 9(E), sport hunters, primarily
4 take bulls.

5
6 CHAIRMAN O'HARA: Say that again now?

7
8 MR. FISHER: The non-local hunters in 9(E), or most of
9 those are sport hunters, most of those hunters take bull caribou.
10 Comprises about 85 percent of the sport harvest. However,
11 caribou in 9(E) is the most widely used big game animal for
12 subsistence, so it is important.

13
14 Moving on for moose, we're talking two species here
15 again, we don't have a lot of data for moose in 9(E). Currently
16 the population appears to be stable and it seems to be surviving
17 within the capacity of the habitat. Brown bear predation is a
18 factor, which has probably over the years slowed the growth.
19 Almost all of the harvest, about 95 percent of the harvest occurs
20 in the month of September.

21
22 And as far as the regulations go, there is an earlier
23 season for subsistence users, a nine day early season specially
24 for subsistence users, and there also is an earlier season for
25 the caribou hunters that the State has for hunting caribou in
26 9(E). The Staff recommendation was to reject this proposal. And
27 basically our reasoning was for caribou most of the harvest is by
28 local residents. The sport harvest that does occur is mostly
29 bulls and a lot of that effort is shifting out of 9(E) to the
30 Mulchatna herd. And it doesn't appear necessary at this time to
31 close non-subsistence harvest in order to maintain a healthy
32 herd. The herd appears to be stable. Seems to be plenty of
33 opportunities for subsistence users to harvest caribou without
34 closing Federal public lands. And, as I mentioned earlier, the
35 State has an extended caribou season, July 1 to August 9 for
36 Pacific Drainages southwest of Seal Cape.

37
38 As far as moose go, the population is stable. The
39 overall harvest is fairly low. Subsistence users have an earlier
40 season. Virtually no one hunts moose in December so local users
41 would have the area to themselves. And probably the most
42 important reason here for moose, for rejecting the proposal for
43 moose, they want to change the harvest regulation from one
44 antlered bull to one moose. And we feel like doing that would
45 put pressure on cow moose and this could ultimately skew, change
46 the bull/cow ratio and possibly cause a population decline.
47 That's all I have right now. Depending on that data, I'd like to
48 be able to maybe get together with Ron and we could show you some
49 of that.

50

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1 CHAIRMAN O'HARA: Get together with who?

2

3 MR. FISHER: Ron Squibb. He has the.....

4

5 CHAIRMAN O'HARA: Is he the next one to talk to us?

6

7 MS. EAKON: He could.

8

9 MR. FISHER: Yeah.

10

11 CHAIRMAN O'HARA: You've been asked for some additional
12 information from this Council that you need to get for us here
13 before we finish up with your department also. I think we wanted
14 to know numbers.

15

16 MR. SAMUELSEN: Yes.

17

18 CHAIRMAN O'HARA: Can you get that, Dave?

19

20 MR. FISHER: Yes. Let's hit the numbers now while some
21 of the other ideas are still fresh in our minds.

22

23 MR. SAMUELSEN: Dave, what is the current bull to cow
24 ratio?

25

26 MR. FISHER: For caribou?

27

28 MR. SAMUELSEN: On moose?

29

30 MR. FISHER: I can't put a real close figure on that
31 because we don't have up-to-date data, but somewhere between 25
32 and 30.

33

34 MR. SAMUELSEN: Sellers might have that.

35

36 MR. FISHER: Sellers would have a more accurate figure on
37 that, but we need right around probably 25 to 30 to maintain
38 status quo.

39

40 CHAIRMAN O'HARA: While we're waiting for the next report
41 from the Department, I'd like to remind you that if you'd like to
42 do public comment on this agenda item that we have right now you
43 need to sign up. And where is the sign up sheet, Helga, in the
44 back? Is it back there? Are you handling the sign up sheet back
45 there? All right. If you can do that. Give us your name.

46

47 MR. CHRISTENSEN: Hello, Dave -- or Craig, comment on
48 Dave's report. This is Bob Christensen.

49

50 CHAIRMAN O'HARA: Bob, we'll get to you a little later if

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1 you don't mind. Hang in there and we'll keep track of your
2 question and we'll bring you under a little later on here, okay.

3
4 MR. CHRISTENSEN: Okay. I can barely hear. I don't know
5 what's happening. The lines aren't coming in too good. They're
6 coming in and out. We'll hang in here.

7
8 CHAIRMAN O'HARA: Okay. Dave, what's happening with the
9 -- Dave Haynes, what's happening with the -- how come -- you have
10 any control or who has control?

11
12 MR. HAYNES: That's Helga's department.

13
14 CHAIRMAN O'HARA: Maybe we should turn that off, Helga,
15 and put that Star Wars thing right there. Dave, would you
16 introduce the gentleman that's going to be talking to us here for
17 the record?

18
19 MR. FISHER: Yes. With me this morning, Mr. Chairman, is
20 Mr. Ron Squibb from the Alaska Peninsula Becharof National
21 Wildlife Refuge. Ron is the Assistant Refuge Manager.

22
23 CHAIRMAN O'HARA: Robert, can you hear that?

24
25 MR. CHRISTENSEN: We can vaguely hear, but.....

26
27 MR. FISHER: Mr. Chairman.....

28
29 MS. EAKON: If you want to come here, maybe he can be
30 hear better over here.

31
32 CHAIRMAN O'HARA: Yeah, would you mind coming up here,
33 Ron, and sitting here please. I think that maybe they're picking
34 up a little better with our mikes. Okay. Ron, are you going to
35 introduce yourself for the record.

36
37 MR. SQUIBB: Okay. I'm Ron Squibb from the Alaska
38 Peninsula Becharof Wildlife Complex -- Refuge Complex. And I'm
39 the Refuge Planner and Subsistence Coordinator at that station.
40 I apologize, I didn't make enough copies for you gentlemen, so I
41 apologize for that. When I was shuffling around Dave asked me if
42 I heard the question and I transferred here and I am not -- you
43 want me to go over this I know, but is there a specific question
44 that I missed as I was moving around?

45
46 CHAIRMAN O'HARA: Robin, you had a question of Dave. I
47 believe it was pertaining to was it the number of animals taken
48 or was it the breakdown of the sex?

49
50 MR. SAMUELSEN: Yeah, a breakdown of who's harvesting the

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1 caribou, sport versus subsistence.

2

3 CHAIRMAN O'HARA: Was there a question on male/female too
4 or not?

5

6 MR. SAMUELSEN: That was Robert's question.

7

8 MR. SQUIBB: The packet that I have in front of you, the
9 first four pages are summaries of the data that are on the next
10 nine pages. And these are harvest ticket data. And for the
11 number of years that they summarize is at the top of the first
12 page and those are moose, summarizing '83 and '96, and 14 years
13 during that period. Caribou we have eight years of data, '83 to
14 '93 and bear it goes from '54 to '96, so there are 38 years of
15 data there. Now those aren't every year within that period. And
16 these again are harvest ticket data from the State.

17

18 In our summary analysis, I apologize, but we had a data
19 glitch on an important point, and for the caribou I don't have
20 the non-resident broken down in the same way I do for the moose
21 and the bear. I've got a more recent summary that Dick Sellers
22 gave me day before yesterday. So we can get an idea there, but
23 on the left-hand most column of this front page the title of the
24 column is UCU or uniform coding unit. And I believe Dick -- or
25 Dave, you said you had some maps later that we could pass out.
26 They didn't make it through the fax machine so we're coming from
27 two directions for these.

28

29 So that the idea of this front page was to give you for
30 the uniform coding unit, which the numbers would apply to that
31 map, I just did an eyeball estimate off the map of about how much
32 was Federal public land within each uniform coding unit. And
33 then the front page is averages, an average for each year. For
34 instance, looking at the first line, uniform coding unit 0000 is
35 basically a catchall, that's where they didn't know where the
36 kill was taken. So this is all the left-over tickets that they
37 didn't get a good description of the land.

38

39 Basically you can see just by eyeball estimate about 40
40 percent of the whole area is Federal public land. On average
41 about one moose per year was taken. They didn't know where it
42 belong. And that was probably a non-resident moose on average
43 and you go across like that. So this gives it on specific land.
44 Now the question regarding the percentage of subsistence take,
45 that's very difficult to get out of the harvest tickets. The
46 breakdown is between State resident and non-resident on the
47 harvest tickets. The very fourth page, upper left-hand corner
48 says, page D as in Delta, for the caribou probably the best
49 answer is their data that Dick Sellers gave me a couple of days
50 ago. For the years '95 and '96, at the bottom of the page, you

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1 can see typically the non-resident harvest, that's non-resident
2 Alaskans, not local subsistence users or, excuse me, not people
3 just outside the area. But for non-residents, non-Alaskans
4 you're getting in '95 a hundred and ninety-five, and in '96 a
5 hundred and sixty-seven caribou. Or the bottom line, the percent
6 of non-residents, that's out of State people, is about 71 percent
7 in those two years. And Dick told me that overall non-resident,
8 non-Alaskan take on caribou is going to average 60 percent if I,
9 you know, got his notes correctly. And Dick can correct me on
10 that if it's wrong.

11
12 Now, the local resident harvest is Alaskans who were
13 locals to 9(E). There you're looking at five and 11 harvest
14 ticket records in these two years. So you're looking at a very
15 small percentage in terms of the harvest ticket data. Now, for
16 those people who don't send harvest tickets in, obviously they
17 are not going to be in the record. So that's an unknown. Dick
18 also told me that in order for his estimate, what he considers is
19 an estimate to use for management purposes of the total harvest
20 of caribou in 9(E), he'll usually multiply the harvest ticket
21 total by 1.4 in order to make up for what he thinks are
22 unreported harvest tickets. Dick, am I quoting you reasonably
23 there?

24
25 MR. SELLERS: You don't have an argument here. I think
26 so.

27
28 MR. SQUIBB: Okay. Am I speaking loudly enough?

29
30 MS. EAKON: No.

31
32 MR. SQUIBB: Is the mike picking me up?

33
34 CHAIRMAN O'HARA: That mike only goes to the recorder.

35
36 MR. SQUIBB: Oh, okay. I'm sorry.

37
38 MR. HAYNES: It should be coming through those speakers.
39 If you guys don't speak up close to the mike it doesn't come
40 through the speakers.

41
42 CHAIRMAN O'HARA: Oh, there you go.

43
44 MR. SQUIBB: Better? Okay. I'll bring it closer to me
45 or lean. Thank you. So did that address the questions of the
46 Council?

47
48 CHAIRMAN O'HARA: Okay. 71 percent is taken by non-
49 resident hunters?

50

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1 MR. SQUIBB: Yes, sir.

2

3 CHAIRMAN O'HARA: '95 about 195 caribou in 9(E) was taken
4 by non-resident hunters, about five by local resident and other
5 Alaskan residents took 73?

6

7 MR. SQUIBB: Yes, sir, according to the harvest ticket
8 data.

9

10 CHAIRMAN O'HARA: For a total of 273?

11

12 MR. SQUIBB: Yes, sir.

13

14 CHAIRMAN O'HARA: And then pretty much mirrors the same
15 picture in 1996?

16

17 MR. SQUIBB: Yes, sir.

18

19 CHAIRMAN O'HARA: Okay.

20

21 MR. SQUIBB: And so what I was saying just before that or
22 just after that would be that in order to make up for those who
23 don't turn in harvest tickets, Dick multiplies the total, which
24 would be 195 plus five, be 273 for instance in 1995 by 1.4. In
25 other words, increase by 40 percent the count for non-return of
26 harvest tickets. Now, you'd have to ask Dick Sellers if he has
27 an idea of what percentage he thinks of unreported are resident
28 versus local resident versus out of State.

29

30 CHAIRMAN O'HARA: What happened in 1985? Just pick a
31 year, 10-15 years ago? Do you have data.

32

33 MR. SQUIBB: Okay. That is where we -- I had been out of
34 town for three previous weeks and he got the data to me and we
35 had an error in the data for caribou. So I can't get an overall
36 average and we didn't have those data by year. About the only
37 year things we have, or year by year totals would be for caribou,
38 it'd be the third page after Page D, which is labeled --
39 actually, they're out of sequence but the numbers in the upper
40 right-hand corner, but it's the total harvest for each year is
41 there. And so for this breakdown we don't have non-resident
42 versus resident for those years. But you can see the total kill
43 in that. The title is, Species: Caribou in Unit 9(E) by year.
44 '83 -- '85 didn't get caught in this analysis and you can see
45 just the total take there. I can't break that down for these.

46

47 CHAIRMAN O'HARA: Go ahead, Robin.

48

49 MR. SAMUELSEN: '95 and '96 doesn't give me a good
50 picture of what's happening down there. We've been hearing for

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1 a number of years by a prior action that this Board took that
2 those people are not meeting their subsistence needs. So in '95
3 I see five caribou taken by local residents and 11. What I need
4 to know is in the past did they harvest like 50 animals, did they
5 harvest like 150 animals and in '95 and '96 the reason why the
6 numbers are so far down is the caribou weren't available or, you
7 know? I'm not seeing a clear picture here. And I hear comments,
8 a number of them communities come up to Dillingham for a number
9 of meetings and they come up here and they're begging to bring
10 caribou meat back with them because they lack availability of
11 caribou meat. So I'm trying to put a trend here to see if the
12 hunting pressure actually drove the animals out, or the animals
13 just moved out and moved north, are the resources down and
14 they're hanging further north?

15
16 CHAIRMAN O'HARA: I think Sellers can answer where
17 they've gone probably somewhat when he gets here.

18
19 MR. SAMUELSEN: Yeah. Okay.

20
21 CHAIRMAN O'HARA: Yeah. Okay.

22
23 MR. SAMUELSEN: But you wouldn't be able to show us some
24 trends in your numbers there, huh, because of the loss of that
25 database?

26
27 MR. SQUIBB: No, sir. The way it's been spit out, we
28 could get that but, you know, not from this and I apologize on
29 that. And I will work on that and get it back to you.

30
31 CHAIRMAN O'HARA: Doesn't do us much good today.

32
33 MR. SQUIBB: Exactly. And I know we're short here.

34
35 MR. FISHER: Table 1 in the analysis show overall total
36 harvest. And that shows a downward trend. That's from '87 to
37 '93.

38
39 MR. SAMUELSEN: Is there any way to break those numbers
40 out from resident to non-resident?

41
42 MR. FISHER: We could only do that for two years. What
43 was it, Ron, '80.....

44
45 MR. SQUIBB: Yeah, '83 we had and -- but unfortunately we
46 don't have -- yeah, we could do it for '83, and then we have '95
47 and '96. Hopefully Dick will have some more insights.

48
49 CHAIRMAN O'HARA: Okay. We seem to have a little
50 confusion going on here. But I think some of the questions that

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1 we might want answered, maybe Sellers could help us with that.
2 If the Council doesn't mind bringing Dick in, and if you don't
3 mind, Dick. You'll have a report later on on the Alaska Fish and
4 Game side anyway, aren't you? Later on your department's coming
5 up?

6
7 MR. SELLERS: Yes. Mr. Chairman, I'm not familiar how
8 you want to conduct your testimony here, but I do have a graph or
9 two that might be helpful at this point.

10
11 CHAIRMAN O'HARA: Well, how we usually do it is we
12 usually have our biologist and the Alaska Department of Fish and
13 Game and other agencies comment, but if the Council members want
14 to go ahead and ask some of these important questions, since we
15 do have people, Dick, on the teleconference line, it might be
16 helpful to interject you there wherever would be good to help.
17 Did you need to have the overhead for your charts?

18
19 MR. SELLERS: I think it would help the Council.

20
21 CHAIRMAN O'HARA: Bobby or John and different ones, can
22 you hear Dick Sellers?

23
24 TELECONFERENCE PARTICIPANT: Yes, sir, we can.

25
26 CHAIRMAN O'HARA: Okay. Is that okay, Council members,
27 we do this?

28
29 MR. SAMUELSEN: Yep.

30
31 CHAIRMAN O'HARA: All right. And if you'd give us your
32 name just for the record there, Dick, so the recorder can have
33 it, if you would, please?

34
35 MR. SELLERS: Certainly. My name is Dick Sellers, I'm
36 the Area Wildlife Biologist for Unit 9 with the Alaska Department
37 of Fish and Game. This bar graph shows a trend in harvest by
38 residency for Unit 9(E). The tall bars represent estimated
39 subsistence harvest from villages based on household surveys that
40 the Subsistence Division did in the past, and more recently the
41 '95, '95 '96 tall bars are data that were collected by Ted Krieg
42 from BBNA in cooperation with funding from the Fish and Wildlife
43 Service and our Division of Subsistence.

44
45 And at some point maybe Jim Fall from the Subsistence
46 Division could break that information down more. But you can see
47 a fairly even harvest. Obviously there are gaps in the village
48 survey data, but it's relatively stable between 500 and a little
49 over 600. The lower series of dark bars are the non-local
50 Alaskan hunters, and you can see that that's dropped off pretty

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1 significantly since about '83. The primary reason that's dropped
2 is that there's been a shift of Alaskan hunters towards the
3 Mulchatna herd. It's a much more attractive situation for them
4 now.

5
6 And you can see that the non-resident herd has jumped
7 around a little bit, but it's been relatively stable. It tends
8 to increase in odd numbered years when there's a coinciding brown
9 bear hunt, and there seems to be a little more effort by guided
10 hunts in those odd numbered years. But basically the non-
11 resident harvest has been relatively stable with perhaps a slight
12 decline in recent years as some non-guided, non-residency has
13 gone to the Mulchatna herd.

14
15 CHAIRMAN O'HARA: Any questions?

16
17 MR. SAMUELSEN: Dick, this is the local, this is the non-
18 resident and this is the non-local Alaskan here?

19
20 MR. SELLERS: Yes.

21
22 MR. SAMUELSEN: Well, that's a good picture of what we
23 want to see.

24
25 MR. HEYANO: Mr. Chairman?

26
27 CHAIRMAN O'HARA: Yes, Robert.

28
29 MR. HEYANO: Do you have any idea why that harvest has
30 taken place, Dick, on Federal lands versus State lands? Is there
31 some number or some portion by user group? Do you have any idea
32 percentages-wise?

33
34 MR. SELLERS: Well, certainly Jim Fall can address where
35 the local harvest from subsistence users occurs. They've done
36 some mapping and I would defer to his input on that. As far as
37 non-local and non-residents, it's fairly widely distributed, but
38 a good deal of it does occur on State lands along the Bristol Bay
39 Coastal Plain where the traditional caribou migration has come
40 through. So there is a lot of non-subsistence harvest that
41 occurs on State land along the Bristol Bay Coastal Plain.

42
43 CHAIRMAN O'HARA: Does that answer your question, Robert?

44
45 MR. HEYANO: Yes.

46
47 CHAIRMAN O'HARA: I would assume that there's a lot of
48 local animals taken on State lands around the communities since
49 that's where they live. One of the questions I was asking, since
50 we have you up here, was has there been a pattern change? And I

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1 realize you're going to be giving your report a little bit later
2 on, but has there been a pattern change of the migration of the
3 animals? Why hasn't Perryville and Ivanoff Bay and the Chignik
4 been getting any caribou? I mean that's a hard question I
5 realize, but are they not in the area, or is it because of
6 decline of herds or what?

7
8 MR. SELLERS: Well, again, it's a hard question to answer
9 and we don't have a lot of data, but what we see in a lot of
10 other herds, as herds shrink they tend to consolidate on their
11 traditional ranges. And when they expand, like the Mulchatna has
12 done, they tend to pioneer into new country. And I think in
13 recent years as the Northern Peninsula herd has dropped from as
14 many as 20,000 down to about 10,000 now, I think the natural
15 tendency would be for that herd to contract their range and use
16 what's at least in terms of calving areas, their most traditional
17 calving areas, which are on the Bristol Bay Coastal Plain.

18
19 CHAIRMAN O'HARA: Any other questions of Dick Sellers
20 while he's up here today? He'll be back here a little later on
21 to give us a report. Are you satisfied Council members?

22
23 MR. HEYANO: I guess one quick question is can you put a
24 number or a percentage on an average, is that Alaska Peninsula
25 caribou herd, what portion would you say is predominantly on
26 Federal lands and what portion is predominantly on State lands?

27
28 MR. SELLERS: Well, I'd say the majority of them are
29 using State and Native Corporation lands on the Bristol Bay
30 Coastal Plain. You know, in the summer when we do the post-
31 calving counts about 8,000 are found on the Bristol Bay Coastal
32 Plain and the Refuge finds about 2,000 up in the mountains and on
33 the Pacific side.

34
35 CHAIRMAN O'HARA: Dick, while we have you up here, and we
36 don't want to lose the people on teleconference, have you been
37 doing surveys on the Alaska Peninsula?

38
39 MR. SELLERS: Since 1981.

40
41 CHAIRMAN O'HARA: And this year what times of the years
42 have you done the survey on caribou?

43
44 MR. SELLERS: Well, we do the count, the one that we use
45 to base what the herd is doing we do it in late June when the
46 caribou tend to congregate in post-calving aggregations.

47
48 CHAIRMAN O'HARA: Okay.

49
50 MR. SELLERS: We also do a sex and age composition

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1 surveys in October when they're aggregated for the rut and you
2 get the best combination of all sex and age groups.

3

4 CHAIRMAN O'HARA: Have you seen any animals over in
5 Perryville, Ivanoff, Chignik Lakes area at that time the last
6 couple of years?

7

8 MR. SELLERS: Well, we haven't covered that area in the
9 October survey. That's a helicopter survey, very expensive, and
10 we basically concentrate where the rutting aggregations are,
11 which tend to be north of Becharof Lake in October.

12

13 CHAIRMAN O'HARA: Dave, have you observed anything like
14 that going on in that area over there? We're wanting to know why
15 we're not getting animals over in that area?

16

17 MR. FISHER: I'd have to defer to the Refuge.

18

19 CHAIRMAN O'HARA: Ron?

20

21 MR. SQUIBB: As I mentioned the last meeting, we to date
22 have surveyed basically down into Aniakchak or the border of, and
23 we haven't surveyed the Chignik area since '93. And when they
24 did the survey in '93 in the Chignik unit, they tried to do a
25 sampling scheme. That didn't work out very well. I think it was
26 a gross underestimate.

27

28 CHAIRMAN O'HARA: What time of the year?

29

30 MR. SQUIBB: That survey would have been late summer I
31 believe, July and August. And I think given the methods they use
32 they tend to instead of trying to fly the whole area, which is
33 what we do, I don't know what we intend to do this coming June
34 for the Chignik unit. They try and do sampling. I think they
35 wound up with an estimate of a hundred animals down there, which
36 I think was a problem with their methods.

37

38 CHAIRMAN O'HARA: So we really don't have any observation
39 from the Federal side or from the State side on what's going on
40 in the Chigniks period?

41

42 MR. SQUIBB: No, sir.

43

44 CHAIRMAN O'HARA: I think that's something that this
45 Council needs to address, that we need to look at that. And I
46 think weather and these type of things related are concerns that
47 people have. Any other questions for Mr. Sellers or Dave or Ron?
48 Okay. Thank you very much. Yeah, Dick?

49

50 MR. SELLERS: This second graph I put up was to address

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1 Robert's question about the harvest of cows.

2

3 CHAIRMAN O'HARA: Oh, I'm sorry.

4

5 MR. SELLERS: Again, the tall dark bars are based on the
6 household surveys that BBNA and Subsistence Division did. And
7 the lower bars are based on harvest tickets, expanded for what we
8 consider a non-reporting rate. So that gives you a rough idea,
9 the breakout of harvest of cows by residency.

10

11 CHAIRMAN O'HARA: All right. There was another gentleman
12 that you give us a name that was supposed to talk to us about
13 some numbers there, Dick. Did they want to come up and address
14 that issue now or what? Who is it? Okay.

15

16 MR. FALL: Thank you, Mr. Chair. My name is Jim Fall,
17 that's F-a-l-l, and I'm with the Division of Subsistence, Fish
18 and Game, and we'll be giving you more detail on the joint study
19 that was done by the Division of Subsistence and BIA with funding
20 from the Fish and Wildlife Service.

21

22 CHAIRMAN O'HARA: From Fish and Game, or are you ADF&G?

23

24 MR. FALL: That's right.

25

26 CHAIRMAN O'HARA: Okay. Fine.

27

28 MR. FALL: And we'll be doing a more detailed report on
29 that later. But just to answer a couple of questions that came
30 up, this is similar to what Dick just showed you, but it's the
31 last three years. And these are comprehensive surveys that were
32 done face-to-face with subsistence users in the 12 communities of
33 GMU 9(C) and 9(E). And a very large proportion of hunters were
34 interviewed. And the middle bar of each set is the estimated
35 harvest of caribou taken in 9(E) by the people of those 12
36 communities.

37

38 What Dick showed you was harvest by people of 9(E),
39 wherever they went, but this is very, very similar. And you'll
40 over the three years that we did this work, the estimated harvest
41 was 637, 617 and 591. So it didn't change over those three years
42 period. And the estimate that Dick showed you in his graph from
43 1990, which was based upon interviews that we did with most
44 communities, at that point was about 600 too.

45

46 And the other question that was asked is what percentage
47 of the subsistence harvest is coming off of Federal lands? We
48 can't answer that precisely from our survey because what we can
49 do from our GIS system is tell you what percentage of the number
50 of caribou that come from the outer boundaries of the Federal

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1 units, but the GIS system, the computer system that we have,
2 doesn't know where in-holdings are within those units.

3
4 So what I can give you is basically the maximum number of
5 caribou that are coming from Federal lands. And in 1995/96 the
6 estimate was -- actually, this includes 9(C) too. It was 124
7 caribou, which was 11 percent of the total. And in 1996/97 it
8 was 45 caribou, or about four percent of the total. Now that
9 varies greatly by community.

10
11 Going back to '95/96, Chignik Lake, 41 percent of their
12 caribou harvest was within Federal unit boundaries, taken within
13 those units. Ivanoff Bay it's two-thirds. While in Port Heiden
14 it's only five percent. So it is variable by community, but
15 overall 11 percent two years ago and about four percent this last
16 year.

17
18 CHAIRMAN O'HARA: If I could ask you a question. You
19 said you did a face-to-face survey. Do you realize that a lot of
20 animals are taken by the village people who don't report the
21 harvest?

22
23 MR. FALL: Right. That's exactly why the best way to do
24 it is to go house to house in the community, hire a local
25 resident to do the work and that's how this was done.

26
27 CHAIRMAN O'HARA: So you feel like this is fairly
28 accurate then because -- you know, a number of years ago, when
29 the State was doing a survey, Levelock didn't show any
30 subsistence use at all. And, crying out loud, they do
31 subsistence all the time. So we need to have that information
32 too.

33
34 MR. FALL: Right. And that's why this was done this way.
35 And it's consistent with how the Division of Subsistence has done
36 work in the past, again the information that Dick put in his
37 graph. We have a lot of confidence in this information.

38
39 CHAIRMAN O'HARA: Any questions, Council members? Thank
40 you very much. We'll go back to you, Dave. Are you finished
41 with your report?

42
43 MR. FISHER: Yes, I am, Mr. Chairman.

44
45 CHAIRMAN O'HARA: Okay. Can we turn the overhead off and
46 then we'll go to the next part of the presentation under Special
47 Action 97-09. And the Alaska Department of Fish and Game, would
48 that be you Dick Sellers?

49
50 MR. SELLERS: Mr. Chairman, I guess I'm a little confused

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1 where we are here now. Are you looking for the Department's
2 recommendation on the Special Action?

3
4 CHAIRMAN O'HARA: We need to have a report from you on
5 what we have on the Alaska Peninsula herd. We'd like to have the
6 Alaska Department of Fish and Game's recommendation. And then
7 any questions that the Council members might have. And after
8 that we're going to have the people in Chignik and
9 Ivanoff/Perryville testify because they're on line.

10
11 MR. SELLERS: I guess I might benefit from an idea of how
12 long you would like me to spend on this subject?

13
14 CHAIRMAN O'HARA: Well, get right to the point, don't
15 repeat yourself and be brief but very accurate.

16
17 MR. SELLERS: Well, it's already been mentioned by Dave.
18 The Northern Peninsula herd has fluctuated very dramatically over
19 the years. At one point in the late 40s maybe as low as 2,000
20 animals, although that's a report from people that didn't use the
21 same techniques that we're using now, but it certainly reflects
22 a very low number of caribou in 1949. That herd peaked during
23 the 80s and early 90s at somewhere around 20,000.

24
25 And at that point we were fairly confident that that was
26 too many caribou to be sustained for long term on that habitat.
27 And what our management philosophy has been is that, you know,
28 it's probably impossible to keep caribou herds from fluctuating,
29 but what we had hoped to do was to try to keep the fluctuations
30 at a lower amplitude than would happen without any management
31 actions. Instead of going down to 2,000, we're hoping when it
32 drops it won't get too much below what it is now. Maybe it may
33 go a few thousand lower than the 10,000 we're at now, but we
34 probably should have tried to reduce it as soon as it got up to
35 20,000.

36
37 But by about 1989 we were already convinced that we had
38 to reduce the herd down to about 15,000, which was the lower end
39 of our existing management objective at the time.

40
41 CHAIRMAN O'HARA: You like the number of 15,000 to
42 maintain the herd?

43
44 MR. SELLERS: Well, at this point I don't think I'd ever
45 want to see it go above that again.

46
47 CHAIRMAN O'HARA: Okay.

48
49 MR. SELLERS: One of the things that we were trying to
50 factor in is that we knew that we had unused habitat north of the

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1 Naknek River in the early or mid-80s and we kind of banked on the
2 fact that if they were depleting the traditional forage on the
3 winter range between Becharof Lake and Naknek River, they that
4 had this kind of food in the bank north of the river and we kind
5 of counted on them using that. Well, they in fact started to in
6 1996. They started crossing the Naknek River in pretty good
7 numbers for the first time in many decades. But, of course, as
8 you all know, within a year or two we started getting an influx
9 of Mulchatna caribou across the Kvichak into that same prime
10 winter range. That country is still pretty good food supply but
11 it's certainly been used over the last 10 years and it's not as
12 good as it was then.

13
14 And for whatever reason we still have the majority of the
15 Northern Peninsula caribou herd not crossing the Naknek River.
16 And in recent years, the last three falls, we've started
17 collecting female calves to assess body condition, what percent
18 fat do they have in their bone marrow, how big are they, what do
19 they weigh. And the evidence from that data suggests that this
20 herd is at best in mediocre condition. Body weights are much
21 below you can say their cousins that were transplanted over to
22 the Nushagak Peninsula. They averages 126 pounds. The calves
23 from the original herd are averaging about 107 pounds. So it's
24 pretty apparent that there's something going on nutritionally

25
26 We were also somewhat surprised when we started this
27 collection effort to notice some lesions in lung tissue. And
28 that subsequently has been identified as lung worm. The
29 implications that aren't fully understood at this point, we're
30 trying to get our disease specialist from Fairbanks to come up
31 with a better way to assess what actual impacts that lung worm
32 has. Typically, whenever you have an animal that's in a
33 nutritionally stressed condition, any kind of a parasite
34 infection is likely to have more dire consequences.

35
36 We have noticed when we were doing the post-calving
37 counts a number of dead calves that are fresh, the mother is
38 still standing there and have been able to go in and look at
39 those. And the three that I've examined all have died of
40 pneumonia with no predation involved, and it was a full blown
41 bacterial pneumonia, which the experts tell me probably was a
42 secondary infection, that the door was opened possibly by this
43 lung worm. At any rate, we hope to assess that a little bit
44 more.

45
46 I want to show one graph of the composition data that --
47 well, actually two, I guess. I could show a lot more, but we'll
48 limit it to two. Let's start with this one. This is the sex and
49 age composition data from our October surveys. This is my
50 attempt at color graphics, so you have to kind of bear with me

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1 here. Probably the most critical ones are the calves, the
2 percent calves in the summer, which is the green one. And that's
3 been fluctuating between 20 and 30 percent calves in the summer
4 aggregations. And then the blue one is the calf/cow ratio in the
5 fall. And there appears to be some slight decline in the number
6 of calves per hundred cows in the fall, although it's still
7 fluctuating.

8
9 The green one should be the calves per hundred cows in
10 the fall; is fluctuating between 25 and 30. That's still about
11 twice as good as you'll find in some of the herds like the
12 Southern Peninsula herd that's crashed. There the fall calf/cow
13 ratio is generally between 10 and 15. So that gives us a little
14 bit of encouragement. They're still relatively productive, which
15 that productivity is probably the first indicator that you're in
16 a crash that you're not going to be able to stop in the short
17 term. And then the red line up top is the bull/cow ratio. Our
18 objective is 40 bulls per hundred cows. And you can see that
19 we've been consistently around that number.

20
21 I guess, you know, if I have a take home message for you
22 folks, is that when you're trying to manage a herd that's on the
23 decline, the one factor that's going to have the most influence
24 on what that herd does is the adult cow survival. And that's
25 probably the only factor that we have any degree of control on at
26 all. We're probably not going to control habitat conditions.
27 There's no way we can improve the habitat, there's no way we can
28 influence the weather, and the weather seems to have a fairly
29 large influence on caribou. And although there may be some
30 remote possibility to do some predator control, I wouldn't bank
31 on it in the near term.

32
33 That leaves harvest control is the only mechanism that we
34 have at our hands to influence what this herd does. And, again,
35 the critical factor there is cow harvest, cow survival. And as
36 you'll recall from that previous graph, right now the largest
37 percentage of that cow harvest is by subsistence users. And I'm
38 not suggesting that we need to do something in terms of
39 regulation right now, but I'm hoping that all of us can get on
40 board and try to the extent we can to convince people if they
41 have the opportunity to shoot a bull, that would be a much wiser
42 choice in the long run. I guess that's all I have for formal
43 presentation.

44
45 CHAIRMAN O'HARA: What's the Staff recommendation from
46 your Department on this proposal? Did you make one?

47
48 MR. SELLERS: Yes. We recommended that it be rejected
49 based, you know, not on any thought that local village people are
50 not in some trouble, especially on those Pacific side villages,

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1 but we're jut not convinced at that point that it's going to be
2 a very effective mechanism to improve their success rate. And
3 one of the concerns we have is that a lot of these non-local
4 hunters are going to hunt the Northern Alaska Peninsula. We've
5 tried to make it less attractive to them and we'll continue to do
6 that. But if they're displaced from Federal lands, they're then
7 bound to hunt on State lands that are closer to at least some of
8 the villages. So it might be counter-productive for some
9 villages to displace that hunting effort.

10
11 I think some of you may be aware that there is some
12 discussion about a workshop next fall to bring in village people
13 and try to have a coordinated Federal/State plan for taking the
14 next step, whatever needs to be, and to try to get some
15 consensus. And right now I think the Department's in favor of
16 that approach, a more coordinated effort to deal with the
17 situation.

18
19 CHAIRMAN O'HARA: Dick, how many animals do you have on
20 the Alaska Peninsula herd?

21
22 MR. SELLERS: Last summer we counted about 10,000.

23
24 CHAIRMAN O'HARA: You have 10,000. Are you in a crash
25 stage with that herd right now?

26
27 MR. SELLERS: It's not crashing, you know. It went down
28 considerably during the winter of '93/94. It went from about
29 15,000 down to 12,500, and then it stayed there for a couple of
30 years and then just this past year it went from somewhere around
31 12,000 down to 10,000. We do have some degree of uncertainty
32 about last summer's count. As you all recall, it was an
33 extremely warm spring, warm June, and more than normal we found
34 caribou up on the snow fields.

35
36 And we had some trouble covering the mountainous country
37 south of Port Heiden and we may have missed more than normal.
38 It's hard to say. What I'm saying is that 10,000 is a minimum.
39 We may be a little bit above that.

40
41 CHAIRMAN O'HARA: So you're not saying that you have an
42 emergency on your hands?

43
44 MR. SELLERS: It doesn't appear to be, no. I, you know,
45 certainly don't want the herd to get into crash and we're looking
46 very closely at productivity. And, again, to the extent that we
47 can redirect the harvest away from cows, I think that will
48 improve the situation.

49
50 CHAIRMAN O'HARA: Let me ask you a question then that is

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1 a hard question, but I think it's important. Remember a number
2 of years ago when the herd was coming up the Alaska Peninsula and
3 you had a problem with the number of animals and you shut down
4 the harvest of subsistence in the Naknek/King Salmon area, you
5 remember that here a number of years ago? It was probably a very
6 short period of time. And I guess one of the concerns I have is
7 that the herd would start moving and we would let the non-
8 resident type people on Federal lands continue to use the
9 animals, and then they get to Egegik, or yeah, I guess that'd be
10 the last one because Becharof is on that side, and then all of a
11 sudden now we don't have enough animals and then we have to shut
12 things down. That's a concern to me.

13
14 It's just like the Kvichak not getting enough fish and
15 you're taking one too many brailler loads out of False Pass. You
16 don't have any more brailer loads that you can give up to make
17 sure that that resource gets to where it's supposed to be. And
18 our first primary concern is subsistence, not non-resident
19 hunters you understand on this Federal program?

20
21 MR. SELLERS: Certainly.

22
23 CHAIRMAN O'HARA: Yeah.

24
25 MR. SELLERS: That's the State's position too.

26
27 CHAIRMAN O'HARA: So, well, it was -- I don't see as that
28 could be if you -- maybe something happened between A and B, but
29 when it got to B there was no -- for a while there was no taking
30 of animals. And that's a hard question, Dick, and I appreciate
31 you taking time coming from King Salmon and talking to us because
32 we've got a tough situation to deal with here on our hands.

33
34 MR. SELLERS: Well, if I could take a second to address
35 how we handle that.

36
37 CHAIRMAN O'HARA: Sure.

38
39 MR. SELLERS: This occurred in 1994 after we determined
40 in our post-calving count that the herd was down to 12,500. And
41 we were also faced with this huge harvest of caribou on the King
42 Salmon/Naknek Road System. That year we had 1,300 caribou
43 killed. And we thought that the most effective way to address
44 that, again based on to a large extent protecting cows, which
45 during the winter hunt made up at least 30 percent if not more of
46 the winter harvest. So we thought the most effective way to
47 address the problem was to do something about the winter hunt in
48 9(C), primarily on the road system.

49
50 And at that time I issued an emergency order that closed

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1 part of 9(C). But very shortly after that we got together with
2 the Naknek/Kvichak Advisory Committee and we came up with a plan
3 that reduced the winter bag limit to one caribou per month and
4 that's been in effect ever since and it's been very effective.

5
6 So, again, this is an example of how I think if we get
7 everybody together we can come up with some effective solutions
8 that people can live with. And I think if you look at the winter
9 harvest in the Naknek Road System, even with the one per month
10 bag limit, I would go out on the limb and say that most people
11 are getting the caribou that they need.

12
13 CHAIRMAN O'HARA: I appreciate that. And I thank you for
14 adding that because that gives more light to what we're dealing
15 with here. It looks to me like we're in for another dry summer,
16 it's already starting. I think I talked with you in your office
17 or at a ball game or somewhere on how that possibly the nutrients
18 are not there for the animals and we've got a problem on our
19 hands if we continue to have dry summers. I think you mentioned
20 that in your report earlier. And all these things have got to be
21 a concern to us. And the last question I have, and then the
22 Council members can go ahead and ask too, is what about just
23 placing the non-residents over into the Mulchatna herd?

24
25 MR. SELLERS: Well, every phone call I get I recommend
26 going over to the Mulchatna herd. Some of you folks might not
27 appreciate that, but it's been fairly effective. As you all
28 know, we have very liberal bag limits over here, we have the same
29 day airborne winter hunt and certainly we'll continue to do that.
30 Unfortunately, from our standpoint as the Mulchatna herd tends to
31 be further and further west, they're less accessible by some of
32 the air taxis. So there's some concern there. But we'll try to
33 continue to minimize the non-local harvest of the Peninsula
34 herds.

35
36 CHAIRMAN O'HARA: And the last comment would be to the
37 redheaded step child theory of not getting the Perryville/Ivanof
38 and Chigniks and I think doing more of a thorough survey because
39 maybe weather is a factor, maybe money is a factor, it's a long
40 ways away, but we're dealing with the issue of those people not
41 getting any animals and if they're not going there, they're not
42 going there. We can't do anything about that. But what we've
43 got to know from the Federal side and from the State side is that
44 there's been an effort made to go and find out if there are
45 animals there or, you know, just what the status of the herd is
46 moving to that area. That's something that this Council needs to
47 put pressure on these Departments to get down there and do that.
48 And I know it's tough doing that. Well, get yourself a pilot who
49 can handle that then because it has to be done, you know. Any
50 Council member comments? Yes, Robert.

00030

1 MR. HEYANO: So you're comfortable with your current calf
2 to cow ratio and your current bull to cow ratio?

3
4 MR. SELLERS: I'm very comfortable with the bull to cow
5 ratio. The calf/cow ratio, again I'm on the edge of my seat with
6 that. If it doesn't drop any, you know, I'm relatively
7 comfortable at the current level, but I'm on the edge of my seat
8 hoping that it doesn't drop.

9
10 CHAIRMAN O'HARA: When will you know if this drop is
11 going to take place, in late June?

12
13 MR. SELLERS: Well, we'll do a -- one of the other bits
14 of data that we've been getting is going out right at the peak of
15 calving, so right around June 1st, and looking at how many cows
16 are pregnant. You can tell that either because they already gave
17 birth or they still have hard antlers and distended udders, their
18 udders are swollen of course to nurse. And we've also been
19 looking at known age females to see what age they give birth for
20 the first time. And these are radio collared females. In some
21 of the herds that were increasing, as many as two-thirds of the
22 two year old females were giving birth. So far we've had zero
23 birthing by two year olds. Typically the three year olds, almost
24 all of them give birth. We've only had 12 percent of the three
25 year olds give birth. So that's another indication that
26 nutrition is probably a factor. But to answer your question
27 specifically, by late June we'll have a good idea of what it
28 looks like.

29
30 CHAIRMAN O'HARA: Robert?

31
32 MR. HEYANO: One more question. I guess you're probably
33 sitting on the edge of your seat now for the caribou herd. At
34 what number does that herd have to decline to before you fall off
35 the chair?

36
37 MR. SELLERS: If it gets down to 8,000 I'll be looking
38 for a new seat probably.

39
40 MR. HEYANO: Thank you.

41
42 CHAIRMAN O'HARA: Any questions, Council members? Thank
43 you very much, Dick. We really do appreciate you taking the time
44 to come over from King Salmon and helping us out. We may have
45 more questions for you later. Dave, are you done?

46
47 MR. HEYANO: One more before leaves.

48
49 CHAIRMAN O'HARA: Sure.

50

00031

1 MR. HEYANO: I guess you have a harvest taking place and
2 you have a recruitment taking place, are they maintaining each
3 other, declining?
4

5 MR. SELLERS: Well, the key to answering that question is
6 what percentage of the winter harvest in 9(C) is made up of
7 Mulchatna animals. And it's really hard to get a handle on that.
8 Again, I think by next fall we're probably going to have to look
9 at another ratcheting back of the harvest. Pretty certain of
10 that. And, again, the key here to a large extent is the harvest
11 of cows. Sound like a broken record, but we need to do that.
12 And we may come up with some recommendations for the 9(C) hunt
13 where it's only, you know, when there's only antlerless animals,
14 which of course the bulls are dropping their antlers in November
15 and December, so that would focus the harvest on bulls. We
16 talked earlier about just a bull limit. The local people were a
17 little concerned about that and that's why the existing
18 regulation says that you can take four caribou and one of which
19 can be a cow. We may have to go a little further.
20

21 CHAIRMAN O'HARA: I think Robin had a question.
22

23 MR. SAMUELSEN: Do you have any comments on the moose
24 proposal?
25

26 MR. SELLERS: The moose population seems to be stable.
27 As you probably know, the moose kind of pioneered on the
28 Peninsula during the 40s and 50s, they peaked in the late 60s.
29 What happens when an animal moves into basically unused habitat,
30 they've got a full grocery store and they multiply and increase.
31 And by the early 70s the shelves on the grocery store were
32 getting a little bare. And, again, through some fairly liberal
33 hunting regulations there were large harvests in the early 70s,
34 the population declined. It was viewed at the time that was
35 probably good because they were over browsing the range.
36

37 What we didn't know in the early 70s was how effective
38 brown bears were on killing moose calves. And the thought at the
39 time was well, you know, if the population drops we can always
40 back off on the hunting and it'll come back up a little bit.
41 Well, I think what happened was it dropped off and the bear
42 predation is keeping it at a level that's probably 60 percent
43 below where it was at the peak. But I think there is some room
44 in terms of habitat for the moose population to grow.
45

46 We eliminated cow hunting in 9(E) and I think it was 1984
47 maybe to try to encourage any growth that might be available with
48 the habitat. All our trend survey data and harvest have been
49 virtually stable since the mid-80s. Bull/cow ratios are
50 consistently above 40 bulls per hundred cows in 9(E). So I think

00032

1 the moose population is probably on track.

2

3 MR. SAMUELSEN: So your Department's recommendation is
4 maintaining the status quo and don't shift it over to one moose?

5

6 MR. SELLERS: Very definitely we would be opposed to
7 instituting a cow harvest at this time. As I mentioned the
8 production, the calf/cow ratio is consistently low. They're
9 generally in the teens, maybe as high as 20 calves per hundred
10 cows, which is not great.

11

12 CHAIRMAN O'HARA: But your Department still opposes the
13 non-resident hunt? You think it should be opened for everyone
14 rather than non-resident.....

15

16 MR. SELLERS: Yes. And I've got some graphs. I know one
17 of the comments in there concerned increasing harvest by sport
18 hunters, to use a quote there. But the data doesn't reflect
19 that. The sport harvest has been flat.

20

21 CHAIRMAN O'HARA: I realize one guide I think had 11
22 horns on the Federal side there. One of the park rangers counted
23 11 sets of moose horns. That could have been taken Federal and
24 State lands, granted. That's a good number of animals, you know.

25

26 MR. SELLERS: I should mention that our data collection
27 basically in terms of survey ends at the Meshik. Well I did one
28 winter survey south of the Meshik back in the early 80s. And the
29 problem there beside the weather and the expense of doing trend
30 surveys south of the Meshik is that we're not aware of any
31 concentrations of moose. Generally when you do these trend
32 surveys you want to be able to count at least 30 moose per hour
33 of flying and have a total sample size of somewhere over a
34 hundred for a given trend area. And I'm not aware of any
35 populations of moose south of the Meshik that would make it
36 efficient to do the counts.

37

38 CHAIRMAN O'HARA: Any other questions, Council members?
39 Robert?

40

41 MR. HEYANO: What's your moose population objective for
42 9(E)?

43

44 MR. SELLERS: Well, we're estimating about 2,500 moose in
45 all of 9(E). And right now it's basically to keep it stable to
46 protect cows, to allow the herd to increase if they can get
47 enough production.

48

49 CHAIRMAN O'HARA: What's the number?

50

00033

1 MR. SELLERS: 2,500 is our estimate.

2

3 CHAIRMAN O'HARA: 2,500. And you have that?

4

5 MR. SELLERS: We think so. We did one very intensive
6 what we call a Gasaway census in the area from Cinder River up to
7 the Dog Salmon and we counted about just over a thousand in that
8 one area. And based on that we extrapolated to cover the rest of
9 9(E). So that's where that 2,500 comes from.

10

11 CHAIRMAN O'HARA: Robert.

12

13 MR. HEYANO: I guess do you have a figure of what that
14 relates to as moose density?

15

16 MR. SELLERS: Well.....

17

18 MR. HEYANO: One moose per what?

19

20 MR. SELLERS: Well, in the census area where we counted
21 the 1,100, it was about one moose per .7 square miles. We think
22 that's probably as good as it gets. So throughout the rest of
23 Unit 9, as you know, there's so much open tundra and low marshy
24 area that the overall density for 9(E) would be considerably less
25 than that.

26

27 CHAIRMAN O'HARA: Any other questions, Council members?
28 Thank you very much, Dick. We're going to go to Chignik,
29 Perryville, Ivanoff Bay, Port Heiden, are you still with us?

30

31 MS. EAKON: Algott Anderson from Chignik Lagoon, are you
32 still on?

33

34 MR. ANDERSON: Yes.

35

36 MS. EAKON: Robert Christensen, Port Heiden, are you
37 still on?

38

39 MR. CHRISTENSEN: Yes.

40

41 MS. EAKON: Johnny Lind from Chignik Lake?

42

43 MR. LIND: Yes.

44

45 MS. EAKON: Glenn Kalmakoff, Ivanoff Bay?

46

47 CHAIRMAN O'HARA: Glenn, are you there? Is he there?

48

49 MS. EAKON: Glenn, Glenn Kalmakoff, Ivanoff Bay, are you
50 there?

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1 CHAIRMAN O'HARA: Probably try to get him. Council
2 members, we need to take comment from the people on the
3 teleconference at this time. After that we'll take a break.
4 Bobby Christensen and different ones on the teleconference, would
5 you like to make any public comment at this time? We're going to
6 have you comment so we don't lose you before we make our
7 decision. We would like you to be on line when we make our
8 decision also. Any comment from you?

9
10 MR. ANDERSON: I have a comment from the Lagoon, Dan.

11
12 CHAIRMAN O'HARA: Okay. Let's have a name.

13
14 MR. ANDERSON: My name is Al Anderson. You know, I was
15 raised around here. I've lived here for about 47 years. And say
16 the past 15 or 20 years that, you know, I've had my own airplane
17 and I've been flying around the country quite a lot. But I have
18 some comments on this. And if I could continue, I'd like to.

19
20 CHAIRMAN O'HARA: Go ahead.

21
22 MR. ANDERSON: Okay. In say the past 15 to 20 years that
23 I've been flying, I've seen a drastic reduction in the amount of
24 caribou and moose on our side of the Peninsula. Now, you know
25 Fish and Game says that they think the population is stable.
26 Well, I can tell you from personal experience that it is not.

27
28 What has happened over the years is sport hunters are
29 taking some of the bulls. And if Fish and Game wants to keep the
30 cow population up, they'd better let the sport hunters go hunt
31 somewhere else. Because if there's more bulls for the local
32 subsistence users to take, they will not take the cows. All the
33 people in these areas know that it's bad to shoot a cow animal
34 because you're killing two. They know that. But when it comes
35 right down to it, they also know that they've got to put food on
36 the table.

37
38 What has happened over the last few years also is that
39 some of the local people who had limited entry permits had to
40 sell them and the people that they sold them to are from the
41 outside area. And in the fall they bring in hunters and they go
42 out along the coast line here on these boats and there will be
43 four or five hunters on each of these boats, and over the years
44 it has depleted the resource on this side. And I especially
45 refer to moose. Because that is my main concern for Chignik
46 Lagoon, is moose. Caribou as well has been depleted on this
47 side.

48
49 Fish and Game does not have good numbers is my opinion.
50 They have not done a survey down here as far as I know since

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1 before 1990. How could they have good numbers? They may have
2 done it on the Bristol Bay side for caribou, but on our side they
3 have not done it as far as I know. Moose is way down in our
4 area. I think it's time that we do something. And I'm in full
5 support of this Special Action request. I guess that's about all
6 that I have to say right now.

7

8 CHAIRMAN O'HARA: Thank you very much, Al. Any Council
9 member questions or comments? Thank you, Al. Anyone else?

10

11 MR. CHRISTENSEN: Yes. This is Bob Christensen, Port
12 Heiden.

13

14 CHAIRMAN O'HARA: Okay, Bob.

15

16 MR. CHRISTENSEN: Yeah. I've lived here also, you know,
17 all my life. And the reduction on our caribou and moose has
18 dropped. This winter we went out eight times and did not get a
19 moose. I flew twice in the area and I counted two female and
20 three young ones and never seen one bull. I flew south of
21 Meshik, that's Tunulik Creek, which has always got about seven or
22 eight moose up around the mountain area, saw zero. I flew
23 Meshik, Brady Creek, along the mountain and the only place we saw
24 a female moose was in Squeely's Creek.

25

26 Out of our eight times hunting we never got a moose this
27 winter. Last fall we did not get a moose. There were two moose
28 taken in this whole village. There's people at the airport
29 fighting over meat from the game guides. And I can tell you
30 there's people out fighting up there. The only one that brings
31 moose is Butch King and he knows that people want moose, you
32 know. But we're giving people license to hunt between five to 15
33 moose a year to take away from our table to satisfy people on the
34 outside. I don't know. We're fighting against the State. I
35 know we're not going to win. But we're down here begging you
36 guys to close this season down.

37

38 And we went all the way up north of here about five or
39 seven miles, up around the Plateau area and never saw a moose.
40 And there was not a moose track. We had a lot of snow this year,
41 so it was easy to count. And I'm telling you, there's a problem
42 with our moose and caribou situation. There's some people never
43 got a bull caribou last fall in the village. They waited for
44 winter and got some females this year.

45

46 Let's look at the population of 2,000 caribou years ago,
47 but we forgot there's a population of people build up too. In
48 1975 there were 63 people living in the village. Now, we've got
49 140. It's going to take more caribou. When are we going to stop
50 and think about the human population with the caribou population?

00036

1 Let's look at that. And let's look at the people, not meeting
2 their needs in this village. We're down here, we're begging you
3 guys to look at our situation. We would never put a proposal in
4 that was senseless. We've got support from the whole village and
5 the Council on these proposals in all villages. Please look at
6 that from us here in Port Heiden and Chignik. Thank you. And
7 that's all I've got.

8

9 CHAIRMAN O'HARA: Thank you, Robert. Any questions or
10 Robert, Council members? Robert, I have a question if you can
11 hear me.

12

13 MR. CHRISTENSEN: You bet.

14

15 CHAIRMAN O'HARA: How far up the Meshik Valley toward
16 Aniakchak do your locals hunt for moose?

17

18 MR. CHRISTENSEN: We hunted everywhere. We hunted the
19 whole area. We had people from all over the villages hunting and
20 we got two moose. My son was one who got one and then another
21 guy from Dillingham. Usually where we hunt is all up Squeely's
22 Creek in the Valley, down Squeely's along the ridge here, the
23 plateau and down North River. And there was only two taken. We
24 average around five a year, and last couple of years it's
25 dropped. All the flying I did this winter I only saw two females
26 and three young ones.

27

28 CHAIRMAN O'HARA: Robert, by what method do you hunt, by
29 airplane?

30

31 MR. CHRISTENSEN: No, no, we hunt with four-wheelers. We
32 went looking for moose this winter because we called an airplane
33 down here to look for moose because we just did not get one this
34 year.

35

36 CHAIRMAN O'HARA: Okay.

37

38 MR. CHRISTENSEN: December hunt was zero. Not one moose.

39

40 CHAIRMAN O'HARA: Thank you very much. Anyone else would
41 like to testify from Chignik, Perryville, Port Heiden, the lakes,
42 bay, lagoon?

43

44 MR. LIND: I'm at the lake here, Dan.

45

46 CHAIRMAN O'HARA: Is this John?

47

48 MR. LIND: Yes.

49

50 CHAIRMAN O'HARA: Okay. Go ahead, John.

00037

1 MR. LIND: Okay. The Chignik Advisory Committee met on
2 February 26th at 5:00 p.m. And we had people from Ivanoff,
3 Perryville, lagoon, bay and the lake. And we came up with a
4 draft proposal for that request we've got. Should I read it out?

5
6 MR. SAMUELSEN: No, we have a copy of it.

7
8 CHAIRMAN O'HARA: We have a copy of it.

9
10 MR. LIND: I don't know if you guys have got the recent
11 one. This is March 9th.

12
13 CHAIRMAN O'HARA: Alvin gave us a copy of it.

14
15 MR. LIND: Okay. I think that that was it. Anyway, I
16 wish Glenn would be back on that teleconference there because
17 they're the one that has the most problems, plus Perryville. So
18 I don't know if you guys tried to get him back or not.

19
20 MS. EAKON: The way we would have to do it would be take
21 a break, and then I call the office and then she calls everyone
22 and puts them together again, Mr. Chair.

23
24 CHAIRMAN O'HARA: All right.

25
26 MS. EAKON: That's the way we would get Ivanoff Bay back.

27
28 MR. LIND: Yeah. Because I think you guys need to hear
29 from Ivanoff too for sure.

30
31 CHAIRMAN O'HARA: John, do you have any more comments?
32 Then we're going to take a break and then we'll get everybody
33 back.

34
35 MR. LIND: No, not right now.

36
37 CHAIRMAN O'HARA: Okay. Anyone else in the area want to
38 make a public comment at this time on teleconference?

39
40 MR. CHRISTENSEN: Hello, Dan, this is Bob again for
41 Heiden.

42
43 CHAIRMAN O'HARA: Uh-huh.

44
45 MR. CHRISTENSEN: You guys are going to come up with a
46 decision this morning here?

47
48 CHAIRMAN O'HARA: I believe we will. We have three
49 people to testify, one more agency to report to us and then we'll
50 make a decision.

00038

1 MR. CHRISTENSEN: Okay. I'll stick around then. I'm
2 suppose to be at work but I'll wait.

3
4 CHAIRMAN O'HARA: Okay. No other comments from -- yes,
5 Helga?

6
7 MS. EAKON: If you gentlemen on line, when we take a
8 break, just hang up and we'll ask Ellen at our office to call you
9 back again, please. Thank you.

10
11 CHAIRMAN O'HARA: Did you get that?

12
13 MR. CHRISTENSEN: All right.

14
15 MR. ANDERSON: And, Dan, this is Al at Chignik Lagoon, I
16 didn't hear what the lady had to say.

17
18 CHAIRMAN O'HARA: She said that you people need to hang
19 up when we take a break, and then while we're on break she's
20 going to call everyone back and we'd like to hear from Ivanoff
21 Bay. And then we have two more agencies to report, which one of
22 them will be the written report, public comment which we have
23 three people to testify on and then we hope to have this taken
24 care of by 11:30 if we can speed right along. Okay. Did you
25 hear me, Al?

26
27 MR. ANDERSON: Okay. Dan, when will we be able to sign
28 off here?

29
30 MS. EAKON: You can sign off now and then we'll connect
31 you back. How long is our break?

32
33 CHAIRMAN O'HARA: Ten minutes.

34
35 MS. EAKON: We'll connect you back in 10 minutes, please.
36 Thank you.

37
38 CHAIRMAN O'HARA: Ten minutes, Al?

39
40 MR. ANDERSON: Okay. And you think, Dan, that we will
41 finish by 11:30? I've got time constraints.

42
43 CHAIRMAN O'HARA: Well, you know, we can only go as fast
44 as we can go. We have still a couple more reports and public
45 comments. And then I'm sure the Board is not going to make an
46 easy decision wrestling with this. So we'll try to be done by
47 11:30. So we're going to hang up at this time.

48
49 MR. ANDERSON: Okay. And maybe I could just touch basis
50 with Bobby Chris there or something and get what he has learned

00039

1 from staying on line because I've got to go.

2

3 CHAIRMAN O'HARA: Okay. Thank, Al, we'll see you later.
4 And we'll take a break at this time.

5

6 MR. ANDERSON: Okay. Thank you. And good luck with
7 dealing with this.

8

9 (Off record)

10

11 (On record)

12

13 CHAIRMAN O'HARA: Call the meeting back to order, please.
14 Helga, you can call the meeting back to order. David, we're on
15 record. And there are no other agencies that need to comment at
16 this time, is that right? And we do not have any written comment
17 at this time. So we'll go directly to the public testimony part
18 of this action that's required. And we have Shirley Kelly if you
19 would, please. Could you come up, sit at the table, speak loudly
20 into the phone. And we thank you for coming today, Shirley.

21

22 MS. KELLY: Okay. And I'm speaking for myself and from
23 experience. And one of the things I'd like you guys to consider
24 dealing with the caribou proposal, is with welfare reform more
25 people are moving back to the communities. And with the poor
26 fishing seasons more people are staying in the communities. So
27 we're going to see an increase in subsistence harvest take.

28

29 And this winter -- well, actually two months ago when my
30 husband went hunting, he hunted on the South Naknek side and got
31 two caribou. And there were no back straps to speak of in muscle
32 meat and the hind quarters were so thin you could only make like
33 three dinners out of them, versus before that we got some caribou
34 from the Mulchatna herd and they were really healthy. And so we
35 really need to do something about our caribou herd.

36

37 And the Village of Egegik is really impacted by sport
38 hunters because we get a lot of sport hunters that go up to
39 Becharof National Wildlife Refuge. And so we're competing with
40 sport hunters there. And so I just want you guys to take those
41 things into consideration.

42

43 CHAIRMAN O'HARA: So you support the proposal then,
44 Shirley?

45

46 MS. KELLY: Yes, I do.

47

48 CHAIRMAN O'HARA: Any questions, Council members, for
49 Shirley? Thank you very much, Shirley. Appreciate it. Joe
50 Klutsch.

1

2 MR KLUTSCH: Thank you, Mr. Chairman. I have submitted
3 a letter to you regarding that Proposal 97-09, 49, 56, and 57.
4 I'm just basically going to go over the points that I make in the
5 letter and then take any questions you might have of me. I've
6 lived over 25 years in the region and I've hunted and fished and
7 trapped all of those years and I really do appreciate the
8 opportunity to be here to testify before you.

9

10 I served a lot of years on the Naknek/Kvichak Fish and
11 Game Advisory Committee I think probably around 15 years, in
12 fact, when you were Chairman, Dan. I have as a matter of course
13 become familiar with the population status and the harvest
14 patterns of most of the wildlife of our area, combined with
15 extensive time spent in the Bush and friends and family, and also
16 guiding hunters and fishermen. And I'm extremely sensitive to
17 the need to manage for healthy populations and maintain the
18 opportunity to use them wisely.

19

20 The Special Action Request 97-09 would close Federal
21 lands in all of Unit 9(E) and I think we had a proposal, well I
22 know we did several years ago that was similar to this. As a
23 result, a portion of the Pacific side area was closed to caribou
24 hunting to do whatever possible to help those folks in what is
25 obviously a very, very difficult situation for them.

26

27 As you know there are certain tests as mandated in Title
28 VIII of the ANILCA which have to be met to affect a closure. One
29 is the substantial evidence test and that shows that a closure is
30 necessary to insure healthy population and that it's necessary to
31 provide for continued opportunity. And as I read the Staff
32 analysis report and heard the testimony from the State, it
33 doesn't appear as if this threshold has occurred and that's
34 probably why they've recommended rejection of the proposal.

35

36 Both the Staff analysis recommendation, the testimony
37 from the Department of Fish and Game indicate that biologically
38 the moose population remains stable throughout the area and that
39 non-subsistence harvest is sustainable, not curtailing local
40 subsistence opportunities. Nearly all the moose harvested on
41 Federal lands by guides in Unit 9(E) are from the villages and
42 during a time of year (September 10 to 20) when most locals don't
43 venture into local areas of the Refuge to hunt. Access is tough
44 then and it's not the most efficient time to hunt. Local
45 residents do have earlier seasons and the December hunt, which is
46 the subsistence only season. Moose hunting is always really hard
47 work as we all know.

48

49 Northern Alaska Peninsula caribou herd has experienced
50 several cycles in the last four years. I'm not going to go

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1 through everything that I've detailed in these paragraphs because
2 I think we've had really good information from the Staff on the
3 status of this herd. I would say though that in just an overview
4 that what's happened with this herd and what is happening, as I
5 understand it, is not atypical of caribou populations around the
6 world, particularly in Alaska and Canadian cycle. They can go up
7 even with extensive hunting pressure and can go down without
8 hunting pressure. It depends on a lot of other variables, such
9 as habitat, disease, hunting pressure, bull to cow ratios, et
10 cetera.

11
12 But, again, I think that we've pretty much covered the
13 situation with the caribou, the status of the animals. Just a
14 personal observation, in listening to all of this part of what
15 may have contributed to the downward turn in these animals, in
16 addition to the habitat situation, could be related to the tough
17 winters in 93/94. And that time period when you questioned, Dan,
18 about the pressure on the caribou there or the temporary
19 emergency closure on caribou in King Salmon. It was extremely
20 cold and there were a lot of folks, including a number of non-
21 local folks who were coming from out in Anchorage running the
22 animals with snow machines in super sub-zero temperatures.

23
24 Now, I'm hearing about lung worm, I'm hearing about
25 pneumonia, I'm hearing about body stress. 20, 30, 40 below is
26 the most stressful time for these animals. They need every bit
27 of body energy they've got and whatever they can forage on just
28 to hold heat. So I think that was a factor. Maybe you see that
29 following that heavy winter, decrease in the calf production.
30 And I think it's real important that the machines be used with
31 discretion whenever possible. I've always mentioned that in the
32 past.

33
34 The availability of caribou in the immediate vicinity of
35 the Pacific Villages is certainly not what it used to be and
36 that's an awful tough situation. But given the level of non-
37 resident harvest on Federal lands and even off of Federal lands,
38 given the bull to cow ratio, I believe that a closure is not
39 going to change what this herd is going to do and I'm not certain
40 it's going to bring about anymore caribou immediately available
41 on the Pacific side. And certainly it wouldn't affect the
42 Coastal villages that are in the State lands.

43
44 I haven't cited all the hard statistics or the bar graphs
45 and all the things. I think that's been well done by the Staff.
46 But I don't think that just an arbitrary closure at this time is
47 necessarily justified and I think there are other options
48 available. I think there are other things that we can do to
49 improve the situation. First of all, I think it could include a
50 dialog which allows us to better understand some of the following

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1 things: Different hunting traditions, hunting ethics and
2 practices, including avoiding conflicts with other hunters,
3 methods of hunting, preparation and utilization of game,
4 adherence to regulations and laws. State and Federal land use
5 permitting schemes which carefully regulate legitimate guiding
6 activities; they were designed and with the support of members of
7 the guiding industry to insure the highest degree of
8 accountability and to reduce conflicts with other users.

9
10 It's just unbelievable the amount of paperwork and record
11 keeping and accountability. The U.S. Fish and Wildlife and Park
12 Service know every one of my hunters, they know every one of my
13 guides, they know the dates the hunters are there, they know
14 where they hunted, they know whether they got something. They've
15 got their names, addresses, phone numbers. And then from a
16 purely enforcement point of view, if there's a problem and we can
17 identify it, particularly with the guides on Federal lands, these
18 boys can track them down. There's no doubt in my mind. And it's
19 forced a higher level of compliance than ever before. It's a
20 different guiding profession, a different guiding industry than
21 what was out there 20-30 years ago.

22
23 As Dick Sellers mentioned, a few of the specific things
24 we could look at include reducing harvest of cow caribou, better
25 regulation of air taxi and boat transporters, using existing
26 enforcement regulation options to eliminate wanton waste, which
27 wherever can be identified, and we've heard a lot about that.
28 Let's get some hard evidence and some good reports and get out
29 there and get after it. I'm all for it.

30
31 Therefore, in lieu of adopting or rejecting this
32 proposal, I'd respectfully request the Council consider some form
33 of a sub-committee or work group, include members of the Council,
34 Federal/State land managers, members of the guiding profession
35 and other individuals who could report back with some meaningful
36 ideas and recommendations, perhaps lead into what Dick Sellers
37 mentioned about the upcoming conference this fall and really try
38 and come up with something meaningful to work this out.

39
40 That will conclude my comment on the emergency request
41 proposal. I'll move quickly, unless you want to question me on
42 that, or you want me to move on to.....

43
44 CHAIRMAN O'HARA: What's your next.....

45
46 MR. KLUTSCH: This is on the phone-in requirement.

47
48 CHAIRMAN O'HARA: Oh, that's a different proposal.

49
50 MR. KLUTSCH: Yes.

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1 CHAIRMAN O'HARA: Okay. We won't deal with that now. So
2 any questions of Joe Klutsch, Council members? Joe, I was kind
3 of wondering what the possibility of maybe a later hunting time
4 both for moose and caribou for a non-resident hunt in November.
5 What are your thoughts, or is that too soon to give thoughts on
6 a question like that?

7
8 MR. KLUTSCH: That's interesting.

9
10 CHAIRMAN O'HARA: In other words, don't interrupt the
11 subsistence hunt up until a point?

12
13 MR. KLUTSCH: Interesting idea. I know that going back
14 to when we were working on the Advisory Committee years ago we
15 opted to move the season pre-rut as a mechanism to control
16 harvest of the older aged class bull. Still allow people the
17 opportunity to go out and hunt, but do it before they get
18 congregated into rut herds where the bulls are much more
19 vulnerable and breeding activity is underway and probably less
20 advisable to disturb them. I think that was the justification
21 then.

22
23 CHAIRMAN O'HARA: This situation would not necessarily
24 deal with whether or not the meat is good or not. At the peak of
25 the rut the horns are the very best for the (indiscernible), we
26 know that. I mean the sport hunter knows when to get the animal
27 that's going to be the best. However, we're looking at a
28 protection areas in here where the subsistence hunter would not
29 be interfered with up to a point. That's just a thought. I
30 don't know. Just a comment. So I just want to throw that out to
31 you.

32
33 MR. KLUTSCH: It's an interesting idea and surely one
34 that could be put on the table. My thought is that if it was to
35 occur later, it should be a post-rut hunt though.

36
37 CHAIRMAN O'HARA: I'd like to hear your comments on
38 moving it off of Federal lands if we were to close them to all
39 non-residents, the affect it would have on the local communities,
40 off of Federal lands and the State lands.

41
42 MR. KLUTSCH: I think that would depend on the time of
43 season and where you were talking about on State land and.....

44
45 CHAIRMAN O'HARA: We have no control over State lands.

46
47 MR. KLUTSCH: Yeah. But with the affect on Coastal
48 villages I think on caribou would be probably greater during the
49 August/September/October seasons. There would be a shift to
50 State land. Moose in some of the areas, there might be a shift

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1 there, although I think most of the -- in terms of the guided
2 hunting on Refuges, I think there's about a half a dozen or eight
3 guides that operate from roughly Dog Salmon/Ugashik south that
4 hunt moose and they tend to hunt deep in the valleys, up into the
5 more remote reaches of the valleys and far away from the
6 villages. So I'm not sure there would be that many more moose
7 available for villagers than -- and it would probably shift some
8 pressure towards the coast on state lands. I would suspect
9 definitely the air taxis would.

10
11 CHAIRMAN O'HARA: It's a catch 22. I mean you can drive
12 the people out of here and then take them into your communities
13 and that's something we need to consider. So thank you very
14 much. No other comments? Council, do you have.....

15
16 MR. SAMUELSEN: Joe, where is your camp located?

17
18 MR. KLUTSCH: I hunt in two areas, one is on the western
19 boundary of Katmai in the Becharof Wildlife Refuge and then the
20 other is on the upper reaches of the Meshik River on the south
21 side of Aniakchak. It's in Aniakchak Preserve, just a relatively
22 small camp.

23
24 MR. SAMUELSEN: You've been flying that area for quite a
25 while. You heard Al Andersen's comments that there's no more
26 moose in the Chigniks. What would you attribute that to?

27
28 MR. KLUTSCH: Robin, that's a good question and I am by
29 no means an expert on the Pacific side. I did back in the early
30 70s hunt over there for a while when I was working for another
31 guide. But I really am not an expert on particularly Chignik
32 south. I think something though in answer to your question, a
33 more useful answer than that is this issue of people using boat
34 access on the Pacific side. We've heard this in testimony from
35 the folks down there in the past and it may be a real factor.

36
37 I don't personally guide or hunt on the Pacific side and
38 I'm not sure there are very many guides that do operate there,
39 but there could be air taxi and this boat access issue is I think
40 a real one. I have flown it just for beach combing and viewing
41 and I did see a couple of crab boats parked down there that were
42 offloading four wheelers in Preserve land. And my guess is that
43 they weren't Chignik based. I think they were probably Kodiak
44 based boats and they're not supposed to have four-wheelers in
45 that portion of the Preserve, but they did. And, matter of fact,
46 I think I heard from some of the protection people they ran the
47 numbers on the boat and they were Kodiak based. So that could be
48 a factor in the moose over there.

49
50 MR. SAMUELSEN: Last question. What percentage take of

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1 your clients is on Federal land versus State land of both moose
2 and caribou?

3
4 MR. KLUTSCH: I would say -- well, it's easy. A hundred
5 percent of the moose take, I think this past year we harvested
6 four moose in the Unit 9(E) area and they were all on Federal
7 land. Caribou you get a mix. I think I had four or five
8 successful hunters in the Refuge and Preserver area of Aniakchak.
9 Other hunters who signed up for caribou I don't charge them for
10 them. It's kind of like an extra fee if they get one. But we
11 don't really press hunting caribou down there. It's just a part
12 of a composite trip.

13
14 More of the caribou are hunted on State land in the early
15 part of the season than later part of the season. August, and
16 then in October, and that occurs up in the Unit 9(C) area.

17
18 MR. SAMUELSEN: In earlier public testimony, in previous
19 public testimony, we heard that the guiding industry was
20 basically setting up in the passes from the Bristol Bay side over
21 to the Pacific side and, in fact, were shooting the leaders of
22 the caribou and turning the herds around that were migrating
23 through. Did you ever witness that in your flying around?

24
25 MR. KLUTSCH: No.

26
27 CHAIRMAN O'HARA: That's in this area here, Joe.

28
29 MR. KLUTSCH: Yeah. It.....

30
31 CHAIRMAN O'HARA: Now, that is true in this area here.

32
33 MR. KLUTSCH: And, again, Robin, that's out of my area of
34 real expertise. I can tell you what I have seen over the years
35 is a lot of what I call pocket herds, smaller groups,
36 particularly in the mountain areas. In fact, right now I could
37 go show you two or three of them. I'll bet they're right within
38 a five mile radius of where they were in September. They'll use
39 the mountain valleys that drain into the drainage of either
40 Meshik or Sender River. They are groups of 50/30, 50-a hundred
41 animals and they're just kind of little local pocket herds and
42 they congregate there throughout the season. We'll see them
43 again during spring brown bear hunting this year.

44
45 CHAIRMAN O'HARA: Are you talking about caribou?

46
47 MR. KLUTSCH: Yeah.

48
49 CHAIRMAN O'HARA: Okay.

50

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1 MR. KLUTSCH: I know they go down to the Coast to calf,
2 or go out in the river valley to calf, but they don't do that
3 mass northward migration like used to happen in the 60s. They
4 just kind of stay localized.

5
6 CHAIRMAN O'HARA: Any other comment?

7
8 MR. SAMUELSEN: Talking predators, your 25 years of
9 working that area, do you notice an increase in the bear and wolf
10 population?

11
12 MR. KLUTSCH: Bears were on an upward trend there. We
13 were sure seeing a lot more sows with cubs going back eight,
14 nine, 10 years ago. And now a lot of those animals have come to
15 maturity. We're still seeing lots of sows with multiple cubs,
16 two, three, four and the wolves are, depending on how you want to
17 look at it, doing just great. There's always wolves in that
18 valley, and particularly up north in the King Salmon area along
19 that western boundary of Katmai. There's a heck of a lot more
20 wolves now than there used to be 15-20 years ago. I don't know.
21 Dan.

22
23 CHAIRMAN O'HARA: Yeah, we know that.

24
25 MR. SAMUELSEN: Thank you, Mr. Chairman.

26
27 CHAIRMAN O'HARA: Any other questions, Council members?
28 Thank you, Joe. Thank you for taking the time to come.

29
30 MR. KLUTSCH: Thank you.

31
32 CHAIRMAN O'HARA: Appreciate it very much. Let's see,
33 Ted Krieg, BBNA.

34
35 MR. KRIEG: Hello. My name is Ted Krieg, and I work for
36 the Bristol Bay Native Association, Natural Resources Department.
37 Seems like to me the issue is subsistence preference in times of
38 shortage and it seems like right now the State isn't providing
39 subsistence priority. And it's come up at this meeting
40 previously but, you know, the Pacific side communities,
41 particularly Ivanoff Bay and Perryville have been frustrated for
42 a long time. Now it sounds like the other side of the Peninsula
43 too, Port Heiden and, you know, the Bristol Bay side.

44
45 And this is the best thing that they can come up with.
46 I hope Glenn Kalmakoff is still on there, but one of the things
47 in the work that I've done that I'd heard out of Ivanoff Bay is
48 15 to 20 years ago, in Stepovak Flats, which is just to the west
49 of Ivanoff Bay, that that area was a calving area for caribou and
50 at times they observed, you know, a couple thousand animals in

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1 those flats and now there's none. And, you know, my best
2 estimate was that that was probably 15 to 20 years ago.

3
4 And then just like Robin just brought up the issue of the
5 sport hunting, the guided hunts in those passes down there, and
6 that's why the closure in that lower area of 9(E) for Federal
7 lands for caribou and I think moose also. At Tab F there's two
8 sets of pages, page 7 -- the second set of page 7, that starts
9 out with the information from our cooperative survey with Fish
10 and Game. If you look at the second set of page 7. And I guess
11 one you can check out for yourself for caribou, but I thought it
12 was interesting that, you know, our results showed for --
13 especially like if you look at for moose, that middle column,
14 Pilot Point, you know, they got five moose in 95/96 season and
15 zero in 96/97 season. Port Heiden was down from eight to three.
16 And then going down to Chignik Lagoon, they went from eight to
17 two. Chignik Lake 10 to three and Perryville eight to four.
18 Ivanof Bay from two to zero in the 96/97 season. And that's just
19 one of the things that we picked up in our surveys.

20
21 I mean we don't exactly have an explanation but the
22 harvest is down. And there's been some reference to this
23 meeting, a planned meeting in the fall. And I think, and
24 somebody can correct me if I'm wrong, but we've got to go ahead
25 to do that and we just have to plan how that's all going to work
26 out. And we're going to try to bring in all the players. The
27 meeting will probably be you know in King Salmon/Naknek. And we
28 were looking at some time in the fall. You know, bring in
29 Federal people, State people, at least a couple of people from
30 each of the villages and try to talk out some of these things and
31 come up with some solutions.

32
33 CHAIRMAN O'HARA: That doesn't help us between now and
34 next fall though.

35
36 MR. KRIEG: Right. No, it doesn't.

37
38 CHAIRMAN O'HARA: Okay. You have any more comment, Ted?

39
40 MR. KRIEG: No. That's all.

41
42 CHAIRMAN O'HARA: Questions, Council members? Thank you
43 for the graph over here. Appreciate that. Okay. I think we
44 want to have one more and that's Sid Smith, like to come talk to
45 us if you would, please. For the recorder if you could give your
46 name there, Sid, we'd appreciate it.

47
48 MR. SMITH: Sid Smith. I'm just testifying on my own on
49 your 97-07. Makes you think about early 60s. Well, in the 60s
50 and the early 70s we put out two movies and in that one movie,

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1 Our Way of Life, at King Salmon Airport for three weeks you'd see
2 horns, four loads a day out of King Salmon coming out of there.
3 And one of the things even in '70 we were concerned what's
4 happened on the non-residents or sport guides or sport fishermen,
5 what pressure it's going to have on those communities. And now
6 we're seeing it.

7
8 And the State of Alaska itself, I know they will try to
9 question why we want to close it because their income -- the
10 State of Alaska get a larger income from the sport fishermen and
11 hunters and also guides and the local people are left out. I am
12 glad to see this on the table and talk about it. I think if you
13 decide to close it, it'll also let the State show its hands that
14 something has to be done. You know it's been going along for
15 many years now. And the studies that the State comes up with,
16 and a lot of times even Fish and Wildlife, is not really on what
17 you call the ecosystem.

18
19 We have increased population. One guy talked we've had
20 63, now we have 140. The renewable resource also includes man.
21 And if we have too many sport fishermen and too many guides in
22 that area, the amount of food that you can put on the table goes
23 down. So we need to protect those people that live in those
24 geographical areas. And I'm glad this is on and I do support it.

25
26 The State of Alaska once -- if it happens, we're going to
27 need to also look on the overload that the guy talked about that
28 are going to move to the State land. Hopefully when this
29 happens, like Ted's talking about, in time maybe we'll find out
30 what's going on and then we will find out if the caribou is going
31 back on the Federal lands or State lands and also with the guides
32 and also with the sports hunters. But something has to be done.

33
34 I realize that you want to get all the information you
35 want. And what I've heard from different people is that the
36 numbers are way down. My other concern too is you say you're
37 moving to Mulchatna, you know, when that happens we have to take
38 a look at what's going to happen up there too, you know, before
39 we get into the situation we're down on the chain right now in
40 9(E) and also 9(C). Thank you.

41
42 CHAIRMAN O'HARA: Any questions for Sid? Thank you, Sid.
43 Let's see, Ivanof Bay are you on the line?

44
45 MR. KALMAKOFF: Yes, we are.

46
47 CHAIRMAN O'HARA: We took public testimony before we took
48 our break and you somehow got disconnected. Did you care to make
49 a comment before the Council acts on this proposal today? Give
50 us your name.

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1 MR. KALMAKOFF: Yeah, this is Glenn Kalmakoff. And I
2 wanted to find out exactly what proposal you're talking about.
3 We were cut off and we just got reconnected. And so we kind of
4 lost you guys there. As far as you guys were on the agenda, I
5 understand it's the testimony section.

6
7 CHAIRMAN O'HARA: Yes. 97-09, Special Action Request on
8 I believe it's your proposal from your area. That's closing
9 moose and caribou in 9(E) to non-resident.

10
11 MR. KALMAKOFF: Yes. Yeah, we do definitely have a
12 problem, you know, it's been ongoing. And we've been watching
13 the State and asking them to help us out and they've kind of been
14 ignoring us over the past years. Actually quite a few years.
15 And certainly we don't have any caribou at all and I think not
16 only are we impacted, also the other communities down the way
17 there to the west of us, Sand Point and those communities out
18 west, Area M fishermen that do rely on the passage of caribou
19 down the Peninsula also. I believe they are impacted. And
20 historically they have also hunted out of Stepovak and the pass
21 that connect through down west.

22
23 And certainly our people here have been suffering without
24 having any caribou, our main source of red meat. And I think I
25 had talked to Darrell Lons about this problem. I did mention to
26 him about that wilderness supplemental area that was kind of
27 still disputed as far as what they were going to do with that
28 land and I think that might be a critical area also in the Sandy
29 River area there and certainly in the future it's an important
30 area for us there. And also for the people out west of us. I
31 think Joe might have some more comments to make. That's what I
32 had right at this point.

33
34 CHAIRMAN O'HARA: Glenn?

35
36 MR. KALMAKOFF: Yes. I'm going to ask the Council
37 members if they have any questions of you. Council members? No
38 questions or did anybody have questions?

39
40 MR. SAMUELSEN: Glenn, this is Robin. At Stepovak Flats
41 area, Ted Krieg's testimony was referred to as a calving area for
42 caribou. With your local knowledge could you elaborate on that
43 any?

44
45 MR. KALMAKOFF: Yes, and that is correct. I had
46 testified the last time and I will again. You know, Stepovak
47 always had a lot of caribou there. In fact, there would be a lot
48 of young ones there, calves in the calving grounds there. There
49 would be 80 to a hundred, up to 2,000 or 3,000. At one point
50 we'd seen up to probably about 4,000 or 5,000 in that area. So

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1 certainly there is nothing there now. The last I have seen was
2 actually a moose that adopted a baby caribou. So that's pretty
3 ridiculous as far as what we're having to go through. And I urge
4 the Council there to do something for our people down in this
5 region, South Peninsula side and down west of us.

6
7 CHAIRMAN O'HARA: Any other questions?

8
9 MR. SAMUELSEN: Is he the last testifier, Mr. Chairman?

10
11 CHAIRMAN O'HARA: No, we have Joe coming in.

12
13 MR. SAMUELSEN: Okay.

14
15 CHAIRMAN O'HARA: Joe, did you care to make a comment?

16
17 MR. KALMAKOFF: Yes, I'd like go to go on record. My
18 name is Joe Kalmakoff. I've lived around this area for pretty
19 much most of my life. I'm 48 years old, I'm a hunter, fisherman
20 and I've been with the Advisory Committee for a number of years
21 and met with the Subsistence Division and I've made oral
22 testimony here at the local level and at the Advisory level at
23 the Chignik area.

24
25 Time after time we've addressed the problem of the
26 diminishing caribou population. And I think one of the more
27 important things here is the absence of the migration. And in
28 the past like Glenn mentioned earlier, 10 years ago that wasn't
29 a problem. But I think since they had hunters over the years
30 became more and more interested in the area, migration corridor
31 has been kind of shut off by putting buildings in the pattern
32 which the caribou went through before. And I've stayed in the
33 pass where I guess some of you remember when Wein used to
34 operate, there used to be just piles and piles of caribou. And
35 I think the migration quite happening partially due to its head
36 hunting. And the older leaders there were just put on the wall,
37 why they're not in the flats eating the rest of the plants.

38
39 And these are the things that I could confirm. And I
40 notice also there is a few -- in the past few years there has
41 been a lot more wolves around our area. And those might be a
42 contributing factor also. But then to confirm some other uses
43 there to the area, I think that the Sand Point and King Cove
44 area, they need the resource also. And I think that these
45 migration corridors are severely being cut off by the head
46 hunters. And I think they're equally impacted.

47
48 CHAIRMAN O'HARA: Is that all, Joe?

49
50 MR. KALMAKOFF: That's about it. Thanks.

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1 CHAIRMAN O'HARA: Any questions of Joe? Joe, thank you
2 very much. And at this time we will stop the public comment
3 period and turn this issue over to the Council members. What's
4 the wish of the Council? Yeah, Robin?

5
6 MR. SAMUELSEN: Mr. Chairman, this issue has been coming
7 up before the Council on numerous occasions and the action that
8 the Council took in previous action to try to get the movement of
9 caribou to the Pacific Villages seems to not be working. I think
10 a coordinated State/Federal effort needs to take place. We heard
11 some pretty distressing information given by Dick Sellers on the
12 poor calf production, the lung worm disease, habitat concerns.

13
14 We sit up here as -- we need to take care of the needs of
15 the subsistence users in 9(E), however, through -- I'm not
16 convinced that just closing Federal lands at this point in time
17 will benefit those villages on the Pacific side. I think it
18 needs to be a joint State and Federal effort. Both have adopted
19 a subsistence priority. Those people have c&t both on moose and
20 caribou. I feel that if we close the lands, the Federal lands in
21 9(E), you know, we're going to bring on new hardship on villages
22 of Egegik, Pilot Point, Ugashik, Port Heiden residents because
23 everybody is going to shift over to State land.

24
25 And to me we don't accomplish nothing. So I guess, and
26 I'm just throwing this out on the table, I'm looking at possibly
27 putting together a committee that would be comprised of both
28 State and Federal managers, as well as sectors of the sport
29 hunting industry and representatives from all villages that are
30 affected by this in Unit 9(E), and come back and report to the
31 Council as soon as possible. I don't think that's necessarily
32 next fall, I think we still have time this spring for these
33 people to have a meeting in King Salmon or Naknek.

34
35 And I also strongly believe that the issue is serious
36 enough that I'm willing to take it a step further and reschedule
37 this issue as a single source agenda item on the Council's table
38 where user groups can come to a compromise and try some type of
39 action. They know best what needs to be done. I don't know if
40 we as regulators can regulate and have the results.

41
42 CHAIRMAN O'HARA: Is that all?

43
44 MR. SAMUELSEN: That's all I have.

45
46 CHAIRMAN O'HARA: Yes, Peter?

47
48 MR. ABRAHAM: Mr. Chairman, on 9(E) over here the caribou
49 regulation request no Federal lands open season, but Federal
50 lands are closed to taking of caribou, except by qualifying

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1 residents. I mean if it's closed are those residents, qualified
2 residents closed to hunting caribou?

3
4 CHAIRMAN O'HARA: No. Non-residents, if I'm correct,
5 Helga. Non-residents would not be allowed to hunt in 9(E) on
6 Federal lands, but the qualified local residents would be able to
7 hunt on those Federal lands.

8
9 MR. ABRAHAM: I think that would satisfy the ultimate
10 goal there with this information over here.

11
12 CHAIRMAN O'HARA: That's the proposal that's before us
13 right now. Other comments? Yes, Tim?

14
15 MR. ENRIGHT: Mr. Chairman, I'd like to say something.

16
17 CHAIRMAN O'HARA: Sure.

18
19 MR. ENRIGHT: The first thing I'm going to comment on is
20 on moose. I live down there, the outlet of the Lower Ugashik
21 Lake. And in the December season I hunted for 15 days, everyday
22 I went out, didn't see no moose. Friend of mine came up, we took
23 an airplane and we flew all the way up to Becharof, around Blue
24 Mountain, around Puyulik and then back down around behind the
25 mountain on the east side. And you couldn't get into Dog Salmon
26 because it was foggy. And we did not see not one moose, not one
27 track. We seen a lot of fox tracks, wolves, wolverines and stuff
28 like that, but not one moose we seen no where and it was a good
29 clear day, there was good snow cover. If they walked anywhere
30 you could have been them, but they're not there.

31
32 Then we flew down on the flats behind the Village of
33 Ugashik, we did not see none there. So I don't know where they
34 went. They must have fell off the face of the earth or something
35 because there's no moose down there. And then day before
36 yesterday when I came out of there I flew with Jim Shanning and
37 we flew up around Blue Mountain and then down over the flats
38 looking for caribou and we didn't see no caribou. And when I
39 flew up yesterday, all the way to King Salmon, did not see no
40 caribou. So I don't know where they are at. And the people I
41 talked to down on the Coast, they're not down on the Coast.

42
43 Because they're running around now with snow machines and
44 three-wheelers and four-wheelers trying to get caribou all the
45 way to Egegik and they're not there. And there's no tracks, so
46 I don't know. I think somebody should go down there and really
47 look. Now is the time to do it. You don't want to go down there
48 in the spring because everybody knows they're out there and
49 they're scattered all over, heck you can't count them, you know.
50 There might be 20,000 there and we might only count 5,000, you

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1 know. So I don't know.

2

3 CHAIRMAN O'HARA: Tim, we're dealing with the proposal on
4 the table.

5

6 MR. ENRIGHT: Yes.

7

8 CHAIRMAN O'HARA: What are your thoughts, Robin had a
9 suggestion or did you have other comments on it?

10

11 MR. ENRIGHT: I've got a suggestion.

12

13 CHAIRMAN O'HARA: Okay.

14

15 MR. ENRIGHT: What I figure we should do, I don't think
16 you should close it on the caribou. I've got a suggestion, let's
17 move the season ahead say from October 15th to November 15th.
18 You're not closing it for the non-residents or sport hunters,
19 you're just moving it ahead a little bit. And I look at it you
20 can solve several problems that way. They'll be out of the rut
21 and they've already bred the cows and then the weather is colder
22 too that time of the year and the meat that the hunters get,
23 it'll save, you know, it won't spoil.

24

25 CHAIRMAN O'HARA: What's the dates?

26

27 MR. ENRIGHT: From October 15th to November 15th, just
28 move it ahead a little bit.

29

30 CHAIRMAN O'HARA: Sellers, that caribou are in a pretty
31 big rut at that time, aren't they?

32

33 MR. ENRIGHT: October 15th? No, they're out.

34

35 CHAIRMAN O'HARA: Oh, yeah.

36

37 MR. SELLERS: Primarily the month of October.

38

39 CHAIRMAN O'HARA: Yeah. It would have to be after
40 November because they really rut the last 23rd of October there.

41

42 MR. ENRIGHT: I don't know. I'd see them in November,
43 they're.....

44

45 CHAIRMAN O'HARA: They're done in November but not
46 October.

47

48 MR. ENRIGHT: Well, they're starting getting out of rut
49 in -- well, move it from the 1st of November to the 1st of
50 December. They don't lose their horns until December.

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1 CHAIRMAN O'HARA: We're not concerned about horns.

2

3 MR. ENRIGHT: No, but I mean, you know, for the sport
4 hunters.

5

6 CHAIRMAN O'HARA: Yeah. Did you have any other comment?

7

8 MR. ENRIGHT: That on the moose side, I'd say close it on
9 the moose. That's all I've got.

10

11 CHAIRMAN O'HARA: Any other Council members have a
12 comment on this particular proposal? Yes, Robert?

13

14 MR. HEYANO: Mr. Chairman, I guess I would tend to agree
15 with Robin's recommendation. And, you know, I think we've looked
16 at this same problem over a number of years. We've taken some
17 actions with the attempt to remedy the problems, but I guess it's
18 apparent to me that what we did didn't help much at all. And I
19 personally believe that this problem is a lot larger than non-
20 resident or sport hunting taking of moose and caribou in this
21 area.

22

23 You know, I look at the land status map and it's my
24 opinion that irregardless what we do on Federal land, is going to
25 have very little impact on what some of the people are asking us,
26 you know. On what we've heard, that the caribou are
27 predominantly on State land and very little or a small portion of
28 it is on Federal land. So I think there is many issues
29 contributing to this problem.

30

31 And I agree, I think the results of a working committee
32 based on agencies and people who use that resource and are
33 ultimately extremely familiar with the area to come back with
34 some solutions. So it could be a wide variety of solutions
35 because I think there is a wide variety of problems. So that
36 would be my preferred option, Mr. Chairman. I guess I look at
37 the information and shutting down all non-subsistence use on
38 Federal lands, looking at the numbers that are harvested and what
39 species are harvested, I think it's going to have very little
40 affect on the problem and whatever we do we need at least some
41 State concurrence on their management on State land.

42

43 CHAIRMAN O'HARA: Yeah, Robin?

44

45 MR. SAMUELSEN: Yeah, Mr. Chairman, I sit on the North
46 Pacific Fishery Management Council that manages the waters three
47 miles to 200 miles off and we set up a special committee to deal
48 with the Board of Fish, the Board of Fish has set up a special
49 committee to deal with our group. And there has been some real
50 positive results as far as inner-jurisdictional problems. And I

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1 see this as the same scenario here. You heard Glenn Kalmakoff
2 testify that they've been to the Board of Game on a number of
3 times on this issue and haven't gotten results. And I think that
4 it's going to take the accumulation of both the Federal and the
5 State regulatory process to resolve this issue to the best
6 satisfaction that we can and provide a realistic expectation for
7 the subsistence users to meet their subsistence needs both on
8 caribou and moose in that area.

9
10 I strongly feel that just closing the area, the Federal
11 lands, as I stated earlier, will have very little affect. The
12 effort will just move over into State lands and then will start
13 affecting the villages that are surrounded by Corporation and
14 State lands. So I think the seriousness of the this problem
15 justifies the joint commission. And surely a number of user
16 groups from every village, subsistence user groups from every
17 village and the sport guide industry to sit down and hammer out
18 a compromise. And it isn't a regulation I see that's going to
19 solve a problem in a year. I think we have some serious problems
20 with this herd down there based on what I've heard.

21
22 And the further south you go the data that we have is
23 very limited because of the geographic location and the cost of
24 getting into that area and the weather, you know. So I think
25 that before we close anything we ought to give these people a
26 chance to go to the table and come back with recommendations, and
27 still keep this proposal alive. I mean if the State says the
28 heck with you guys, I mean we're mandated to protect subsistence
29 users on the Federal land. And if the State does not want to
30 participate in developing a comprehensive plan for 9(E), then
31 we'll take the necessary action. I have no problems closing it
32 to non-subsistence users. I'll state that right up front, you
33 know, but I think we need to let the processes work. And I
34 strongly feel that a comprehensive package would come out of the
35 user groups, as well as the State and Federal people.

36
37 CHAIRMAN O'HARA: Thank you, Robin. Other Council
38 members? We probably need to reach a decision here shortly on
39 this.

40
41 MR. SAMUELSEN: I'll put that into a formal motion, Mr.
42 Chairman, to get us focused.

43
44 CHAIRMAN O'HARA: All right. There's a motion on the
45 floor, which we can't deny. Is there a second?

46
47 MR. BALLUTA: I second.

48
49 CHAIRMAN O'HARA: Okay. There is a second now. Would
50 you like to speak to your motion, Robin, or.....

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1 MR. SAMUELSEN: I think I just did, Mr. Chairman.

2

3 CHAIRMAN O'HARA: You did. All right. A little
4 backwards.

5

6 MR. SAMUELSEN: That's all right.

7

8 MR. HEYANO: I would like to hear the motion, Mr.
9 Chairman. He gave a pretty lengthy.....

10

11 CHAIRMAN O'HARA: Yeah, I mean you could write a volume
12 on.

13

14 MR. HEYANO: Exactly what is the motion we would be
15 voting on, please?

16

17 MR. SAMUELSEN: Rewind that tape. Let's see, I moved
18 that a -- I moved, Mr. Chairman, that a sub-committee be formed
19 of State and Federal representatives, as well as the villages in
20 Unit 9(E) and representation from the sport/guide industry to
21 deal -- to come back to the Council and present a overall
22 caribou/moose Management Plan that we as representing the Federal
23 land managers and State -- getting off track here. They will
24 bring back recommendations to us to implement, both on State and
25 Federal side. I'd like that meeting in the spring before
26 fishing.

27

28 CHAIRMAN O'HARA: That's this year?

29

30 MR. SAMUELSEN: This year. And I would like to also
31 include in my motion that if this fails, that this issue is
32 calendared for our fall meeting.

33

34 CHAIRMAN O'HARA: All right. That's the motion. You can
35 still second that okay, Andy?

36

37 MR. BALLUTA: Yes, I second the motion.

38

39 MR. HEYANO: Yeah, Mr. Chairman, I don't have any problem
40 with the motion. I don't think we should set a time line on it.
41 I think as long as they're making progress and moving forward we
42 should allow that to continue, but you know I guess in the event
43 that consensus can't be reached or progress is stopped, you know,
44 obviously they might not reach -- it could be a situation where
45 they don't reach a complete solution, but provide us with a lot
46 of additional information or recommendations. So I wouldn't like
47 to see a time line on it, but I agree we can leave this thing on
48 the table to take up if this other process fails and just leave
49 it at that, if that would be okay.

50

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1 CHAIRMAN O'HARA: Other Council addressing the motion
2 that's on the floor? What are your thoughts? Okay. Go ahead.

3
4 MR. ABRAHAM: I agree with Robin.

5
6 CHAIRMAN O'HARA: I think we probably should, since we
7 have some people on line, if the Board does not mind, could I ask
8 the members that are on the teleconference if they have a very
9 brief comment or -- because that's not the normal order to go
10 back. Once the motion is on the floor it's our responsibility,
11 but if you don't mind us going back. And Port Heiden, Chignik
12 Lakes, Ivanof Bay, are you still with us.

13
14 MR. LIND: Yes.

15
16 CHAIRMAN O'HARA: Okay. Did you hear the motion?

17
18 MR. LIND: Yes, I did.

19
20 CHAIRMAN O'HARA: What are your thoughts, very briefly.

21
22 MR. LIND: Let's do it.

23
24 CHAIRMAN O'HARA: Who am I speaking with there? Is that
25 Johnny Lind?

26
27 MR. LIND: Johnny Lind, Chignik Lake.

28
29 CHAIRMAN O'HARA: Any other -- Bobby, are you out there?

30
31 MR. LIND: Let's do it.

32
33 CHAIRMAN O'HARA: All right. Robert?

34
35 MR. KALMAKOFF: Yeah, this is Ivanof Bay. I think your
36 recommendation is right on. I think we need to do that and make
37 sure that -- and get some results. Over due.

38
39 CHAIRMAN O'HARA: Is Port Heiden on? That was Ivanof
40 Bay.

41
42 MR. CHRISTENSEN: Yes. It's a good idea, Dan. But what
43 I'd like to see is somebody to head it off, by phone or by mail
44 to get this thing together as soon as possible. The sooner the
45 better, that we want to hear the results. We're the ones who've
46 got the problems down here with our moose and caribou. And it's
47 going to get worse. And let's move it fast. Let's get a head
48 runner. We need somebody to head this up to get a hold of the
49 State people and somebody from the Federal side and somebody from
50 each village. Let's have a meeting together this fall or this

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1 spring.

2

3 CHAIRMAN O'HARA: No, this spring. This winter, you
4 know.

5

6 MR. CHRISTENSEN: Yes.

7

8 CHAIRMAN O'HARA: Okay. Thank you very much, appreciate
9 that. Okay. Council members, before I vote on it I think that
10 some action has to take place. And, Helga, when does the Federal
11 Board meet?

12

13 MS. EAKON: The Federal Board meets beginning May 4.

14

15 CHAIRMAN O'HARA: So we could call a special. We could
16 request a special from the Federal Board. If we got the
17 information that we wanted from this quasi-committee.....

18

19 MS. EAKON: I'm going to defer to Rosa.

20

21 CHAIRMAN O'HARA: Will you state your name, please?

22

23 MS. MEEHAN: Rose Meehan with the Subsistence office. I
24 just want to share with the Council that from our perspective,
25 our calendar is very full until the Board meeting. And it's not
26 to put off the importance of this issue, but the reality of
27 giving this issue the time and energy and just the logistics to
28 pull it together to make it a successful meeting, I think
29 realistically it would likely happen after the Board meeting.

30

31 And so what I think we could do that would help address
32 the concerns that everybody has expressed, and the immediacy of
33 this issue, is that we could do something by the beginning of
34 summer and/or maybe early in the fall, so that we could do it
35 before the primary harvest months and try and get something in
36 place by then. If you defer the proposal we certainly can
37 reconvene the Council by teleconference and we can certainly set
38 up a Board action, you know, out of cycle. So truly treat it
39 like a Special Action.

40

41 CHAIRMAN O'HARA: What's later? What would be your
42 definition of later for the Federal Board?

43

44 MS. MEEHAN: After the May meeting.

45

46 CHAIRMAN O'HARA: Yeah, after the May meeting. Okay. I
47 would think, Rosa, it doesn't necessarily have to be the head-
48 head people of the Federal side or the State side. You could
49 take biologists who could deal with your management people and we
50 could take our local people and I'd certainly want to be on that

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1 committee. I think it should be hold in Port Heiden. We don't
2 need all of your top management people to be there with us. And
3 they can feed that back to you. I'm sure that can be worked in
4 with even a busy schedule. I don't think we can wait another
5 harvest time to deal with this issue in some form to give these
6 people some consideration that we're going to do something to
7 alleviate this problem. If it's come back in May with a special
8 meeting and then go back to the Federal Board at the end of May
9 and say we're going to move the seasons back two months. If this
10 committee thing doesn't work, then I'm not going to be satisfied
11 just saying we're going to look at this thing one more time. I
12 want to see something tangible before the next harvest season.

13
14 MS. MEEHAN: Right. And the next harvest season is next
15 September, correct?

16
17 CHAIRMAN O'HARA: That's right.

18
19 MS. MEEHAN: And I agree with you completely. And I
20 think that by then we should be able to do this.

21
22 CHAIRMAN O'HARA: Easy for you to say summer, but not for
23 us to say summer.

24
25 MS. MEEHAN: I know. And I'm thinking in the back of my
26 mind that summer is a tough time to do it.

27
28 CHAIRMAN O'HARA: Yeah. Okay.

29
30 MS. MEEHAN: But if we all agree that we want to do this
31 prior to September, that gives us the boundary on which we can
32 start helping work with you and everybody involved.

33
34 CHAIRMAN O'HARA: Thank you for mentioning these time
35 frames because that's what I wanted to get out in this part of
36 the meeting, is that we may be looking at a very crunch time in
37 May or very early in August to deal with the September issue. So
38 thank you.

39
40 MR. CHRISTENSEN: Hello, Dan, this is Bob in Port Heiden
41 again.

42
43 CHAIRMAN O'HARA: All right. Go ahead.

44
45 MR. CHRISTENSEN: Yeah, I would like to be on that
46 committee when you guys put it together, consider me, okay?

47
48 CHAIRMAN O'HARA: You bet. Thank you very much. Any
49 other comments? Yes, Robert?

50

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1 MR. HEYANO: I guess, Mr. Chairman, just one comment is
2 I don't necessarily share the urgency of coming up with a
3 deadline for results as maybe you do. As I stated earlier, you
4 know, I think this is a fairly complex issue and I would like to
5 see enough adequate time allowed that whatever hopefully the
6 recommendations are that will come forth are going to be good
7 sound recommendations. And I guess in my opinion, in weighing
8 the results of this issue, is that I guess I'm not of the opinion
9 that we need to do something before the next harvest season. I
10 think if progress is being made and people are moving forward,
11 and we have to forego one harvest season, I think the results
12 that we will get for the long term are going to far outweigh
13 maybe foregoing one harvest season. And I'd just throw that out
14 as kind of a word from where I'm coming from. In my opinion,
15 being involved in some of these issues, is this is probably going
16 to take more than one meeting.

17
18 CHAIRMAN O'HARA: I thought we could do it in one
19 meeting. Helga?

20
21 MS. EAKON: I have a correction, the season starts August
22 10, not in September.

23
24 CHAIRMAN O'HARA: Yeah, that's right, for caribou.

25
26 MS. EAKON: Yeah, for caribou.

27
28 CHAIRMAN O'HARA: And I think there is an early season on
29 moose too. Comments from other Council members? Everybody
30 satisfied with the motion? Call for the question.

31
32 MR. HEYANO: Question.

33
34 CHAIRMAN O'HARA: All those in favor say aye.

35
36 IN UNISON: Aye.

37
38 CHAIRMAN O'HARA: Opposed?

39
40 (No opposing responses)

41
42 CHAIRMAN O'HARA: Well there you have it. We'll take an
43 hour lunch time. Robert, Glenn, Johnny, everybody, thank you
44 very much.

45
46 MR. CHRISTENSEN: Thank you, guys.

47
48 MR. SAMUELSEN: I guess Mr. Chairman, I would ask that
49 maybe you and the Vice-chair maybe take a little bit of time and
50 maybe provide some guidance as to the structure of this

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1 committee, which people or user groups you want to see and hand
2 it over to some of the.....

3

4 CHAIRMAN O'HARA: Good enough. We'll do that. John
5 Branson, would you like to make an announcement at this time?
6 This is John Branson, David. We're not going to be able to stop
7 our meeting and have a slide presentation with John, but I think
8 some of you might be interested in what he'll be showing this
9 evening. John?

10

11 MR. BRANSON: Tonight at 7:00 o'clock at the Sand Box
12 Museum, thanks to Tim Troll, I'm going to show a 45 minute slide
13 show on documenting the first known sport hunters to come into
14 the Iliamna, Lake Clark area. And it's also a good snapshot of
15 what subsistence activities were going on around the
16 Iliamna/Newhalen, Lake Clark area at that time. And it's six
17 years before the first airplane is reported to have come down
18 into the Bristol Bay. And it shows the prominent people living
19 at Newhalen, Nondalton and Old Iliamna.

20

21 CHAIRMAN O'HARA: Thank you very much, John. That time
22 was 7:00 o'clock at the Sand.....

23

24 MR. BRANSON: Sand Box Museum. It will last about 45
25 minutes to an hour.

26

27 CHAIRMAN O'HARA: We can recall until 1:00 o'clock. An
28 hour and 15 minutes time for lunch. Okay.

29

30 (Off record)

31

32 (On record)

33

34 CHAIRMAN O'HARA: All right. I'd like to call the
35 meeting back to order. And, Helga, under 97-10, what do we do on
36 that one? Did we want to rearrange that one or is that next in
37 line?

38

39 MS. EAKON: No, we will use the procedure, Mr. Chair, as
40 we did for 97-09.

41

42 CHAIRMAN O'HARA: Okay. You're on.

43

44 MS. EAKON: So Andy Aderman and Mike Hinkes probably both
45 will be leads on. Is that correct, or are you going to be the
46 lead? Andy and Mike will be on Special Action 97-10, that is
47 what we're on.

48

49 CHAIRMAN O'HARA: Okay. Council members, on your agenda
50 it's B, Special Action 97-10, to extend the Nushagak caribou fall

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1 season through September 30th. And, David, you're on.

2

3 MR. FISHER: Mr. Chairman, I'm going to be the lead on
4 97-10. Mike and Andy will be the lead on 97-12. I'm sorry for
5 the confusion.

6

7 CHAIRMAN O'HARA: Okay. 97-12 may get moved down a
8 little farther in line.

9

10 MR. FISHER: Okay. That will be fine. This one
11 shouldn't take too long, Mr. Chairman. It's 97-10, and it was
12 submitted by the Nushagak Peninsula Caribou Planning Committee.
13 And what it would do, it would extend the fall caribou season in
14 Sub-unit 17(A) and 17(C). This is the special season, special
15 area for the Nushagak Peninsula caribou herd. And what it would
16 do, it would add the month of September to the fall season.

17

18 The current season is August 1st through August 31st and
19 December 1st through March 31st. This would just add September
20 to it. I won't go into the biology of the herd, I think we've
21 discussed that many times, unless you have specific questions.

22

23 CHAIRMAN O'HARA: Any specific questions of Mr. Fisher?
24 Hearing none.

25

26 MR. FISHER: Pretty straightforward.

27

28 CHAIRMAN O'HARA: All right. Next one will be the Alaska
29 Department of Fish and Game. Do we have any comments from ADF&G?

30

31 MR. VAN DAELE: Mr. Chairman, Larry Van Daele, Area
32 Biologist for Fish and Game Wildlife. We concur with the
33 recommendation. We're a part of the Nushagak Caribou Advisory
34 team and we feel this is a good thing to do.

35

36 CHAIRMAN O'HARA: Thank you very much. I guess we have
37 no questions, Council members? The other agency comments, Helga?

38

39 MS. EAKON: I know of none other unless.....

40

41 CHAIRMAN O'HARA: Any written comments?

42

43 MS. EAKON: There were no written comments.

44

45 CHAIRMAN O'HARA: Any comments -- we have no public
46 testimony?

47

48 MS. EAKON: No.

49

50 CHAIRMAN O'HARA: What's the direction of the Council?

00063

1 MR. HEYANO: Mr. Chairman, I move for adoption of Special
2 Action 97-10.

3
4 CHAIRMAN O'HARA: Second?

5
6 MR. ENRIGHT: I second.

7
8 CHAIRMAN O'HARA: Tim second it. Any further discussion?

9
10 MR. ABRAHAM: Question?

11
12 CHAIRMAN O'HARA: All those in favor say aye.

13
14 IN UNISON: Aye.

15
16 CHAIRMAN O'HARA: Opposed.

17
18 (No opposing responses)

19
20 CHAIRMAN O'HARA: Thank you. That's passed. 97-12, we
21 were thinking about maybe combining that with 59 was it, Helga?

22
23 MS. EAKON: Yes. Special Action Request 97-12 has been
24 acted upon by the Federal Subsistence Board, who accepted the
25 recommendation of the Bristol Bay Regional Council in rejecting
26 that Special Action request. After the Regional Council
27 teleconferenced, Robert Heyano had called to ask that the Togiak
28 Refuge Management of moose be put on the agenda and Robin
29 Samuelsen had asked that the carrying capacity numbers be put on
30 the agenda, and Robin asked that the idea of a formation of a
31 Moose Management Plan Committee be put on the agenda and that is
32 why that Special Action is there on the agenda.

33
34 It's Togiak National Wildlife Refuge to tie in Proposal
35 59 to right after the discussion because as I understand it Andy
36 Aderman and Mike Hinkes are going to make a couple of
37 presentations. It's the same subject matter, it's exactly the
38 same everything. Proposal 59 is a proposal to make permanent the
39 fall season that the Togiak and Twin Hills residents enjoyed last
40 fall.

41
42 CHAIRMAN O'HARA: Is that okay with the Council members
43 that we combine that with 59? All right. Good enough. Thank
44 you, Helga. The next item is the Proposed Rule and -- I'm sorry.

45
46 MS. EAKON: Oh, we can take it up now because Tom Boyd
47 would like to teleconference in on this discussion.

48
49 CHAIRMAN O'HARA: Wait a minute now. We decided we'd
50 take it up with Proposal number 59. What are we doing?

00064

1 MS. EAKON: No. We would take it up now as it stands on
2 the agenda, but Andy was wondering since we're on the same topic,
3 if after those agenda items are handled by the Council, if the
4 Council could go ahead and consider a recommendation for Proposal
5 59, since it is the same subject matter.

6
7 CHAIRMAN O'HARA: 59 would follow this one then?

8
9 MS. EAKON: Yes.

10
11 CHAIRMAN O'HARA: Okay.

12
13 MS. EAKON: Is that okay?

14
15 CHAIRMAN O'HARA: That's fine. Yeah. Okay. Now, I'm on
16 the same page with you there. So, Robert.

17
18 MR. HEYANO: A little confusion here. Didn't the Federal
19 Subsistence Board take action on Special Action 97-12 already?

20
21 CHAIRMAN O'HARA: We did it in a special meeting on
22 teleconference.

23
24 MS. EAKON: Yes. But remember you had said for this
25 particular meeting you wanted the topic of refuge management.

26
27 MR. HEYANO: So according to the agenda then the issue of
28 the Special Action isn't an item that we're going to be
29 discussing?

30
31 MS. EAKON: No, it is not an item, but under the topic of
32 that particular -- the moose Unit 17(A), you wanted the Togiak
33 Refuge management to be discussed. Robin wanted the 600 to one
34 thousand figures discussed, along with the idea of the formation
35 of this management/plan committee. Right, Robin?

36
37 MR. SAMUELSEN: Yes.

38
39 MS. EAKON: Okay.

40
41 CHAIRMAN O'HARA: So it's not a Special Action.

42
43 MR. HEYANO: So we're going to do everything from one to
44 five and not in that C?

45
46 MS. EAKON: C-Special Action has already been dealt with.
47 The Federal Subsistence Board unanimously adopted the
48 recommendation of the Bristol Bay Regional Council in rejecting
49 the special.....

50

00065

1 CHAIRMAN O'HARA: All right. Who is the lead on this,
2 Helga?

3
4 MS. EAKON: Okay. We have Andy Aderman and Mike Hinkes
5 from the Togiak National Wildlife Refuge.

6
7 MR. ADERMAN: Okay. Item one was Rosa.

8
9 MS. EAKON: You also had a question, did you not, about
10 the Special Action process; if it's moot we need not discuss it.
11 Was it you?

12
13 MR. SAMUELSEN: Yes, it was me. I raised a question on
14 it. Mr. Chairman, I feel that we could have 30 Special Action
15 requests because anybody can submit a Special Action request at
16 any time. And I think there ought to be some kind of criteria in
17 the Board of Fish and the Board of Game process under the State
18 regulatory system. You have agenda change processes that spell
19 out what triggers and agenda change request. You have a petition
20 process, and this is taking action out of cycle. You have a
21 petition process that lists the different criteria also that is
22 implied. A Special Action request is pretty vague. And I think
23 as this process becomes more and more involved in resource issues
24 and quite possibly with the advent of the Federal takeover of
25 navigable waters, some navigable waters, we could be inundated
26 with Special Action requests.

27
28 And I don't know if it's an action item that we need to
29 take action on. I think that the Federal Subsistence Board and
30 you as the Regional Chairman need to sit down and further define
31 the processes that Special Action requests need to be -- or
32 better define the Special Action requests so there's some
33 criteria that we know all the rules and the public knows the
34 rules that we're all playing by. Because of for unforeseen
35 reason or we didn't discuss it or whatever, a Special Action
36 request come rolling in and then we're going to be continuously
37 having meetings. And I don't think that's what everybody
38 envisioned under the SBA.

39
40 MS. EAKON: Excuse me. Tom, are you on?

41
42 MR. BOYD: Yes. This is Tom.

43
44 MS. EAKON: Okay.

45
46 CHAIRMAN O'HARA: Hi, Tom, how are you doing today?

47
48 MR. BOYD: How are you doing, Dan? Good to hear your
49 voice.

50

00066

1 CHAIRMAN O'HARA: Yes. Thank you for coming on board.
2 And we are on this agenda item now.

3
4 MS. EAKON: Yeah.

5
6 CHAIRMAN O'HARA: Okay. We wanted to review the process
7 here of what took place with Togiak and wanted to go ahead. And,
8 Helga, maybe you could lead into this and we'll go from there.

9
10 MS. EAKON: Okay. Tom, if you have a copy of the agenda,
11 7C, C as in Charlie, first of all.....

12
13 MR. BOYD: I have it.

14
15 MS. EAKON:Rosa Meehan will review the Special
16 Action process, after which Mikes Hinkes and Andy Aderman have a
17 couple of presentations to address items three through five. I
18 guess we can go ahead, Rosa.

19
20 MS. MEEHAN: Thanks. Thanks, Mr. Chairman. Rosa Meehan
21 with the Subsistence Office. And I appreciate the concerns about
22 Special Actions as articulated by Robin Samuelsen. They are
23 certainly some of the very same issues that we've been struggling
24 with in our office. And have in fact developed a policy that
25 speaks to both requests for reconsideration and Special Actions.
26 And this is a draft, almost final policy. It's under Tab J in
27 your books.

28
29 CHAIRMAN O'HARA: Okay.

30
31 MS. MEEHAN: And it's about the fourth or fifth page
32 back. Robin Samuelsen took all of the introductory comments that
33 I really needed to make on this by identifying the problem
34 extremely clearly. And we certainly have faced the problem of
35 receiving a number of Special Actions. And in addition to just
36 the logistic problems, if you will, of receiving several actions
37 outside of the regulatory cycle, it causes a lot of effort on
38 everybody's part to try and address these individual actions as
39 they come through.

40
41 Another concern that we have is that it's very difficult
42 on the time frame tied to a Special Action to get appropriate
43 public involvement in dealing with these issues. And I guess I
44 would offer a personal comment on this 97-12, is that running
45 that particular action through as thoroughly as possible was
46 certainly hampered by the time of year that it came in and by the
47 time frame that we were working under. And so I think that
48 that's an example of something that we'd like to do better by
49 having those sorts of things come in on a regular cycle.

50

00067

1 And so what we've tried to do in this policy
2 clarification is to identify the circumstances under which we
3 would consider Special Actions. Now, I don't want to leave the
4 misimpression that we're not going to accept Special Actions,
5 that's not the case. And people are free to submit a Special
6 Action at any time. What we're trying to do in this policy is to
7 outline the cases by how we will make a decision whether to pick
8 it up at that time or to look for a way to fold it into the
9 normal regulatory cycle.

10
11 And the particular language that's important on this
12 policy, and the policy itself is in italics on the second page of
13 this, is that we will look for temporary changes only if there is
14 extenuating circumstances necessitating a regulatory change
15 before the next annual process. And those extenuating
16 circumstances are unusual and significant changes in resource
17 abundance. So if there's something happening to a population and
18 you need to deal with it in a rapid manner, or if there's
19 something dramatic that has affected subsistence users. And I
20 would go ahead and use that fall moose season that this Council
21 worked through in 17(A) as an example of here we had some
22 extenuating difficulties facing subsistence users, and so we went
23 ahead and pursued that fall moose hunt. So that's an example of
24 the latter.

25
26 And example of the former where we have extenuating
27 population issues was that we closed a goat hunt down in
28 Southeast this year under a Special Action when the harvest, the
29 take had started to reach a level where it was affecting the
30 population. We were able to close it down using a Special
31 Action. So those are just some examples how we do it.

32
33 And by this policy what we're looking to do is make it
34 clear that we need to have some compelling for accepting and
35 pursuing a Special Action. And it's a type of approach where we
36 would certainly look to you as Council members and others to help
37 explain the process to the users and the people who are affected
38 by this program and encourage them to look at our standard
39 regulatory cycle and work with that to address the concerns. So
40 that's where we're going with this. And definitely we're hoping
41 that we can try and keep things as under control as possible,
42 given the dynamic situations that we do all deal with.

43
44 CHAIRMAN O'HARA: Does that satisfy the thought that you
45 had there, Robin?

46
47 MR. SAMUELSEN: Well, it does. But I remember a few
48 years ago the Egegik asked for a petition, the Game Board to open
49 a caribou hunt at Egegik when the animals were there, and Larry
50 or Dick can correct me if I'm wrong. The Commissioner has

00068

1 authority to grant a hunt, the Board could authorize the State
2 Managers to issue an EO for that hunt. How is our process, if we
3 had caribou moving to Ivanoff Bay, we didn't have a hunt but we
4 knew that caribou were passing through, they were on their annual
5 migration route, and the animals were in the vicinity where the
6 subsistence users could harvest them, what mechanism do we have
7 when the season's closed to open that hunt?

8
9 MS. MEEHAN: What we've done in other cases is for
10 specific harvest opportunities, we've in regulation, through the
11 Council process, have adopted essentially the general guidelines
12 by which a Local Manager would then follow to open or close a
13 season. And we've got that in place out on the Yukon Delta in
14 Unit 18. We also have it in place over in the Western part of
15 the State, again with caribou out on the Tetlin Refuge. So there
16 is the ability.....

17
18 MR. BOYD: Yeah, this is Tom Boyd. Just to add to what
19 Rosa is saying, if I may, Mr. Chair?

20
21 CHAIRMAN O'HARA: Yes, go ahead.

22
23 MR. BOYD: Mr. Chair, this is Tom Boyd, did you hear me?

24
25 CHAIRMAN O'HARA: Yes, go ahead.

26
27 MR. BOYD: Just to add to what Rosa is saying, in
28 response to Mr. Samuelsen's question, the Board has not delegated
29 across the board emergency order authority to any of the field
30 managers or to anyone for that matter. What they have done, I
31 think just to rephrase what Rosa has said, is in specific
32 instances they've offered this delegated authority to open up a
33 special hunt when certain conditions arise, i.e., large number of
34 animals move into an area. But it's not the same as the
35 authority that the Commissioner has or field agents that the
36 Commissioner have to open up a season.

37
38 CHAIRMAN O'HARA: Tom, give us step one, two and three on
39 how to do that?

40
41 MR. BOYD: I'm a little lost. To do what specifically?

42
43 CHAIRMAN O'HARA: To have a Special Action take place on
44 an emergency opening.

45
46 MS. MEEHAN: Tom, I think I can take care of this for
47 you. It could be handled either under a Special Action, that's
48 one way to do it. The other way to do it is if there is a
49 situation where it's, I hate to use predictable and caribou in
50 the same sentence myself, but anyway, if there's a situation

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1 where you may have a large number of animals come into an area
2 because of migration patterns or whatever, then that's a
3 situation where you as a Board can identify that situation ahead
4 of time and propose a regulation that would provide that type of
5 discretionary authority to the local field manager.

6
7 CHAIRMAN O'HARA: Have it in place, in other words?

8
9 MS. MEEHAN: And have it in place ahead of time so it'll
10 be in the regulations.

11
12 CHAIRMAN O'HARA: All right. That's the question.

13
14 MS. MEEHAN: And I think that's really what you're
15 looking for rather than the Special Actions. And we can provide
16 you models, such as the two that I referenced, the way it's set
17 up out in Unit 18 to deal with caribou is probably the closest to
18 the situation you're dealing with here. And it works well in a
19 case such as with the Nushagak, you've got an Advisory group
20 together that can come up with specific recommendations and so
21 you've got a basis for defining this particular ability.

22
23 CHAIRMAN O'HARA: Okay. Was there anything else?

24
25 MR. SAMUELSEN: Yeah. I think that's one side of the
26 equation. The other side of the equation is the Special Action
27 request. Reading what you have here, number 1 and 2, I think
28 it's a step in the right direction. Once we enter arena of
29 navigable waters and start dealing with fisheries, it's a whole
30 new different ball game than dealing with game where you need to
31 make fast, informed, short decisions. And I'd like to have the
32 Federal managers to have the flexibility that their counterparts
33 at the Alaska Department of Fish and Game have and fisheries as
34 far as EO goes. Because if we wait 60 days to do something in a
35 fishery, by then it's too little, too late.

36
37 MS. MEEHAN: Agreed. And that's the type of comment that
38 I hope we for sure bring up again when we do talk about fisheries
39 because that's absolutely critical.

40
41 CHAIRMAN O'HARA: Yeah, we will. That's important.

42
43 MR. BOYD: This is Tom Boyd again. There is a general
44 provision in the Proposed Rule that would allow the Board to
45 delegate such authority to the Federal field managers.

46
47 CHAIRMAN O'HARA: Okay. Thank you, Tom. Any other
48 questions, Robin or Board Members? Okay. Rosa, was there
49 anything else?

50

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1 MS. MEEHAN: No, that was it. Just wanted to let you
2 know about the policy. And I just want to reiterate that this is
3 still a draft because there's probably going to be some word
4 tinkering on it, but the guts of the matter, if you will, are
5 here and will not change.

6
7 CHAIRMAN O'HARA: And one other thing before you leave.
8 I guess as a Council we're going to have to be a little more
9 involved with Helga on agenda items, other than just I got
10 something in the mail. So I think whoever is going to be Chair
11 is going to have to take a look at what we want to deal with, or
12 we could be dealing forever. It's a lot of work to do.

13
14 MR. SAMUELSEN: Where are you going?

15
16 CHAIRMAN O'HARA: Huh?

17
18 MR. SAMUELSEN: Where are you going?

19
20 CHAIRMAN O'HARA: I'm not going anywhere, but I mean, you
21 know -- and so we are going to have to make the phone call and
22 say, hey, you guys, you think this looks all right.

23
24 MR. SAMUELSEN: Oh, okay.

25
26 CHAIRMAN O'HARA: Somebody have a mouse in their pocket.
27 All right. Helga, where are we at here? Thank you, Rosa, we
28 appreciate it.

29
30 MS. EAKON: Okay. Mr. Chairman, I already announced what
31 the Board did. They did go with the Regional Council and they
32 did reject Special Action Request 97-12. We are on Togiak Refuge
33 management of moose. And this was requested by Robert Heyano.

34
35 MR. HINKES: Mr. Chairman?

36
37 CHAIRMAN O'HARA: Yes.

38
39 MR. HINKES: Mike Hinkes with the Togiak Refuge.

40
41 CHAIRMAN O'HARA: Okay.

42
43 MR. HINKES: You know, after listening to what's going on
44 on the Peninsula it's nice to have these kind of problems where
45 we're having such an increase in animals and have to deal with
46 ways of harvesting them. I've come prepared to talk about
47 several things. We have some overheads that we were going to
48 show. We can briefly talk about the moose growth, the population
49 growth in 17(A) if you'd like. Address the moose management
50 direction, or what has been called the Management Plan that Robin

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1 has brought up.

2

3 I also have a 17(A) moose study plan that describes an
4 upcoming study that's going to start this year that I can address
5 at this time or at some other time, or if there's an interest
6 there. We have the hunt recommendations concerning Proposal 59,
7 which we can address at this time or, you know, later on. And
8 then also we can discuss the idea of a winter hunt which was a
9 major issue here with the emergency action. So I can cover any
10 or all of those. I don't know what you would like to do.

11

12 CHAIRMAN O'HARA: Should we cover them all?

13

14 MR. HEYANO: I think, Mr. Chairman, we're going to do it
15 if we're going to take up Proposal 59 and this segment of
16 proposals.

17

18 CHAIRMAN O'HARA: All right. Can you.....

19

20 MR. HINKES: And I'll try and be brief. I mean I have a
21 few overhead, but I can move along fairly fast.

22

23 CHAIRMAN O'HARA: That would be great if you'd do that.

24

25 MR. HINKES: And let you know that Larry agrees with
26 everything that I say. Okay. So Andy is going to put some of
27 the overheads up here. As you know, we've had a substantial
28 increase in the moose population in 17(A). Until the early 1990s
29 most of the surveys that were conducted in 17(A) by Fish and
30 Game, which I think started around 1971, and Fish and Game and us
31 later on. Less than 10 moose were seen, anywhere from eight to
32 10 hours worth of flying. Well that's changed substantially as
33 you can see. We started noticing a pretty substantial increase
34 in '94 and in our last count we're up to 429 animals. Just
35 mention that hunting has been closed in the unit since 1981, as
36 far as a legal harvest.

37

38 Okay. I've just listed some of the reasons that we have
39 affected this increase. And those are continued immigration from
40 17(C), the fact that the Advisory Board has protected Western
41 17(C), the moose over there are providing a source of
42 immigration. We've had mild winters the past few years. We have
43 a pretty much pristine habitat in 17(A), few natural predators and
44 we've also had a reduction in probably the illegal take over
45 there due to poor travel conditions and also the fact that the
46 Mulchatna herd has been moving into that area for the past three
47 years, except for this year they didn't come back. But they've
48 had that alternative source. And, secondly, you know, to a
49 lesser extent the walrus hunting on Round Island has provided
50 some additional meat. And basically the pristine habitat, mild

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1 winters, few predators, it's led to an increase in calf
2 production, as well as calf survival and adult survival.

3
4 Then, Larry, if you want to jump in at any point. You
5 want to add anything?

6
7 CHAIRMAN O'HARA: Give the guy your name, Larry, just for
8 the record.

9
10 MR. VAN DAELE: Mr. Chairman, Larry Van Daele from Fish
11 and Game. Go ahead, Mike.

12
13 MR. HINKES: Okay. So that's a review of what we've
14 seen. I mean the phenomenon of the increased moose in this
15 country is something that's been going on in not just Bristol
16 Bay, but also Southwest Alaska where we've seen an expansion of
17 moose populations and their range over the past 40 years,
18 including the Yukon River and the Kuskokwim River.

19
20 CHAIRMAN O'HARA: I was wondering if maybe just moose
21 moving into the area, I know Sellers mentioned this morning that
22 9(E) had had an increase in moose because they have moved into
23 the area. Is this the case over here in the Togiak area?
24 They've moved into the area?

25
26 MR. VAN DAELE: Mr. Chairman, in all of Unit 17, as best
27 we can tell, in the 1930s moose started moving in here. Perhaps
28 Mr. Abraham could fill us in, but most of the elders that I've
29 talked to in the Upper Nushagak and Mulchatna can remember when
30 they first saw moose. And I believe that's the same in the
31 Togiak area. Is that right, Pete?

32
33 MR. ABRAHAM: Yes. I had gathered some old stories from
34 the old people, some of them died off and everything. The
35 stories that tell from the people there was not even a beaver in
36 that area at the time and there was no moose over there at the
37 same time. And I read a book, a journal from a Russian that was
38 translated into English. There was no beaver, no moose but there
39 was caribou and pheasants at the time. So the moose is migrating
40 to the valley over there.

41
42 MR. HINKES: Yeah, we may be seeing just, you know, the
43 evolutionary change of moose distribution in Alaska, you know,
44 after the Ice Age.

45
46 CHAIRMAN O'HARA: Probably a poor choice of words, but
47 that's okay.

48
49 MR. HINKES: Pardon?

50

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1 CHAIRMAN O'HARA: I said probably a poor choice of words,
2 but that's okay.

3
4 MR. HINKES: Oh.

5
6 CHAIRMAN O'HARA: Go to your next one then.

7
8 MR. HINKES: Okay. Now, we'll get into the actual moose
9 management direction, is what we called it. What it's been
10 referred to as the Management Plan for the Unit 17(A). Right in
11 1995/96 when we saw this increase in moose numbers in 17(A) we
12 thought as management agencies, Fish and Game and ourself, that
13 we should come up with some sort of outline on where we might be
14 going to address this increase and also at that time we were
15 starting to get some proposals for, you know, opening the hunts
16 back up.

17
18 But I just, you know, want to emphasize that it wasn't a
19 Management Plan, although it could be a draft for a Management
20 Plan, it's still a draft document. The last time it was updated
21 was in March of '96. The guidelines were never really formally
22 adopted. It was a joint venture between Fish and Game,
23 Dillingham and the Refuge. And I think it was in '96 also that
24 we presented it to both the Advisory Committee and the Regional
25 Council at that time.

26
27 What I'm going to do is, I'm going to kind of work
28 through the objectives, some of the goals and objectives that
29 were laid out in there and kind of explain where we came up with
30 them, especially when we get down to the Caring Capacity Issue of
31 600 to a thousand animals. But basically the overall goal was to
32 allow for the continued growth and expansion of moose in 17(A)
33 and still provide a harvest for the subsistence users, the local
34 people.

35
36 MR. ABRAHAM: Question, Mr. Chairman?

37
38 CHAIRMAN O'HARA: Go ahead.

39
40 MR. ABRAHAM: I'm getting a little confused on these
41 numbers over here. At first it was 300 one time, I think it was
42 150 at one time, and 300, and now it's 600, now a thousand. This
43 is when Ken Taylor was around.

44
45 MR. HINKES: Okay. Well, I was going to get to that,
46 Pete, when we got to that particular objective.

47
48 MR. ABRAHAM: Oh, thank you.

49
50 MR. HINKES: And maybe I'll give a little history on some

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1 of those early estimates also. But objective one was basically
2 to maintain a minimum resident population of a hundred moose in
3 the unit, and that was really based on what moose were there at
4 about this time. We figured we didn't want to have any less
5 moose than what we were seeing there. So this was a pretty
6 straight forward objective.

7
8 Objective two was to increase the resident moose
9 population to that targeted level of 600 to a thousand. I want
10 to let you know that it was a very rough estimate and it was
11 intended just to provide a target for us to shoot for. It was
12 based on the best guess, best information that we had at the
13 time. And I'll kind of go through on how we came up with that.
14 Basically Unit 17(A), not including Walrus Island or Hagemeister
15 Island is made up about 3,400 square miles. We used an objective
16 of .5 moose per square mile, and that was based on the 17(C)
17 State objective and that was for suitable habitat, good habitat.
18 So at that time we roughly estimated that maybe 50 percent of the
19 unit was considered suitable habitat. So if you worked those
20 numbers out you'd come up with 850 animals. And we just
21 developed a range around that, kind of an arbitrary range just to
22 give us a ballpark figure to shoot for.

23
24 CHAIRMAN O'HARA: Could we ask you a question at this
25 point?

26
27 MR. HINKES: Sure.

28
29 CHAIRMAN O'HARA: Okay. When Dick talked to us about the
30 Alaska Peninsula had 2,500 moose, and I don't know how many miles
31 you have down there.

32
33 MR. SELLERS: A little over 7,000.

34
35 CHAIRMAN O'HARA: 7,000, okay. And you had one point
36 something moose per.

37
38 MR. SELLERS: The census had about .7. And that was what
39 we considered the best habitat in 9(E).

40
41 CHAIRMAN O'HARA: And that's Dick Sellers from the Alaska
42 Department of Fish and Game. Okay. So with 850 moose, how many
43 people are you servicing in the area?

44
45 MR. VAN DAELE: Togiak has approximately 800 people.

46
47 CHAIRMAN O'HARA: To a thousand?

48
49 MR. VAN DAELE: Dillingham has about 2,000 people,
50 Manokotak has about 300.

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1 MR. ABRAHAM: Manokotak has 540.

2

3 CHAIRMAN O'HARA: In other words, when we're talking
4 about these animals, we're also talking about other than just one
5 community getting 10 moose, we're talking about the whole system
6 of 17(A) being able to participate in that harvest.

7

8 MR. HINKES: Yeah, whoever has the c&t.

9

10 CHAIRMAN O'HARA: Yeah.

11

12 MR. HINKES: You know, addressing the density issue, and
13 it will always be something that we're going to have to deal with
14 even when we come up with better habitat data. In Alaska and
15 Yukon Territory moose densities range from .38 moose per square
16 mile in areas where they're limited by predators, and they
17 average about 1.7 per square mile where predation isn't limiting.
18 We have densities as high as 11 moose per square mile in some
19 areas of Alaska. And I think that high was on a burn on the
20 Kenai Peninsula.

21

22 CHAIRMAN O'HARA: More like Anchorage, huh?

23

24 MR. HINKES: And I would guess if, you know, you took at
25 look at Sunshine Valley too, the number of moose that are in
26 there especially in the winter and even on a year around basis,
27 and I think some other areas in 17 that you have some pretty high
28 densities too. But anyways, it was just kind of a ballpark
29 figure at that time and something to shoot for.

30

31 MR. VAN DAELE: Can I interject? If I might interject a
32 little bit, some history to answer Mr. Abraham's question there,
33 when the State of Alaska put together Draft Management Plans back
34 in 1976, we came up with numbers for various parts of the State.
35 At that time we put the number 100 down for Unit 17(A). It was
36 kind of like saying you want to be a millionaire by the time
37 you're 30 years old. We didn't think we'd ever achieve that but
38 that's what we were going to aim at, just 100 moose, it wasn't
39 based on anything.

40

41 As Mike alluded to earlier, once we started seeing moose
42 start occupying these ranges of Game Management Unit 17(A), all
43 of a sudden we had to get a real number or a better number to
44 manage by. And to come up with that in a very quick manner to
45 address this immigration, we went through this little mental
46 exercise. Basically Andy and Mike and I did it in the back of an
47 Advisory Committee meeting so that we could come up with a more
48 realistic, which is kind of a shaky thing to say about this, but
49 a more objective means of addressing these numbers.

50

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1 The other thing that we agreed to and Mike will get to a
2 little bit later is that we would refine these numbers as monies
3 became available. And now we do have money available for a moose
4 habitat and a moose movement study. So we can refine these
5 numbers as time goes on, but this is our best available data
6 right now, the initials are BAD, but it's our best available data
7 and that's what we're working off of.

8
9 CHAIRMAN O'HARA: Okay. All right.

10
11 MR. HINKES: I'm sorry, I have a copy of the plan that
12 I've been talking about. We forgot to hand it out to you folks.
13 Okay. Objective three, another one to follow here, dealt with
14 what we thought as far as harvests. And objective three was
15 basically to allow a limited fall harvest of bulls by local
16 residents when the minimum population had been attained. And
17 basically that's what happened last fall, you folks granted a
18 hunt on a limited basis, shooting for 10 animals because we had
19 surpassed this minimum number.

20
21 You know, we felt at the time and as we told you folks
22 that we thought it could support a limited bull only harvest
23 without affecting the growth of the population.

24
25 MR. SAMUELSEN: If I was from Platinum -- Mr. Chairman,
26 if I may?

27
28 CHAIRMAN O'HARA: Sure.

29
30 MR. SAMUELSEN: If I was from Platinum, I had a c&t on
31 that moose population in 17(A), I could still fly into Togiak and
32 get my buddy with a skiff and get a permit to go hunting, right?
33 That hunt was not only limited to locals.

34
35 MR. HINKES: Right. The permits were designed to target
36 locals by having to go to Togiak to pick up a permit, prohibiting
37 aircraft use so that folks from outside couldn't fly to some of
38 the headwaters. And so in that way it was targeting local users.

39
40 MR. SAMUELSEN: Okay.

41
42 MR. HINKES: Most specifically Togiak, obviously, with
43 the permits being available. And it was a State hunt, though, so
44 anybody it was available for.

45
46 Okay. Objective four was that we would consider
47 levelizing the hunt when the moose population exceeded 300. And
48 another part of this objective was that you might consider
49 opening up those areas in Western 17(C) to a winter hunt that had
50 been closed down. I'm not sure what year. But we felt that once

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1 the animals had reached the 300 animal level, that you could look
2 at a more liberalized hunt in the area. You know, I think
3 probably mostly we were thinking with the fall season.

4
5 MR. VAN DAELE: Mr. Chairman, part of the rationalization
6 for this was to recognize the efforts of the people on the
7 eastern side of the area, basically the people that are
8 represented by the Nushagak Advisory Committee in Dillingham and
9 Manokotak. Those individuals had requested and were granted a
10 closure of the winter season in the west side of 17(C), so that
11 this increase in moose could in fact flow over into the Units of
12 17(A). And since they voluntarily restricted their own hunting
13 efforts, we felt it appropriate that they be granted some
14 benefits from these increasing numbers over there, rather than
15 keep their closed as long. Mr. Heyano could probably speak to
16 that more, he was on the Advisory Committee at that time.

17
18 MR. HINKES: So the 300 animals was our target level
19 where you could consider liberalizing the hunt. I know there was
20 some discussion with no additional hunting until there were 600
21 animal level made, but we did not have that objective in the plan
22 itself. Okay. The next three objectives are pretty generic.
23 Well, one that's fairly important is to take a better look at the
24 habitat condition and get a better estimate of caring capacity.
25 And it looks like we're going to be able to start on it this
26 year, as well as implementing a movement and population
27 identities study. And fortunately with this issue we were able
28 to get the funding that we need to implement it this year. We
29 never intended actually to begin the study this year. So it's
30 worked out well.

31
32 This objective is basically just to continue monitoring
33 the moose population in 17(A) through either a stratification
34 survey, a Gasaway survey, whatever seem to work the best. What
35 we've found, based on the Gasaway survey that we did in '95, that
36 the stratification flight that's used in coming up with that
37 density estimate, we observed a good portion of moose in the area
38 and it looks like with a couple of days of flying with a couple
39 of aircraft that we can get a pretty good handle on how many
40 moose are in the unit. So basically we're going to continue to
41 monitor that population under this objective.

42
43 And then the final objective is just to continue to work
44 together between Fish and Game, the Refuge, as well as the local
45 residents of the area. So that was pretty much the outline, the
46 intent of this management direction.

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

50

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1 MR. HEYANO: The curtailment of the illegal harvest
2 wasn't part of the management objectives?

3
4 MR. HINKES: I think that's always been on our mind as
5 far as curtailing that. I know that it's been an important
6 issue, you know, at this committee meeting. No, it wasn't listed
7 as an objective but like I said, this is still a draft, it's not
8 a Management Plan. And I think there's enough interest now that
9 this can probably be refined a little bit, you know, through more
10 discussions. But we're always on the lookout for that and
11 actually there's been some action recently that has been
12 successful.

13
14 CHAIRMAN O'HARA: Is that all you have on the overheads
15 now?

16
17 MR. HINKES: That's all I have on the Management Plan.
18 I was going to go on to briefly discuss the study.

19
20 CHAIRMAN O'HARA: Okay. Sure.

21
22 MR. HINKES: I've got another handout for you. And this
23 is the Study Plan that was developed to address the issues in
24 17(A). It was developed this year and it was a joint development
25 between Fish and Game and the Refuge. And like I said, we've
26 come up with funding both to do the radio collaring and the
27 habitat work this coming year. These are the general objectives
28 of the study and basically identify the seasonal movements and
29 distribution of the animals. Take a look and see who's staying
30 and who's not, you know, the migratory versus resident component,
31 if there is one. Investigate the population dynamics, such as
32 mortality, predation, productivity, work with the locals to help
33 protect this expanding population and take a closer look at the
34 habitat to see if we can refine this caring capacity. Is there
35 any questions on the study itself? That's all I had on it. If
36 you want anything else? We plan on in two weeks radio collaring
37 36 animals in the drainage.

38
39 CHAIRMAN O'HARA: Any questions, Council members? Okay.
40 Go ahead.

41
42 MR. HEYANO: Well, one question, I guess. Under your
43 study objectives, why would educate the local residents on the
44 importance of protecting of moose be one of your objectives under
45 the -- seems like you're informational gathering.

46
47 MR. HINKES: Yeah, that's probably more of a management
48 objective than a study objective. It's kind of been a standard
49 objective in a lot of our planning documents, study documents,
50 just to continue to involve the locals in it, basically in the

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1 study itself, as well as the issue of trying to protect the herd
2 or manage the herd.

3
4 Okay. Now, I guess we get down to our actual hunt
5 recommendations, and specifically objecting Proposal 59.
6 Proposal 59, as it's written, is to make the season permanent
7 that was under a special action last year, it would make it
8 consistent with the State hunt. The State hunt is in regulation,
9 it wasn't an EO, so that hunt is on the books. And so this
10 proposal would bring that in line.

11
12 We recommended we maintain the permit requirement in
13 Togiak. Again, the main reasons for that is so that it targets
14 the local users versus folks from outside. And doing that by the
15 permits issued in Togiak, prohibiting aircraft and then still
16 have the report within five days. And based on the population
17 level now we felt that a target level for the harvest could
18 average somewhere in the neighborhood of 10 percent of the bulls
19 could be harvested and still allow the population to continue to
20 grow and reach those management goals of 600 to a thousand.

21
22 You know, we still have the option of closing it by
23 emergency order if by chance the hunters are more successful than
24 we think. I think at this time because of the access by boat
25 only and the way this hunt went, it's unlikely that you will be
26 able to kill more than 25 or 30 moose during a fall hunt at this
27 time. As the population increases this is probably likely to
28 increase, so there will be more animals that they'll run into
29 along the rivers. But a lot of the moose, based on the
30 distribution that we have, are off of those rivers, off of the
31 main rivers and they're protected just because of the lack of
32 access.

33
34 This is a projection that we put together based on a
35 fairly simple model that we have and it kind of plots out the
36 continued growth of the population with a 10 percent harvest.
37 And the harvest is shown in the red line with the number -- what
38 that 10 percent equals. And like I said, because of the way the
39 hunt is designed now it's fairly unlikely that we're going to be
40 able to as this herd grows harvest more than 10 percent of the
41 animals based on the season that we have now.

42
43 And again looking at that graph, even with the 10 percent
44 harvest, that you could reach your goal of 600 animals within the
45 next four years or so if you continue to have that as a
46 population goal for 17(A), whether it's realistic or not. The
47 actual rate of increase of moose in 17(A) far exceeds what is
48 shown on this graph. This is based on 429 animals. If no more
49 animals immigrate into that area, this is the reproduction that
50 we might expect. But again, it is only a model, it just kind of

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1 gives you a rough idea on what's going on.

2

3 MR. SAMUELSEN: So what you're saying here, Mike, is
4 production will be at 429, out of that 429 there will be 250 bull
5 moose within this block here, 10 percent could be harvested?

6

7 MR. HINKES: Right. And like Andy pointed out, that 429,
8 and we're figuring that harvest of 25 might be next fall, between
9 now and then we're going to have calves, so the population should
10 actually be a lot higher than 429.

11

12 MR. SAMUELSEN: On your aerial surveys I would assume
13 that you're counting the bulls and the cows. So out of the 429
14 that you counted, I would assume that there must be 250 bulls if
15 you've got an exploitation rate of 25 here.

16

17 MR. HINKES: The 25 actually.....

18

19 MR. SAMUELSEN: That's 10 percent exploitation rate.

20

21 MR. HINKES: Yeah, I see what you caught there.
22 Actually, the 25 is actually more than 10 percent. It's 10
23 percent from '99 on. But actually 25 I think is something like
24 13 percent. And what we did is, our surveys are late so we do
25 not have real good composition data. So we, as far as the model
26 was concerned, we used composition data from Sunshine Valley
27 which indicates 110 bulls per hundred cows. So a pretty large
28 bull component.

29

30 MR. SAMUELSEN: So this graph isn't true then. At 10
31 percent exploitation.....

32

33 MR. HINKES: For '98 it is not.

34

35 MR. SAMUELSEN: For the rest of them it is?

36

37 MR. HINKES: But actually if you count.....

38

39 MR. SAMUELSEN: A hypothetical?

40

41 MR. HINKES: If you count the calves it will probably
42 have this spring and those calves become yearlings which will be
43 young bulls, it probably is closer to 10 percent.

44

45 MR. SAMUELSEN: Okay.

46

47 MR. HINKES: But, yes, all the other numbers are based on
48 10 percent.

49

50 MR. HEYANO: 10 percent of the total moose population?

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1

2 MR. HINKES: 10 percent of the bulls. I'm sorry, I take
3 that back. Yeah, I mean I don't have the model in front of me.

4

5 MR. ABRAHAM: That number doesn't represent -- that 43 in
6 1999 represents 10 percent of the total population.

7

8 MR. HINKES: Right. Total population. I've got to go
9 back and look at the models.

10

11 MR. VAN DAELE: 10 percent of the previous year on all of
12 those.

13

14 MR. HEYANO: It's still the total population, it's not
15 the population of the bulls.

16

17 MR. ABRAHAM: Well, even with that percentage right there
18 how can you get 43 in Togiak River without going -- I mean you
19 can't get very far in the fall time in the river anyway. I mean
20 15 last fall for how long was it, two weeks, the hunt last fall?

21

22 MR. HINKES: It was longer than that.

23

24 MR. VAN DAELE: It was from August 20th to September
25 15th, so basically a month.

26

27 MR. ABRAHAM: I mean 15 was a hard time getting them.
28 You're not going to go beyond 20 at least, not matter what
29 percentage you put on the wall.

30

31 MR. HINKES: No, but I see the glitch here. I've got to
32 take another look at the model for what I've plotted out here.

33

34 MR. HEYANO: Mike, another question. What is your bull
35 to cow ratio on your 429 number?

36

37 MR. HINKES: We're not sure. There was a lot of bulls,
38 a lot of young bulls during the survey. I mean there were a lot
39 of calves and twins. Actually a lot of twins and a lot of young
40 bulls. Kind of a sign of a growing population.

41

42 MR. VAN DAELE: The survey was conducted in February. So
43 you don't have a bull/cow ratio based on that.

44

45 MR. HEYANO: What was the previous bull to cow ratio
46 percentage-wise?

47

48 MR. VAN DAELE: In Unit 17(A) we do not have bull/cow
49 ratios because every survey has been done in the winter because
50 of snow conditions. In comparable areas over in 17(C) and 17(B)

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1 we're looking at anywhere from 60 to 80 bulls per hundred cows in
2 a lot of these areas. Real high bull/cow ratios, which again is
3 indicative of a population that's just moving into an area and
4 it's lightly harvested. So you could say that of your adult
5 animals you're roughly 50/50. As far as the illegal harvest is
6 concerned, I would imagine a high proportion of the illegally
7 taken animals are cows in previous years. Pete, do you think
8 that's a fair statement? So that would also skew your bull/cow
9 ratio initially too.

10
11 CHAIRMAN O'HARA: Of course you're not having a harvest,
12 so your ratio is going to change.

13
14 MR. VAN DAELE: Right. So, you know, initially I think
15 we could safely say that our adult animals out there roughly are
16 a 50/50 bulls and cows. A hundred to a hundred.

17
18 CHAIRMAN O'HARA: Okay. Do you have anything else?

19
20 MR. HINKES: Just the thing with the illegal harvest.
21 The most recent illegal harvest of three animals, all three were
22 bulls. And we know of six and we don't know what the sex was of
23 the other three.

24
25 CHAIRMAN O'HARA: Okay. All right. Do you have anything
26 else?

27
28 MR. ABRAHAM: Well, excuse me, Mr. Chairman.

29
30 CHAIRMAN O'HARA: Yeah, go ahead.

31
32 MR. ABRAHAM: On the illegal harvest I think it's close
33 to 50/50, in that neighborhood there because through the
34 grapevine I was listening over there, it's just about that -- in
35 fact, it's not much. Something like about seven to nine during
36 the wintertime.

37
38 CHAIRMAN O'HARA: Do you have anything else, Mike?

39
40 MR. HINKES: Yeah, I'd just like to point out, Mr.
41 Chairman, I apologize if the 10 percent is inaccurate, but those
42 are the harvest levels that are plugged into the model and that
43 still is the growth there. And I don't believe that we can
44 actually reach -- I don't think that you could harvest that many
45 animals, but the potential is there. And you still have the EO
46 that you can close it, although realistically the way the hunt
47 permits come in, it seems like on all of these you won't know
48 about the harvest until after the season is closed.

49
50 MR. SAMUELSEN: Okay. Just hypothetically here, as the

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1 managers, if this number was 500 and the cow to bull ratio was
2 50/50, so there's 250 bulls, and we've got an exploitation rate
3 of 10 percent bulls, so using this block right here this number
4 would be 50. And is that standard exploitation rate on moose
5 populations throughout the State?

6
7 MR. VAN DAELE: That number would be 25, Robin.

8
9 MR. SAMUELSEN: Pardon?

10
11 MR. VAN DAELE: You know, it was 50/50, 250 would be
12 bulls, you'd take 10 percent of the 250, right.

13
14 MR. SAMUELSEN: All right, 25.

15
16 MR. VAN DAELE: And exploitation rates are going to vary
17 on your bull/cow ratios, on your timing of hunts, on what your
18 population is doing and so forth. The 10 percent exploitation
19 rate on a population like this is a realistic figure, yes. You
20 could probably go as high as 15 if you really wanted to push it,
21 but we want to allow a continued increase in this population
22 here. So I would be real comfortable with a 10 percent number.

23
24 MR. SAMUELSEN: Okay. And another question under that
25 same scenario, if what Pete says is true, that 20 is probably the
26 maximum you can get out of a fall hunt, of course we only have --
27 we probably couldn't open it for five, but let's say we had this
28 number sitting here and they only got 20 and they had 23 more
29 moose that went unharvested, can we have a winter hunt on the 23
30 moose by permit only?

31
32 MR. VAN DAELE: You make the rules.

33
34 CHAIRMAN O'HARA: I think we could.

35
36 MR. VAN DAELE: What I think what would happen is
37 initially 20 would be the most people could get, but what we've
38 seen in other areas is folks get real efficient as seasons stay
39 open longer, they figure out a way to use somebody's cabin
40 farther up river, they figure out a way to use jet boats instead
41 of props and you will see an increase in harvest. Look what
42 we've seen down here in the Lower Nushagak. Granted, it's much
43 easier access but we've seen an explosion in harvest. So it's
44 almost like a herring opening sometimes when you have the
45 opening.

46
47 So one of three things I would foresee happening as the
48 population increases. Number 1, like I just described, people
49 would become more efficient and more animals will be harvested
50 because of that. Number 2, seasons would become more liberalized

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1 in the fall. Perhaps the prohibition on aircraft access would be
2 lifted, perhaps people would figure out how to use four-wheelers
3 in that area, which they haven't in the past, perhaps we would
4 lengthen the season, make it more liberal. And, number 3, would
5 be a winter harvest. I think Mike's going to address the pros
6 and cons of a winter harvest later. But one of those three
7 scenarios or perhaps all three of them would happen as we
8 increased. You know, as Mike just mumbled under his breath, this
9 is why I hate models. Because things -- you know, there's so
10 many little factors in there we can't predict. It's just our
11 best guess of putting something on paper.

12

13 MR. SAMUELSEN: Uh-huh.

14

15 MR. VAN DAELE: Does that answer you? It's a long answer
16 to a short question, but that's kind of what we're looking at.

17

18 CHAIRMAN O'HARA: What's your next step, Mike? Excuse
19 me, go ahead.

20

21 MR. SAMUELSEN: No, I'm done, Mr. Chairman. Thank you.

22

23 CHAIRMAN O'HARA: All right. You've got another one
24 there, Mike?

25

26 MR. HINKES: Just a final two things. I was just going
27 to put up here the pros and cons of a winter hunt. I think they
28 were discussed, you know, during this Special Action, just kind
29 of review them and what our -- what the Refuge's position was all
30 along, that the pros being that 10 moose probably would not
31 biologically impact the current growth and would benefit some of
32 the local users. But on the con side, you know, that we'd be
33 most concerned with would be the increased stress on the moose at
34 a time when they're already in a stress condition. The potential
35 harvest of cows due to lack of antlers, you know, if it was a
36 bull only type hunt. And then the access is good. I mean
37 hunters can be very efficient.

38

39 Now, if you have a permitted hunt, I guess maybe it
40 doesn't matter. So the major factor would be the additional
41 stress on the animal, especially in a more severe winter time.
42 And these are very good concerns. But, anyways, I just wanted to
43 review them.

44

45 CHAIRMAN O'HARA: Robin?

46

47 MR. SAMUELSEN: And we do have winter hunts all over the
48 State of Alaska, Mr. Chairman. And I think the difference
49 between the Special Action request by Togiak and the winter hunt,
50 if the moose population was healthy over there and they had

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1 surplus moose in that area, I think we'd want to conform it to
2 when we have a winter hunt like in December.

3
4 What I'm thinking is that maybe we can have a fall hunt
5 and have a hunt in December. And based on what the manager sees
6 out there, if there's exploitable 50 moose that could be taken
7 and only 20 of them are taken in the fall, maybe we can do a
8 permit in the December permit hunt for the people there to
9 harvest another 30 moose, but tightly controlled. Basically in
10 December they all have their horns on then don't they over there,
11 most of them?

12
13 CHAIRMAN O'HARA: Yeah. That's a good point.

14
15 MR. SAMUELSEN: But, you know, in February they don't.
16 So I think there's ways to work around and accommodate the
17 subsistence users of the three villages that have a c&t on that
18 moose population.

19
20 CHAIRMAN O'HARA: Anything else, Mike?

21
22 MR. SAMUELSEN: And still meet our objectives.

23
24 MR. HINKES: That's all I have, Mr. Chairman.

25
26 CHAIRMAN O'HARA: Okay. Do you have any questions,
27 Council members of Larry or Mike? Thank you very much. That's
28 been very informative. And we'll take a 10 minute break at this
29 time.

30
31 (Off record)

32
33 (On record)

34
35 CHAIRMAN O'HARA: Okay. We'll call the meeting back to
36 order. And, thank you, Mike and Larry for the comments. And now
37 we're down to number 5, formation of a Moose Management Plan
38 Committee. And I think we have some concerns here that perhaps
39 you gentlemen can help us with. And maybe we don't have a plan
40 as such or we might want to revise something here. Robert?

41
42 MR. HEYANO: Well, I guess, Mr. Chairman, as a Council
43 member I was under the impression that we did have a Moose
44 Management Plan for 17(A). And I think we reviewed that
45 information in the Naknek meeting. We had some management
46 objectives. We all realized that that information wasn't hard
47 scientific information, but I think we looked at all those, at
48 least I did as a Council member and voted in favor of a limited
49 hunt with some special conditions on it based on the other things
50 we discussed. One of those was 600 to a thousand moose as a

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1 population. And the other thing we looked at is assurance from
2 the community of Togiak that the illegal harvest would cease
3 because I think we all recognized that as one of the problems of
4 keeping that moose population down.

5
6 So, you know, I guess for me it wasn't a draft, it was a
7 Moose Management Plan. And quite frankly, Mr. Chairman, I'm not
8 at this time going to be voting in favor of a revision of that
9 plan or a change to that plan without going back to the public
10 that was involved with drafting the first one, you know. We had
11 extensive public participation in that process. We had Nushagak
12 Advisory Committee sign off on it, I think Togiak Advisory
13 Committee looked at it, the Traditional Council of Togiak. So,
14 you know, I don't know where the thing of draft came from. I
15 think what we did is we asked, you know, what should the
16 population be and they came up with that number. Then we asked
17 them can we have a limited hunt that did not adversely impact
18 that population to receive those. And that's where the number of
19 10 bulls came from. It was projected out at that time if we took
20 20, if we took 30, if we took 40 bulls. I remember all that
21 information.

22
23 CHAIRMAN O'HARA: So the problem you have then is when we
24 said last fall 10 moose, that's what we planned on. When we said
25 600 to a thousand before we were going to have a harvest. That's
26 the number that we're going to live by and not come up with 10
27 more in February. Is that what you're driving at?

28
29 MR. HEYANO: Yes. I guess my point is, Mr. Chairman,
30 that at least as a member of this Committee I did have a Moose
31 Management Plan for 17(A), it wasn't a draft. I think we all
32 looked at it and we all extensively discussed it. You know,
33 there were compromises made on both sides, but that's the plan.
34 That's the plan as I remember that this committee endorsed. And
35 I remember it went through Advisory Committee review.

36
37 MR. ABRAHAM: In other words, you still want limited hunt
38 in the fall time, 10 moose?

39
40 MR. HEYANO: What I'm saying, Mr. Chairman, is that there
41 is an existing plan and I think if that plan -- and people signed
42 off on that plan based on certain things that were going to
43 happen or expectations. And I think if that's going to change it
44 needs to go back to the public that was involved in the first
45 draft of the Management Plan, and solicit their comments.

46
47 I'd feel very uncomfortable for us to sit here and change
48 that without having a chance of the public going through, looking
49 at a draft and making comments to it.

50

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1 CHAIRMAN O'HARA: Go ahead, Pete.

2

3 MR. ABRAHAM: Yeah, Mr. Chairman, we discussed that
4 already in Togiak, but I don't think nobody ever submitted a
5 proposal to anybody. But the people are willing to see the moose
6 season open without no limit. Because like I've been saying,
7 limiting 10 when we've got 15. I don't think we'll go beyond 20
8 with a regular opening that's combining with -- of the other
9 State openings that you're going to have in Togiak.

10

11 We are dealing with the people with the needs. We are
12 dealing with the people that we want to make happy. We are
13 dealing with people that had a hardship just about every summer
14 now. We want to satisfy the people with the needs. The need
15 that the Mayor of Togiak asked for, turned down even right now at
16 a time when just a handful of people have enough gas to go down
17 Cape Constantine to go caribou hunting.

18

19 This is the Subsistence Board. As long as we don't go
20 overboard on our existence over here, I think opening moose
21 season in Togiak, combining with the other seasons, I don't think
22 we're going to hurt the moose population over there.

23

24 CHAIRMAN O'HARA: Okay. Thank you, Peter. Any other
25 Council members have a comment on this subject? Yes, Robert?

26

27 MR. HEYANO: I guess the other thing I have concern
28 about, Mr. Chairman, is that the existing Management Plan almost
29 precludes all other subsistence users from that moose. And you
30 go look at -- see who has c&t findings, there's a lot of other
31 communities. And I was willing to do that for a limited amount
32 with the assurance that the illegal harvest was going to stop and
33 we were going to rebuild that -- or we weren't going to rebuild
34 it, but we were going to put a substantial number in there so
35 that the other subsistence users had access to it, you know.

36

37 Quite frankly I think those people on the Kuskokwim
38 Drainage, the only access they're going to have to that moose is
39 actually for some type of a winter hunt. And I think if we're
40 talking about increasing the number now of harvest, we need to
41 take in consideration of all the subsistence users and make sure
42 that they at least have equal access to it, or a chance for equal
43 access to it. You know, I guess there is the special provisions
44 where you can discriminate against subsistence users, but I don't
45 know if that's something we want to look at as a board or not.

46

47 In my opinion, if we're going to start allowing
48 additional harvest of that moose in there, then I think we need
49 to seriously consider all the subsistence users and make sure
50 that they have at least equal participation.

00088

1 CHAIRMAN O'HARA: Robin?

2

3 MR. SAMUELSEN: Under the Management Plan that we adopted
4 when we hit the 300 number, we could start liberalizing the
5 seasons. And.....

6

7 CHAIRMAN O'HARA: This is what we did on Naknek.

8

9 MR. SAMUELSEN: It's on page three of the draft -- titled
10 draft.

11

12 CHAIRMAN O'HARA: What tab number is that?

13

14 MR. SAMUELSEN: No, this is a handout that they gave us
15 under Moose Management Plan.

16

17 CHAIRMAN O'HARA: Oh, here we go. Okay.

18

19 MR. SAMUELSEN: On page three the fourth paragraph down,
20 when we hit 300 moose we all agreed that liberalization of the
21 hunting season would take place, still keeping in mind we have a
22 goal out there of 600 to a thousand animals.

23

24 CHAIRMAN O'HARA: Uh-huh (affirmative).

25

26 MR. SAMUELSEN: So listening to -- let's see, how would
27 I want to say this. Not trying to circumvent on how I'm going to
28 vote on Proposal 59, I guess we're talking about the whole
29 concept of Unit 17(A) moose here, I think that what I'm hearing
30 from the State and Staff is that we've hit the 300 number now so
31 we can liberalize the season a little bit. That was one of the
32 goals that we said we would do.

33

34 CHAIRMAN O'HARA: All right. We've got 429.

35

36 MR. SAMUELSEN: Let's just say that for easy speaking
37 terms, that 30 moose could be harvested in that hunt now, 10
38 percent of 300. Pete says that probably the maximum because of
39 the terrain over there they could only harvest probably 20 moose.
40 What I'm kind of leaning to is that we still take into
41 consideration the illegal harvest and factor the illegal harvest
42 in. If we've got an exploitation of 10 percent, which is --
43 well, maybe I should ask Staff; was that your intent that under
44 that heading, liberalization of hunting seasons at 300, was that
45 to have a moose hunt in 17(A) with roughly a 10 percent
46 exploitation rate, or I don't remember that discussion?

47

48 MR. HINKES: I don't think we had it. I don't think we
49 had something specific in mind at that time.

50

00089

1 MR. SAMUELSEN: So that does it.

2

3 MR. HINKES: The 10 percent really is -- we were talking
4 with Larry yesterday, we were just playing with numbers yesterday
5 and kind of talking about other units and that and where we kind
6 of came up with that 10 percent. And I attempted to draft, you
7 know, something.

8

9 MR. SAMUELSEN: Well, it's clearly evident that something
10 is supposed to happen at the 300 number. And between 300 -- and
11 we've still got a goal out there of 600. I'm still not concerned
12 what the hell happens at 600, let alone 300, but maybe you guys
13 can enlighten me. What's supposed to happen at 300?

14

15 MR. VAN DAELE: If I may, Mr. Chairman, Robin, in the
16 discussions that led to that 300 number, most of it centered on
17 the restrictions in Game Management Unit 17(C), the area from the
18 Wood River Lakes, through the Weary River, Manokotak over to the
19 boundary of 17(A). As I alluded to earlier, the people in that
20 area voluntarily restricted their harvest during the winter so
21 that moose hopefully would move over in to the 17(A) into the
22 Togiak Drainage.

23

24 The idea of the 300 would be well, we're starting to
25 achieve what we're trying to over in 17(A), we could allow these
26 people in Manokotak and Dillingham opportunities to harvest in
27 the wintertime. That was the initial idea behind the
28 liberalizations when the 300 number was reached. And that can be
29 expanded into 17(A) also, but Robert, you were part of those
30 discussions too. That's the way I recall it.

31

32 MR. ABRAHAM: Mr. Chair, I think I recall the 300 number
33 because you participated in that closing this Sunshine Valley,
34 this area over here to cut that hunt off until the moose moved
35 over there. I remember that now, because he mentioned it in one
36 of the meetings.

37

38 MR. SAMUELSEN: Right. The 300 number only triggers into
39 Killian Creek and Sunshine Valley and that's State land, right?
40 That isn't Federal land.

41

42 MR. HINKES: It's both. My thought on the 300 when we
43 reached that point, is that we could have a fall hunt. Just have
44 a fall hunt without any restrictions on it. And it's with the
45 way it's set up now, that you wouldn't over-harvest, you would
46 still allow that herd to grow, even though you had a fall hunt.

47

48 MR. SAMUELSEN: In 17(A)?

49

50 MR. HINKES: In 17(A). I always thought of it in 17(A),

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1 with no -- you know, if you want to use the words, no limit. You
2 know, that's kind of a -- you know, it's not really true because
3 like Larry says, 100 would be too much, 50 might be too much, you
4 know. So saying no limit is probably not appropriate, but you
5 could probably at this point have a hunt in 17(A), a fall hunt
6 with no limit without impacting that population with the access
7 limitations that are on there now with the State permit.

8
9 MR. ABRAHAM: Yeah, that part I agree with all the time
10 in the fall hunt. But the winter hunt, because you have an
11 access to everywhere, that's kind of hazy right there. Unless
12 you have a short season in December, even if December the trail
13 conditions over there are questionable all the time, but I would
14 agree with a December short season, you know, two weeks, but with
15 limited number, like 10 in December. But fall season, this fall
16 season open combining with the State open, no limit.

17
18 MR. SAMUELSEN: Under the 300 number, we would lift the
19 restrictions imposed on Federal land in 17(C), we would allow a
20 liberalized fall hunt in Unit 17(A) and quite possibly if the
21 take of moose in 17(A) fall hunt was very limited, we could
22 potentially allow a winter hunt by permit in Unit 17(A) under the
23 300 number and still be consistent with the draft -- with the
24 Management Plan?

25
26 MR. VAN DAELE: In 300 to 600 you have a lot of latitude.
27 And basically at 300 you could start those liberalizations, yes.
28 I would agree with you a hundred percent on that. Hit the nail
29 on the head.

30
31 MR. SAMUELSEN: Okay.

32
33 MR. HEYANO: I think, Mr. Chairman, all it says is you
34 can consider liberalizing the seasons. That's all it says. And
35 we're authorizing a December moose when you reach 300. I guess
36 based on public testimony you can consider not to either. You
37 know, we come from an area that had in less than 10 years almost
38 zero moose, probably less than eight years. Suddenly we're at
39 429 and to sit here today and expect that is a natural trend I
40 think is real poor management. So you know, I don't know.

41
42 I guess -- and this is an issue I have been involved with
43 in the days when they were down to six or eight moose for years
44 and years and years. And I just think we're really jumping the
45 gun here. We don't have control over the illegal harvest, that's
46 obvious today. That hasn't happened. That was a condition of
47 this hunt. So suddenly they go out -- what happens next year if
48 they go out and fly the survey and we're down to 200 moose? Do
49 we knee jerk reaction and slam it back down again? I don't think
50 that is good for anybody, the population or the people. I think

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1 they're going to do some work here, they've got some money,
2 they're going to have a lot more information by when, next
3 winter?

4

5 MR. HINKES: We'll have more information.

6

7 MR. HEYANO: I don't see what's wrong with leaving the
8 existing regulations in place, come back next year and based on
9 their information and if it needs to be changed, we can propose
10 a draft and put it out to the public for comments. To me that's
11 the responsible way to do things. You know, we could have the
12 people over on the other side and the people around here decide
13 how they want to harvest surplus, or if they do want to harvest
14 surplus. I think to start putting 10 percent and jumping in and
15 exceeding the harvest and talking about winter harvest now is
16 premature.

17

18 MR. ABRAHAM: Mr. Chairman?

19

20 CHAIRMAN O'HARA: Go ahead.

21

22 MR. ABRAHAM: Well, the more you satisfy the people, the
23 less legal hunt you will have. The less you satisfy the people
24 -- it's like telling the child before a parent goes out, there's
25 the cookies in the jar over there, leave them alone. As soon as
26 you walk out of the door the child is going to investigate and
27 get the cookies out of the jar over there. It's the same with
28 the people. I've studied those people before, I stayed with
29 them, I lived with them.

30

31 You know, you take the walrus hunt over there, they don't
32 exceed the numbers down there. The fall hunt was uncontrollable,
33 they exceeded by five. But if you open it as a season like that,
34 no matter how many numbers you put on it, 10 that was a feeler
35 last fall, you feel it out, see how it's going to work. It
36 worked. Even if you put the numbers on that fall hunt, 10
37 numbers, how many people over there in Togiak is going to get the
38 tickets in there, 20, 30? So we come up with the 10 number, you
39 might even come up with 20, what you going to do? But if you
40 open it like as I kept saying, combined with State hunt it's good
41 for everybody. If the management over here say hey, you've got
42 10, close the season. What about the other people that had the
43 tickets? They're going to go ahead and get it because they're
44 hurt. It'd be like leave that cookie jar alone; but they're
45 going to go ahead and get it.

46

47 CHAIRMAN O'HARA: Yes, Mike.

48

49 MR. HINKES: Mr. Chairman, Robert, I don't think we're
50 insinuating to change the Management Plan to a 10 percent

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1 harvest. I think we threw that number out just as a reference
2 that you could harvest 10 percent of the bulls without impacting
3 the growth of that population. You know, I think that's all that
4 we're pointing out there.

5
6 CHAIRMAN O'HARA: Robert?

7
8 MR. HEYANO: I had nothing else.

9
10 CHAIRMAN O'HARA: Oh, Larry, excuse me. Go ahead.

11
12 MR. VAN DAELE: Along those same lines, the State hunt
13 that was authorized by the Board of Game last spring did not set
14 a harvest limit. They set seasons, they set bag limits, they set
15 access restrictions. They left it to the discretion of the Area
16 Manager as to when the Emergency Order would be issued to stop
17 that. As the Area Manager I used this 10 percent of the bulls
18 figure as the time when I start thinking about an EO. That's my
19 own management philosophy. It's a conservative management
20 philosophy to allow a continued building of the population.

21
22 I think it's the best way to do it and it doesn't put
23 those limits on like Mr. Abraham was talking about where you all
24 of a sudden tell people they can't go out anymore. If we see
25 we're exceeding the limit, if we see that all of a sudden we've
26 killed 30 and it's only a week into the season, then we'd kill it
27 by EO, we stop it. In this case I knew I was going to exceed the
28 10 limit before the end of the season. But it really wasn't
29 worth trying to stop the season. Going 50 percent over was no
30 big deal. It was biologically justifiable because it was within
31 the range of what we had out there.

32
33 And I think that, Robert, if we kept to this, you know,
34 not set a limit, not say we are only going to kill 10 moose per
35 year ad infinitum, if we use a percentage like Mike has proposed
36 here and have that as what we're aiming for, I think that would
37 be realistic. It would be a liberalization that would be based
38 on the population. In other words, you've got more moose out
39 there, by definition you would be liberalizing things because 10
40 percent of 300 is bigger than 10 percent of 200. But, if you're
41 not comfortable with that, you know, you make the decisions. But
42 I'm just saying that the way it's being envisioned now is not a
43 massive liberalization. I don't think, Robin, that you're
44 insinuating that we should all of a sudden today open everything
45 up, wide open, at 300 moose. It's just a step-wise process.

46
47 MR. HEYANO: Well, I guess I disagree with Pete. The 10
48 number didn't come from a real try. The 10 number came from you
49 folks as best guess estimate that based on the current conditions
50 this is what we could take and still achieve the 600 in the

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1 shortest period of time. That's how I remember the 10 came from.
2 We would have made a decision right then and there to allow 20 or
3 30, but we didn't, for the resource, that's how I remember it.

4
5 You know, if these people are going to go out every year
6 and get an accurate number of bulls that there is in 17(A),
7 that's one thing I guess. And if you want to put 10 percent on
8 it, that's fine, but the other concern I have with that is, is
9 that the people who have c&t findings over there, that maybe it's
10 more to their advantage to be able to harvest a portion of that
11 10 percent in the winter. And I think all these things need to
12 be ironed out as the 600 and the number of 10 was with input from
13 the public. That's how I envisioned it when we adopted it. This
14 is how it is now when we reach 300, it goes back out, people put
15 their comments in and then we look at them?

16
17 CHAIRMAN O'HARA: I guess I missed that part of our
18 Management Plan, Robert. I guess I did. Did you have a comment
19 there, Robin?

20
21 MR. SAMUELSEN: What happens at 600 then, Robert, in your
22 estimation?

23
24 MR. HEYANO: Well, I don't think we even got that far.
25 I think we realized on the projections that in order to get to
26 600 was a number of years down the line. And what happens if
27 they got out and make a determination that the caring capacity is
28 only 400? Like I said, there's a whole lot of information, they
29 have some money now, maybe, you know, got the cart before the
30 horse here. But in a year we're going to have a whole lot more
31 information on the moose over there.

32
33 CHAIRMAN O'HARA: Well, I think.....

34
35 MR. ABRAHAM: Mr. Chairman?

36
37 CHAIRMAN O'HARA: Go ahead, Pete.

38
39 MR. ABRAHAM: We had information for years and years and
40 years as far back as what, 1982, or something like that. We got
41 all the information we need. It's right there right in front of
42 us. What more information do we need? Information after
43 information? Or information, overlaying information? I mean
44 looked at a number over there, you know, 541, 10 percent of that,
45 just because 10 percent of those is what, 541, 51 moose, well the
46 people that's going to go out there and try to get all 51, even
47 if they don't need it. They're not going to try to get all the
48 51 animals.

49
50 MR. HEYANO: But, I think, Mr. Chairman, Peter needs to

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1 realize those moose aren't only Togiak moose. There's a lot of
2 other people who are subsistence users of those moose and we need
3 to try to accommodate those people.

4

5 MR. ABRAHAM: Well, we all heard it awhile ago, some
6 Goodnews guy can come into Togiak and go up river in summertime
7 with his buddy. They're not -- we're not discriminating any
8 villages.

9

10 CHAIRMAN O'HARA: I think we're just about at the end of
11 this discussion. And let me just make a comment here that 429
12 moose is more than we've ever had. Right? I mean that's pretty
13 good. We heard you say that there's a possibility that 50
14 percent of those animals could be bulls. I think that probably
15 the predator problems is not the same as we have in other parts
16 of even the eastern part of Bristol Bay, and we've reached, you
17 know, 429.

18

19 We have had a winter hunt for years in the Naknek
20 Drainage. We've killed off a certain number of animals which
21 maybe runs between 15 to 20, which we could live with in the
22 moose population. Probably got that many in the fall time, that
23 many in the December hunt. There's nothing tieing us, in my
24 estimation. If this thing can work where you can have some here
25 and some here, and have some restrictions on it, whether it's
26 Togiak or wherever it's at, you're still able to get some of
27 those animals.

28

29 Now, that doesn't violate what the Council has done or
30 the Advisory Boards have done or something we said, you know, a
31 while back unless we really put something in writing that we had
32 to take a pledge to. So I'm thinking that we can give a certain
33 number of animals in the fall time and a certain number of
34 animals in the wintertime, and you've got a breeding population
35 there of bulls that are going to take care of this. And when it
36 drops to a certain level, then you're going to be in trouble.
37 And if you have those kind of animals to deal with, 600 is not an
38 automatic number to me, but it's a number we've got to attain.

39

40 And in the process of getting the 600, I think some of
41 these animals can be used for fall and winter. But I think it
42 should be December instead of February. So that's just a
43 thought. And these things come from biologists who have given us
44 the numbers to deal with, you know. And I'm a decision maker
45 that would be looking at, you know, 10 percent of 400 is 40
46 animals. And I think that's a reasonable number to deal with.
47 But you have as much say as I have on the Council. So we can
48 either continue on with this or we can go to 59. Is there any
49 more discussion on this? This is the last part of this Proposed
50 Rule -- no, excuse me, the 97-12. No more discussion, Council

00095

1 members?

2

3 MR. SAMUELSEN: You know, what we're doing is making, in
4 my estimation, the people in Togiak are becoming those that are
5 out doing the illegal harvest, which is a few outlaws is I think
6 giving Togiak a bad wrap on this whole thing. We're seeing the
7 moose move into that 17(A) area, increase of a hundred percent in
8 a year's time from one survey to the next, 200 and some to 400
9 and some animals. You know, I'm willing to spend the time to try
10 to work out a solution with Staff and the Council here to allow
11 for a fall hunt at 429, as well as a winter hunt. But I also
12 agree with Robert, we've got other villages that are involved in
13 that area that have very limited access during the summertime,
14 but have access like now in December in the wintertime.

15

16 So, you know, maybe what we need to do is develop a -- I
17 don't know if it's possible, is develop a permit system like we
18 did on the Nushagak Peninsula caribou herd that each village gets
19 so many based on a per capita of that village. And if they don't
20 use that moose in 17(A), then they could transfer it to Togiak,
21 or Togiak could transfer it to Platinum and Platinum could
22 transfer it to the Kwethluk people. That way we'll know that at
23 least those villages are not going to be shut out, and still have
24 our 600 to a thousand as our optimum target level number to
25 reach.

26

27 MR. ABRAHAM: Mr. Chairman?

28

29 CHAIRMAN O'HARA: Peter.

30

31 MR. ABRAHAM: I like a December opening. The reason why
32 I like it is because of limited traveling conditions. Because
33 people at the time cannot travel more than maybe 10-15 miles out
34 of the village. In that very first part of December we have
35 hardly any snow, and the snow is fresh so the traveling is
36 terrible over there, because I know because I go ptarmigan
37 hunting in December and I cannot go more than five miles an hour
38 to get five miles out of the village.

39

40 But February comes, because the snow melts our layers on
41 top, the snow gets firm, by then you can travel out a little bit
42 longer, those times. December, like I said, has limited
43 traveling conditions. So even you give the permits to Goodnews,
44 Platinum, wherever, I don't think they'll use those permits at
45 the time. Because I'm afraid of winter hunt. But if you give
46 them limited time, if they have limited travel conditions, then
47 the animals are a lot safer.

48

49 MR. SAMUELSEN: What time -- Mr. Chairman, if I may, what
50 time in the winter would you want to hunt, Pete?

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1 MR. ABRAHAM: December.

2
3 MR. SAMUELSEN: December?

4
5 MR. ABRAHAM: Yeah, December.

6
7 MR. SAMUELSEN: Would you rather hunt in December than in
8 September?

9
10 MR. ABRAHAM: No, I'd soon hunt them in the fall time
11 better. But for winter hunt I would like to see it in December.

12
13 MR. SAMUELSEN: How do we accommodate them people in
14 Platinum and Quinhagak that have c&t?

15
16 MR. ABRAHAM: They can come to Togiak like you said on
17 airplane and jump in somebody's snow machine and go after moose
18 over there.

19
20 MR. SAMUELSEN: What we've got to do is devise a permit
21 hunt when the population is 600 and under. Between 600 and 300
22 it will be by a permit hunt.

23
24 MR. ABRAHAM: Not the fall season.

25
26 MR. SAMUELSEN: After 600 no permit hunt.

27
28 MR. ABRAHAM: Not the fall season. I'd like to see the
29 fall season just open just like the State opening.

30
31 CHAIRMAN O'HARA: Robert?

32
33 MR. HEYANO: Yeah, Mr. Chairman, I guess, you know, I
34 don't disagree too much with what Robert is suggesting here. But
35 I think the other thing we've got to understand is that State
36 land, which is closest to the village, it doesn't change, it
37 stays the same.

38
39 MR. SAMUELSEN: It's open.

40
41 MR. HEYANO: It's open in the fall only.

42
43 CHAIRMAN O'HARA: No reason why they can't open it just
44 in the wintertime. They do other places.

45
46 MR. HEYANO: No, but it has to go through the State
47 regulatory process.

48
49 CHAIRMAN O'HARA: Sure, they can do it just like we do,
50 yeah.

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1 MR. HEYANO: You know, I think that if -- once again, I
2 think this needs to -- there's a lot more to this issue here.
3 You know, I guess there's people on this side of the drainage
4 that forego winter harvest for what, 10-15 years now, in attempt
5 to populate this area. And I think they should have a say on how
6 that hunt's going to be conducted.

7
8 CHAIRMAN O'HARA: Oh, I think a Dillingham person can go
9 to Togiak and get in a boat and go get a moose too. It's the
10 same way in the Naknek December hunt, you just go get yourself a
11 permit and you can come from San -- no, you can't come from San
12 Diego, but you can come from Anchorage and get yourself a permit.
13 I think that's the way it works, Sellers, isn't it?

14
15 MR. SELLERS: On the State lands, yes.

16
17 CHAIRMAN O'HARA: On the State lands, yeah. That's where
18 it's at. And so it's just, you know, I don't think we're here to
19 accommodate Platinum or Dillingham. I mean there are a certain
20 number of animals to be given in Togiak and if you've got to go
21 through Togiak to get it, that's a discrimination process which
22 is just fair to the animals. And you discriminate against
23 yourself and you can discriminate against anyone. And it's just
24 a tougher way of getting an animal. It's not Togiak getting
25 animals. Ten in the fall, 30 in a December permit hunt and got
26 to go to Togiak to sign up for it. It's a tougher way to get a
27 moose.

28
29 MR. SAMUELSEN: Mr. Chairman, I move to table this agenda
30 item until after Proposal 59.

31
32 CHAIRMAN O'HARA: After all this discussion you move to
33 table. No second is needed. All right. Go on to the next
34 agenda. Thank you very much, gentlemen. Kept us awake here for
35 a while, huh.

36
37 MS. EAKON: David, are you presenting 59?

38
39 CHAIRMAN O'HARA: What do we have here now?

40
41 MS. EAKON: Okay. Proposal 59 is on page 173 of the
42 analysis portion of your books.

43
44 CHAIRMAN O'HARA: What page?

45
46 MS. EAKON: 173.

47
48 CHAIRMAN O'HARA: Yeah.

49
50 MS. EAKON: It was proposed by the Togiak Refuge and

00098

1 would establish a moose season and harvest limit in Unit 17(A).
2 Dave Fisher is the presenter. Before he presents the analysis I
3 wanted to share with you the recommendation of the Yukon-
4 Kuskokwim Regional Council, which is to support the Staff
5 recommendation to support the proposal.

6
7 CHAIRMAN O'HARA: All right. Before Dave starts, Darlene
8 isn't in the back there?

9
10 MS. EAKON: Carleen.

11
12 CHAIRMAN O'HARA: Carleen, excuse me. If you haven't
13 signed up with her -- if you'd like to sign up with her. Is
14 there a prize of a round-trip fare to Hawaii or something like
15 that for -- that'll peak your curiosity, but be sure and sign up
16 with her, would you, just so we can get record of the people who
17 are here. And then before we get too far off the subject, Helga,
18 if you don't mind, it's my understanding that Larry Van Daele is
19 moving to Kodiak?

20
21 MR. VAN DAELE: Yes.

22
23 CHAIRMAN O'HARA: Why? You want to go see those deer,
24 huh? Bears?

25
26 MR. VAN DAELE: I've got you guys straightened out.

27
28 CHAIRMAN O'HARA: Oh, you got us straightened out.
29 Congratulations. That's the first time. Well, we're going to
30 miss you and we'll get to say goodbye to you before you leave.
31 Okay. David?

32
33 MR. FISHER: Thank you, Mr. Chairman. I'm not going to
34 say too much more about moose, I think these fellows did a real
35 good job of presenting you with some alternatives. However, 59,
36 this was submitted by the Togiak National Wildlife Refuge and it
37 would change our Special Action that we put in last fall for the
38 fall hunt. And that allowed for the temporary fall moose hunting
39 season. This would change that season to a permanent season in
40 line with the current State of Alaska hunting regulations. And
41 that was a State registration permit issued in Togiak and Larry
42 touched on the sort of special limits that he put on it. That's
43 basically all I want to really say about it unless you have any
44 more special questions on it. I don't want to belabor some of
45 the stuff that's been already said.

46
47 CHAIRMAN O'HARA: If you have any questions, Council
48 members? If not then we will go to the Alaska Department of Fish
49 and Game's comments.

50

00099

1 MS. EAKON: The Alaska Department of Fish and Game
2 submitted written comments on Proposal 59, saying that they
3 support this. If adopted this Proposed Regulation would mirror
4 the existing State season and would allow local, State and
5 Federal managers to manage the hunt in a consistent manner
6 beneficial to hunters and the moose population. And there were
7 no other written public comments, Mr. Chair.

8
9 CHAIRMAN O'HARA: Under the Department of Fish and Game,
10 we're not down to written comments yet?

11
12 MS. EAKON: Oh, sorry.

13
14 CHAIRMAN O'HARA: That's all right. You're ahead of us.
15 That's good. Larry, would you like to talk to us?

16
17 MR. VAN DAELE: Yes, sir. Larry Van Daele, Fish and
18 Game. I concur with Fish and Game's comments that were written
19 down there.

20
21 CHAIRMAN O'HARA: Thank you for doing your report. Any
22 questions, Council members? Did you have any more written
23 comments, Helga? Oh, are there any other agencies that need to
24 comment on this Proposal 59? Written comments?

25
26 MS. EAKON: No public written comments.

27
28 CHAIRMAN O'HARA: Thank you. Were there any members of
29 the public that wanted to comment on this? I don't have any
30 cards in front of me on Proposal 59. Okay. Regional Council
31 deliberation? Oh, excuse me, I'm sorry, Pat.

32
33 MS. McCLENAHAN: How about the Yukon-Kuskokwim?

34
35 MS. EAKON: I stated it.

36
37 MS. McCLENAHAN: Okay.

38
39 MS. EAKON: But we do have Fritz George from the Yukon-
40 Kuskokwim Regional Council.

41
42 CHAIRMAN O'HARA: Yes, we sure do.

43
44 MS. EAKON: Who may have a comment on this. Fritz George
45 is the Secretary of the Yukon-Kuskokwim Regional Council.

46
47 CHAIRMAN O'HARA: How you doing, Fritz?

48
49 MR. GEORGE: Can I go on, Mr. Chairman?

50

00100

1 CHAIRMAN O'HARA: Sure. Give the gentleman your name
2 there.

3
4 MR. GEORGE: My name is Fritz George from Akiachak,
5 representing Yukon-Kuskokwim Delta Regional Council. And I was
6 went here to speak on behalf of my village and the Village of
7 Akiak about T&C proposals for Unit 17(A), numbers 51, 52, these
8 are for bears, 53 for caribou and number 58 for moose in 17(B).
9 When interviewing my elders about hunting for subsistence food,
10 like for ground squirrels and beaver or whatever in the mountains
11 during the spring and fall, camping in the mountains, they hunted
12 whatever was available. They were supposed to be hunting for
13 what people called the big game animals which were used for good
14 and the skins for boat skins.

15
16 Some families choose the lakes that are drained into the
17 Bristol Bay and moved over to the lakes drain into the Kuskokwim
18 before they started drifting home. One of my elders described
19 the trails like you can see them for the long ways because
20 they're very well worn and one of them mentioned that when
21 families were camping up on the lakes, they meet people from here
22 and sometimes they sort of pleases their eyes and end up staying
23 together. Ended up moving down here to live here. And, Mr.
24 Chairman, that concludes my comments.

25
26 CHAIRMAN O'HARA: Okay. Thank you very much, Fritz. Any
27 questions from the Council members for Fritz? Thank you very
28 much. We appreciate you coming today.

29
30 MR. GEORGE: Yeah. Thanks.

31
32 CHAIRMAN O'HARA: And I apologize, there was a public
33 comment to be made on that. Number 59, what's the wish of the
34 Council? Is there any action by that or you just defer it?
35 Yeah?

36
37 MR. SAMUELSEN: Mr. Chairman, it seems that we're
38 consistent in our goals and objectives if we allow a fall moose
39 hunt to be made permanent in regulation in Unit 17(A), without
40 giving relief to those subsistence users in Unit 17(C), that bear
41 the brunt of conserving the resource to get into 17(A).

42
43 MR. ABRAHAM: 17 what? 17(C)?

44
45 MR. SAMUELSEN: Yeah.

46
47 CHAIRMAN O'HARA: In other words, 17(C) is supplying.....

48
49 MR. ABRAHAM: 17(C) is like Goodnews?

50

00101

1 CHAIRMAN O'HARA: No, this over here.

2

3 MR. SAMUELSEN: 17(C) is head of Snake Lake, Weary River,
4 Sunshine Valley.

5

6 MR. ABRAHAM: Well, it's not going to affect them there.

7

8 CHAIRMAN O'HARA: No, it's not going to affect them, but
9 they're the ones producing the animals for Togiak and they still
10 don't get to hunt. Togiak gets to hunt. That's the problem.

11

12 MR. SAMUELSEN: Maybe I can ask Staff if they have a map
13 of 17(A) and 17(C) where we can see Federal and State land.

14

15 MR. ABRAHAM: Well, if we have a permanent regulation on
16 17(A), I suppose 17(C) will follow right behind.

17

18 MR. SAMUELSEN: It's real condensed habitat with real
19 high moose population. Dave have got the numbers if you want to
20 know.

21

22 CHAIRMAN O'HARA: Well, I mean, it's State land? State
23 land, obviously.

24

25 MR. SAMUELSEN: State and Federal, I think.

26

27 MR. FISHER: Mr. Chairman, I have a 17(A) map I could put
28 on the all there for you, if you want.

29

30 CHAIRMAN O'HARA: Petersburg? What page are we on there?

31

32 MR. SAMUELSEN: 95.

33

34 CHAIRMAN O'HARA: Okay. Got to say Petersburg didn't
35 work.

36

37 MR. SAMUELSEN: Larry, do we currently have a moose hunt
38 in 17(C) on the upper end of them lakes in the fall?

39

40 MR. VAN DAELE: Yes, sir. Larry Van Daele, Fish and
41 Game.

42

43 MR. SAMUELSEN: But not in the winter.

44

45 MR. VAN DAELE: The moose hunt throughout Unit 17 is
46 pretty consistent in the fall time, August 20th through September
47 15th. The differences occur in the winter hunt. We have a
48 December 1 through December 31 State hunt. And most of Unit 17
49 Bravo, which is the upper portion of the unit, and 17(C), every
50 area that is east of the Wood River and Wood River Lakes is

00102

1 opened December 1 to December 31. Everything west of the Wood
2 River and Wood River Lakes, including Unit 17(A), is closed in
3 December.

4
5 MR. SAMUELSEN: Okay.

6
7 CHAIRMAN O'HARA: So actually we would be consistent in
8 this proposal with 17(C) and 17(B)?

9
10 MR. VAN DAELE: In the initiation of a December season?

11
12 CHAIRMAN O'HARA: No. No.

13
14 MR. VAN DAELE: Yes, that would be consistent.

15
16 CHAIRMAN O'HARA: In the initiation of a fall season,
17 August 20 through 15th?

18
19 MR. VAN DAELE: Yeah, that would put you -- yeah, it
20 would coincide the Federal season with the existing State season
21 in 17(A), as well as the remainder of Unit 17.

22
23 CHAIRMAN O'HARA: Yeah, B and C.

24
25 MR. VAN DAELE: Correct.

26
27 CHAIRMAN O'HARA: All right. That's the question I had.
28 And the moose population is good in 17(C) and (B)? Obviously
29 (B).

30
31 MR. VAN DAELE: The moose population is healthy
32 throughout unit 17.

33
34 CHAIRMAN O'HARA: Okay. So you're not necessarily
35 restricting yourself to let people hunt in 17(A) then, you are
36 having a harvest on a regular basis and animals are spilling over
37 to 17(A)?

38
39 MR. VAN DAELE: In Game Management Unit 17(A) we started
40 the first legal moose hunt since 1981 this year.

41
42 CHAIRMAN O'HARA: With the 10 animals?

43
44 MR. VAN DAELE: The State season does not have a harvest
45 limit. We have a season that's by registration permit only,
46 permits only available in Togiak for all Alaska residents. It
47 restricts access to no aircraft access except to State maintained
48 airports, in other words, Togiak and Twin Hills.

49
50 As I mentioned earlier I, as manager, have authority to

00103

1 close by emergency order. And my own management philosophy is
2 that once we reach 10 percent of the known bulls out there, then
3 we close it. This year 10 animals, 10 bulls was 10 percent of
4 that harvest, and so we exceeded that by five.

5
6 CHAIRMAN O'HARA: Okay. And you support this proposal?

7
8 MR. VAN DAELE: Yes, sir. I think any time we can have
9 State and Federal seasons consistent and the resource can handle
10 it, it's much easier for the hunters.

11
12 CHAIRMAN O'HARA: Very good. Thank you.

13
14 MR. VAN DAELE: And I believe the State Board of Game was
15 able to work around the State system in such a way that it does
16 in fact favor the people of Togiak.

17
18 CHAIRMAN O'HARA: Pete, do you have a comment or not?

19
20 MR. ABRAHAM: I said all my comments. I'm commented out.

21
22 CHAIRMAN O'HARA: All right. Mike?

23
24 MR. HINKES: Mr. Chairman, one more thing.

25
26 CHAIRMAN O'HARA: Yeah. Make sure that David has your
27 name there. I guess he does, okay. All right.

28
29 MR. HINKES: Yeah. Mike Hinkes. 17(A) is not
30 specifically closed to moose hunting, so that the State hunt that
31 is on the books now includes Federal land in 17(A).

32
33 CHAIRMAN O'HARA: But it was done through a special order
34 of the State of Alaska? Ten animals had to be given by someone,
35 yes?

36
37 MR. SAMUELSEN: Yeah, Mr. Chairman, that's what's wrong
38 with this plan. There is no limit, there is no regulation that
39 says 10. It's the absence of a Management Plan. I think it's
40 very irresponsible to adopt this. And moose season will be
41 closed if and when the total harvest limit, to be determined
42 later. What does that say? What does that mean, you know. And
43 it's right, you know, the State regulations control on Federal
44 land since the Federal Subsistence Board did not close. You had
45 to specifically close. Remember that teleconference in July?

46
47 CHAIRMAN O'HARA: Yeah.

48
49 MR. SAMUELSEN: That was an eye opener for me. So I
50 don't know, Mr. Chairman, I for one can't support Proposal 59.

00104

1 I think it's poorly written. I think it's going to have adverse
2 impact to the moose population. I think it's poorly thought out.
3 I think it restricts and prohibits certain subsistence users
4 while benefitting others. And I guess I have a real problem with
5 that issue. I think whenever I do that it's going to be a last
6 ditch effort, that we can't do anything else when I have to make
7 a determination between one subsistence user over the other, who
8 is going to have access to the resource. I'd rather see enough
9 resource there so everybody has equal opportunity. So, as Peter
10 said, I'm probably commented out. I'm going to vote against
11 Proposal 59.

12

13 CHAIRMAN O'HARA: Peter?

14

15 MR. ABRAHAM: Mr. Chairman, I said I was commented out a
16 while ago, but we had studied this, we had looked at 17(A) for
17 how many years now and we've been rejected. We've tried to ask
18 for and we're not discriminating anybody. When it opens without
19 limit, we're not going to hurt anybody, the moose population is
20 not going to be hurt because the access from the river is very
21 poor, but the people are going to be a little bit happier.
22 Goodnews people can come over and go hunt. Dillingham, Robert
23 Heyano can go over there and go hunt with Pete Abraham.

24

25 CHAIRMAN O'HARA: On record.

26

27 MR. ABRAHAM: We're not discriminating anybody. We're
28 just going to make everybody happier.

29

30 CHAIRMAN O'HARA: Well, that will be a first.

31

32 MR. ABRAHAM: Yes, thank you.

33

34 MR. SAMUELSEN: Mr. Chairman?

35

36 CHAIRMAN O'HARA: Yeah, go ahead.

37

38 MR. SAMUELSEN: Special Action request, that was only
39 good for a year, right? Next fall Togiak will not have a hunt on
40 Federal lands and what we're trying to do is to put something
41 into regulation right now.....

42

43 CHAIRMAN O'HARA: Did you want to come up here?

44

45 MR. SAMUELSEN:that will allow them just to fall
46 hunt.

47

48 MR. HINKES: Yeah. That's not true, they will have a
49 hunt next year under State regs.

50

00105

1 CHAIRMAN O'HARA: On Federal lands?

2

3 MR. HINKES: On Federal lands, because it has not been
4 specifically closed to moose hunting. So there is a hunt next
5 fall.

6

7 CHAIRMAN O'HARA: Now the light comes on.

8

9 MR. SAMUELSEN: So why do we need to act on Proposal 59?

10

11 MR. HINKES: Trying to get the regulations consistent.

12

13 CHAIRMAN O'HARA: Robert? One more comment.

14

15 MR. HEYANO: Well, that's not my reason for acting on
16 Proposal 59, Mr. Chairman. It's actually as Mike says, is that
17 whatever happens on Federal land now is dictated by State
18 regulations.

19

20 CHAIRMAN O'HARA: Let me ask you -- go ahead.

21

22 MR. SAMUELSEN: My understanding of the Game Board is
23 Togiak went in with a proposal to have a moose hunt on State
24 lands and the State Board of Fish told them no.

25

26 CHAIRMAN O'HARA: Winter?

27

28 MR. SAMUELSEN: Fall hunt.

29

30 CHAIRMAN O'HARA: Fall hunt. Okay.

31

32 MR. SAMUELSEN: And they adjourned for the evening and
33 people got to the Game Board and said, look, there's a Federal
34 season on Federal lands in 17(A). So the next morning they
35 reconsidered their vote on State lands and opened up a State
36 hunt. You're shaking your head no, Robert?

37

38 MR. HINKES: You want to ask me?

39

40 MR. SAMUELSEN: No.

41

42 MR. HINKES: Okay.

43

44 MR. SAMUELSEN: That's enough. Now, we're in a quandary
45 here, now we've got the State opened, but are we going to keep
46 the Feds closed. So if we vote no, then only State land is open
47 over there and the Federal land will remain closed if we vote no
48 on opening the hunt.

49

50 MR. HEYANO: No, Mr. Chairman, that's not correct. If we

00106

1 do nothing the existing season maintains on all of 17(A).

2

3 MR. SAMUELSEN: Oh, this is going to get good when we get
4 to fish. This is going to get good. If I'm having a hard time,
5 Johnny Q Public's really going to have a hard time.

6

7 CHAIRMAN O'HARA: It's my understanding if we vote no
8 there will be no 10 moose issued in Togiak Refuge coming this
9 fall.

10

11 MR. SAMUELSEN: No. No, they will have a hunt this fall.
12 If we vote no they will have a hunt because the State reg will
13 open the season with no limit, both on State and Federal land.

14

15 MR. HINKES: I think the only way, Mr. Chairman.....

16

17 MR. ABRAHAM: Now, I'm confused. Mr. Chairman?

18

19 CHAIRMAN O'HARA: Yes.

20

21 MR. HEYANO: The confusion brings back to my original
22 point. There is no Management Plan for Unit 17(A), that the
23 public and both agencies has a chance to review and adopt and
24 make a recommendation. That's why we're in all this mess. It's
25 shoot from the hip management. I learned that last July
26 teleconference.

27

28 CHAIRMAN O'HARA: I guess we weren't in on that
29 teleconference, huh?

30

31 MS. EAKON: Yeah, everybody was, July 30.

32

33 CHAIRMAN O'HARA: On the 30th?

34

35 MS. EAKON: Uh-huh (affirmative).

36

37 CHAIRMAN O'HARA: Oh, I must have been out to lunch.

38 Anyway.....

39

40 MR. HEYANO: You know, responsible management tells me we
41 need to develop a plan so everybody knows what they are and what
42 we're going to do, you know. Maybe the mistake we made was in
43 Naknek we were too hasty in not taking that thing forward,
44 but.....

45

46 CHAIRMAN O'HARA: Let's take a break here. We'll take a
47 10 minute break and maybe we can talk a little bit about it
48 before we come back.

49

50 (Off record)

00107

1 (On record)

2

3 CHAIRMAN O'HARA: David, are we back on line?

4

5 MR. HAYNES: Yes, we are.

6

7 CHAIRMAN O'HARA: Call our meeting back to order. And I
8 think we have in 59 a situation that says that Federal lands will
9 be managed by the State of Alaska on this proposal and they have
10 the authority, along with the cooperative effort from the Federal
11 side of shutting down 17(A) fall hunt at such time as they see a
12 certain number of animals being taken and the season closes. And
13 that's where we're at. So it's a cooperative effort between the
14 Feds and the State to manage a certain number of animals in
15 17(A). So what is the wishes of the Council? Robert, do you
16 want to make a comment?

17

18 MR. HEYANO: No, I'm ready to go.

19

20 CHAIRMAN O'HARA: Okay. Let's go.

21

22 MR. HEYANO: Mr. Chairman, I move that we table Proposal
23 59 and take up the recommendation on page 177, the last
24 recommendation, Subsistence Staff recommendation.

25

26 CHAIRMAN O'HARA: Okay. There's been a motion to table
27 the proposal.

28

29 MR. ABRAHAM: Mr. Chairman?

30

31 CHAIRMAN O'HARA: Yes. Well, wait a minute, we've got to
32 have a second here.

33

34 UNIDENTIFIED VOICE: I second the motion.

35

36 CHAIRMAN O'HARA: Okay. Second the motion. Go ahead,
37 Peter.

38

39 MR. ABRAHAM: Even if table this 59, are we still going
40 to have open season this fall?

41

42 CHAIRMAN O'HARA: Okay. All right. Robert?

43

44 MR. HEYANO: I'll speak to my motion.

45

46 CHAIRMAN O'HARA: Speak to your motion. Go ahead, I'm
47 sorry.

48

49 MR. HEYANO: As Pete said, if we table it they still have
50 the moose season in 17(A) as it was last year.

00108

1 CHAIRMAN O'HARA: Okay.

2

3 MR. HEYANO: Now, I think, as I stated earlier, I think
4 proposal 59 is a poor proposal, I think it's irresponsible
5 management and I think what needs to be done is, as I stated
6 earlier, is a Moose Management Plan for 17(A) needs to be
7 formulated and put together by members of the public, as well as
8 for us and hopefully the State in a joint effort, similar to the
9 solution we're looking for for 9(E), and try to have a plan, you
10 know, that would set out the harvest objectives, population
11 objectives, everything else you look for in a resource Management
12 Plan.

13

14 CHAIRMAN O'HARA: Okay. Is that all you have, Robert?
15 Thank you for addressing your motion. Any other discussion this
16 proposal?

17

18 MR. ABRAHAM: Mr. Chairman?

19

20 CHAIRMAN O'HARA: Yes, Robert. I mean Pete?

21

22 MR. ABRAHAM: Since we tabled this 59 over here, can I
23 invite the State and Fed for -- the Traditional Coun -- for
24 review of this over here and make a proper, how do you say, the
25 proposal?

26

27 CHAIRMAN O'HARA: I think we want to go to not a
28 proposal, but a Management Plan.

29

30 MR. ABRAHAM: Oh, a Management Plan?

31

32 CHAIRMAN O'HARA: Yeah.

33

34 MR. ABRAHAM: In near future. And so we can present this
35 proposal -- when is the next meeting, Helga?

36

37 CHAIRMAN O'HARA: September/October.

38

39 MR. ABRAHAM: September/October?

40

41 MS. EAKON: Yes. In the fall. The window is September
42 6 and closed on October 23, this fall. I'm sorry, September 8
43 and closes October 23.

44

45 CHAIRMAN O'HARA: I don't see why you can't do that, if
46 that's what you want to do. That's not a problem.

47

48 MR. ABRAHAM: Yeah, I think I will do that.

49

50 CHAIRMAN O'HARA: Did you want to have comment there?

00109

1 You have your hand up. Okay. All right. Everyone understand
2 the motion? Okay. Question.

3
4 MR. HEYANO: Question.

5
6 MR. SAMUELSEN: Mr. Chairman?

7
8 CHAIRMAN O'HARA: Yeah, go ahead.

9
10 MR. SAMUELSEN: I have a comment. I guess it doesn't
11 really matter how we vote. Half of me says to vote for it and
12 half of me says don't vote for it. I agree with what Robert is
13 saying, that the Management Plan needs to be further defined
14 because if we don't understand it, how the hell is the public
15 going to understand it. And it's clearly evident to me that the
16 action that the State took was in reference to us on the Federal
17 side, not providing them people with a hunt over there. And if
18 I vote no, the hunt goes on, if I vote yes, the hunt goes on. So
19 little does my vote mean. The hunt is going to go on with or
20 without my vote. So I guess I will be voting in favor of the
21 motion and coming back with a another motion on the Moose
22 Management Plan.

23
24 CHAIRMAN O'HARA: Any other comments, Council members?
25 Question?

26
27 MR. SAMUELSEN: Question.

28
29 CHAIRMAN O'HARA: All those in favor say aye.

30
31 IN UNISON: Aye.

32
33 CHAIRMAN O'HARA: Opposed.

34
35 (No opposing responses)

36
37 CHAIRMAN O'HARA: Okay. Did you at this time want to
38 make another motion?

39
40 MR. SAMUELSEN: Yeah. Mr. Chairman, on page 177 on the
41 bottom, the last two sentences, the Subsistence Staff recommends
42 that the Togiak Wildlife Refuge and ADF&G expand and further
43 define the draft moose management directive, cooperation with
44 local advisory to develop a Management Plan that will promote the
45 growth of the moose population in Unit 17(A) and accommodate
46 subsistence users needs. And also take into account the closure
47 in 17(C). I'd like the Management Plan to -- the draft plan to
48 be expanded and the triggers more clearly defined.

49
50 CHAIRMAN O'HARA: Is that a motion?

00110

1 MR. SAMUELSEN: That's a motion.

2

3 CHAIRMAN O'HARA: All right. Is there a second to that
4 motion?

5

6 MR. ENRIGHT: I second it.

7

8 CHAIRMAN O'HARA: Okay. Tim second the motion. Did you
9 want to address the motion?

10

11 MR. SAMUELSEN: Yeah. I just think that there's a lot of
12 confusion amongst Council members here and as I stated just a
13 minute ago, we need to further define the Management Plan over
14 there and clearly spell out the goals and objectives and the
15 trigger points.

16

17 CHAIRMAN O'HARA: Any other comment from Council members?
18 Okay. You all understand the motion? Question?

19

20 MR. HEYANO: Question.

21

22 CHAIRMAN O'HARA: All those in favor say aye.

23

24 IN UNISON: Aye.

25

26 CHAIRMAN O'HARA: Opposed.

27

28 (No opposing responses)

29

30 CHAIRMAN O'HARA: Okay. Passed. We're down to fisheries
31 management. Rosa Meehan is going to address us at this time.
32 Tom Boyd, are you still with us?

33

34 MR. BOYD: Yes, I am, Mr. Chair.

35

36 CHAIRMAN O'HARA: Okay. Thank you.

37

38 MR. BOYD: But I will be signing off. I think I've heard
39 the part of the discussion that I intended to call in for.

40

41 CHAIRMAN O'HARA: Okay. Thank you very much for coming
42 on line.

43

44 MR. BOYD: I had a couple of remarks if you don't mind,
45 Mr. Chair.

46

47 CHAIRMAN O'HARA: Certainly, go ahead.

48

49 MR. BOYD: Well, first off, I've listened to all of the
50 discussion and it thoroughly was enlightening to me listening to

00111

1 you wrestle I think very -- with a lot of good faith on this
2 issue. And I'll just say that I think that your group, this
3 Council has mastered dual management, at least as well as anyone
4 I know and possibly better and it at times can be fairly
5 confusing. And even between the Federal agencies we have similar
6 discussions, believe it or not.

7
8 I tend to agree that the substance or understanding about
9 the Management Plan have been different between different
10 parties, therefore, I think your step at taking another look at
11 it and further developing it is a sound one. With regard to the
12 hunting in 17(A), I think you're right on it. It will continue
13 under State management to meet the subsistence users needs and it
14 will give us a chance to go further with the Management Plan.

15
16 So I kind of applaud your efforts here. One question
17 that I had as you were going through the process, when you tabled
18 your motion, I'll just say what I understand is that you wish to
19 take that back up after the Management Plan has been further
20 developed. Is that a correct understanding?

21
22 CHAIRMAN O'HARA: I don't understand it that way. I
23 thought that the discussion on the Management Plan was tabled
24 until we addressed 59. Now, Robin was the maker of the motion,
25 so what are you thoughts on that, Robin? Am I right?

26
27 MR. SAMUELSEN: I think item number 5, Tom, has been
28 taken care of on the last motion here, that we're going to
29 revisit the Management Plan now and the Council has said, yes,
30 we'll revisit the Management Plan to get further clarification.

31
32 CHAIRMAN O'HARA: Does that take your motion off the
33 table?

34
35 MR. SAMUELSEN: And that takes care of number 5.

36
37 CHAIRMAN O'HARA: Okay. Your motion's off the floor
38 then. I mean it's taken care of that.

39
40 MR. SAMUELSEN: Uh-huh (affirmative).

41
42 CHAIRMAN O'HARA: Okay. Do you understand that, Tom?

43
44 MR. BOYD: When will you readdress Proposal 59?

45
46 CHAIRMAN O'HARA: We're not going to readdress Proposal
47 59. We'll go with a Moose Management Plan.

48
49 MR. BOYD: That's my understanding. Okay.

50

00112

1 CHAIRMAN O'HARA: Yes. Okay.

2

3 MR. BOYD: Okay. Well thank you for allowing me to
4 participate.

5

6 CHAIRMAN O'HARA: Well, two things, you know, you smeared
7 us up so good it makes us feel good, you give us a 10 percent
8 increase in per diem and keep the bureaucrats in jobs that we
9 keep doing plans, huh?

10

11 MR. BOYD: I guess.

12

13 CHAIRMAN O'HARA: Okay. All right. Did you have a
14 comment, Robin?

15

16 MR. SAMUELSEN: Yeah, Mr. Chairman, I'd like to ask Staff
17 what kind of a time frame we're looking at here? When could
18 these meetings take place and recommendations come back to the --
19 is there adequate time for our October meeting or whenever?

20

21 CHAIRMAN O'HARA: Are you asking Tom or asking.....

22

23 MR. SAMUELSEN: Somebody in Staff I guess.

24

25 CHAIRMAN O'HARA: Okay.

26

27 MR. SAMUELSEN: That's going to be coordinating on this.
28 Dave?

29

30 MR. FISHER: I didn't hear your question.

31

32 MR. SAMUELSEN: When are you going to have public
33 discussions on the Moose Management Plan and when could this
34 Council have a realistic expectation when you will be returning?

35

36 MR. FISHER: Well, we need to bring the Refuge and Larry
37 into this. And then with Larry leaving I'm not -- I don't know
38 who will be replacing him, but certainly we need to bring the
39 Refuge in and chat with them as far as a time frame. Our Staff
40 in our office is willing to help them in anyway we can. And so
41 for what it's worth, Mike.

42

43 MR. HINKES: Yeah, we can take the lead on any of the
44 public involvement over the next few months and, you know,
45 continue to work with Fish and Game, whoever Larry's new counter-
46 part will be. Have to just kind of continue the same way that we
47 developed the directions. As far as the time frame, you know,
48 that I'm not really sure. It seems like we could come up with
49 another draft of this plan to present to you folks in October,
50 and that would also be within the time frame of putting forward

00113

1 another proposal for the fall hunt to follow for a winter hunt or
2 whatever is defined in that Management Plan.

3
4 MR. ABRAHAM: Mr. Chairman?

5
6 CHAIRMAN O'HARA: Yeah, Pete.

7
8 MR. ABRAHAM: Robin, that's why I asked while ago if I
9 can invite ADF&G and Mike over to Togiak to discuss this over
10 here with the people in Togiak, how they can draft with the help
11 of these people this regulation over here in the near future.

12
13 MR. SAMUELSEN: Yeah. Mr. Chairman?

14
15 CHAIRMAN O'HARA: Yes, go ahead.

16
17 MR. SAMUELSEN: I think a couple of things need to take
18 place, Pete. I think Nushagak Advisory Committee needs to be
19 appraised. So you need to meet with the Nushagak Advisory, the
20 Togiak Advisory Committee and we've also got to have
21 participation from Quinhagak and those villages -- not Quinhagak,
22 Platinum I guess and Kwethluk that have c&t in that area.

23
24 MR. ABRAHAM: Yeah. I'd like to do it as soon as
25 possible before everybody disperse different directions and fall
26 comes, you know. So if we can do it in the near future, I'll try
27 to work up a plan over there when I get back to Togiak, combined
28 with the Traditional Council.

29
30 CHAIRMAN O'HARA: Mike, did you have a comment?

31
32 MR. HINKES: Yeah, you know, we can arrange these public
33 meetings. And we usually meet with Togiak when they have their
34 combined meeting once a month. And we can arrange these other
35 meetings also in these other villages. What might be worthwhile,
36 you know, maybe instead of putting together an official group
37 that may be involved, maybe have Robert involved, seeing how he's
38 on both the Advisory Committee and the Council, have him as part
39 of this little group coming up with the new draft Management
40 Plan.

41
42 CHAIRMAN O'HARA: Robert, you're the man, I guess, to
43 lead the charge here. So you've been so ordained to do that.

44
45 MR. ABRAHAM: You'll come to Togiak.

46
47 CHAIRMAN O'HARA: Tom, is there anything else that you
48 want to talk with us about, or is he gone? He's gone. Just a
49 minute. Dave, did you have another comment?

50

00114

1 MR. FISHER: Well, I don't mean to belabor the point
2 again, but Robin, were you looking for some sort of a date when
3 we would have a draft available to review?

4
5 MR. SAMUELSEN: No.

6
7 MR. FISHER: Okay.

8
9 CHAIRMAN O'HARA: At this time, I believe, Rosa is going
10 to do fisheries with us. Please don't confuse us, just the
11 basics. Only kidding you, okay.

12
13 MS. MEEHAN: Thanks. Thanks, Mr. Chairman. Rosa Meehan
14 with the Subsistence Office. And I'm here to try and do
15 something about fisheries. And Tom Eley, who is in the back of
16 the room, and I came and together we went out with Helga and a
17 bunch of people out to Togiak, and Pete was there and others, and
18 did a public hearing on the Proposed Fisheries Rule. We did a
19 public hearing in Dillingham last night, I think, and we received
20 a fair bit of public testimony, which I could summarize for you,
21 and then I could highlight the changes to this Proposed Rule.

22
23 I would just like to remind you that we've chatted about
24 this before and so what I'd like to do is just try and hit the
25 highlights. The purpose of this discussion is to give you all an
26 opportunity to share any concerns, commentary that you've got on
27 the Proposed Rule now that you've had a chance to have it and
28 think about it for, you know, since the last Council meeting.

29
30 Just to start out, I got this note just before I walked
31 up here. And the note's that a Coast Guard Cutter has just
32 sailed into Dillingham, presumably to enforce the Federal
33 fisheries takeover. Just thought I'd share that. With that in
34 mind, in Togiak we heard concerns about bottom trawling and the
35 affect of bycatch on return of chum salmon and others. We also
36 heard pleas for co-management and that was framed in the context
37 of government to government relationships with tribal entities.
38 And we also heard about a need to set up a regional c&t, as
39 opposed to a species by species customary and traditional use
40 determinations. And that's, you know, a little bit off topic,
41 but that is something we've been hearing about.

42
43 In Dillingham some of the major topics we heard about
44 were -- we had long discussions about extra territoriality, which
45 is the authority of the Federal government to affect actions off
46 Federal lands. We heard support of the Federal program and
47 comments that the proposed jurisdiction should extend beyond
48 waters crossing Federal lands to include all navigable waters in
49 the State. Again, we heard about co-management and we also heard
50 that management should be focused on geographic areas. In other

00115

1 words, essentially have local people make decisions about what's
2 happening in their own areas.

3
4 So that's just a flavor of the comments that we've gotten
5 within this region. As I'd mentioned, we'd commented about this
6 Proposed Rule in the past. Oh, I'm sorry, just to let you know
7 I'm looking at Tab E. At any rate, we've had a chance to talk
8 about this Proposed Rule at the last Council meeting. And we've
9 received a lot of commentary. We've tried to incorporate as much
10 as we can in the Proposed Rule.

11
12 This Proposed Rule was written, just as a reminder, in
13 response to a circuit court decision in the Katie John case and
14 basically we're working under a directive from the court to
15 establish -- to expand into fisheries management. We're in a
16 situation right now where Congress has blocked for the last three
17 years implementation of this court directive by not providing
18 funding to do it. So the court's saying do it, Congress is
19 saying don't do it, so what we've done in the meantime is go
20 ahead and plan to do it.

21
22 And just to give you a time line of events, if the State
23 does not act to pass a vote on a rural preference, and if
24 Congress doesn't give us another moratorium in the budget, then
25 we will be prepared to publish this Proposed Rule on or shortly
26 after December 1st. Okay. So this is just to give you a time
27 line. What that will do is start a public comment period on the
28 Proposed Rule that will last at least 60 days, close the public
29 comment period, iron out the wrinkles in the Proposed Rule and
30 public a Final Rule. When that's published, that implements a
31 Federal program.

32
33 What it means for you as the Council in terms of starting
34 a process, is that once we have a Final Rule, which would be
35 sometime around the early part of 1999, that would start a
36 fisheries program. We would open up that Final Rule for
37 proposals to make changes, just like we do with the terrestrial
38 program with wildlife, take those proposals in the spring of
39 1999, do the analyses over the summer of 1999, and in the fall
40 have a meeting similar to this meeting where you as a Council
41 would review the proposals, the analyses and make recommendations
42 that the Board would then act on in the winter of '99 to
43 implement changes for the year 2000.

44
45 CHAIRMAN O'HARA: In the winter of '99 or in the winter
46 of -- yeah, winter of '99.

47
48 MS. MEEHAN: Winter of '99/2000, somewhere in there.

49
50 CHAIRMAN O'HARA: Oh, okay.

00116

1 MS. MEEHAN: Okay. So what it means is that -- assuming
2 again, I can't emphasize this enough, assuming that the State
3 does not act, assuming that we do not get a Congressional
4 moratorium, then we'd be looking at implementing the program in
5 early 1999, it would be under the regulations that are in this
6 Proposed Rule, and there would be no changes until the year 2000.
7 Okay. So that's just a general time line on it.

8
9 The key provisions that are in this Proposed Rule, in
10 other words, these are the big changes that we've made, identify
11 the waters that are affected by the new regulations and it's
12 waters that cross Federal public lands. We've got them on this
13 map back here, they're the drainages marked in red, but basically
14 for this region it's all the waters that are within the outside
15 boundary of the Federal public lands. So if you look on this map
16 up here, those pink areas and the purple areas, all the waters
17 that go across those areas would be considered Federal waters.
18 BLM land doesn't count, except for Wild and Scenic Rivers. Okay.
19 So it's not the yellow areas, except for the Wild and Scenic
20 Rivers.

21
22 CHAIRMAN O'HARA: Wild and Scenic Rivers is managed
23 under.....

24
25 MS. MEEHAN: Those would be included in the program.

26
27 CHAIRMAN O'HARA: Okay. Under the Fisheries Plan here?

28
29 MS. MEEHAN: Under the Fisheries Plan

30
31 CHAIRMAN O'HARA: Okay. That means the branch of the
32 Alakanuk River, two-thirds of it's going to be under Federal
33 management?

34
35 MS. MEEHAN: Correct.

36
37 CHAIRMAN O'HARA: All right.

38
39 MS. MEEHAN: Another important point is, and I've
40 mentioned it before, we've been hearing about this extra
41 territorial authority, in the Proposed Rule there is an
42 acknowledgment of that authority, but I just want to be real
43 clear, that authority has existed and what the Proposed Rule is
44 just acknowledge that it does exist, but that the authority to
45 exercise that jurisdiction is going to say with the Secretaries
46 of Interior and Agriculture. In other words, it's not something
47 that will be delegated down to the Federal Board.

48
49 CHAIRMAN O'HARA: Excuse me. Now, say that in layman's
50 terms again now.

00117

1 MS. MEEHAN: Well, let me go ahead and give you the page
2 number on it and we can look at the language. In this it's on
3 66225. It's in the middle column, about halfway down and there's
4 a line beside it that says new or modified text.

5
6 CHAIRMAN O'HARA: Uh-huh (affirmative).

7
8 MS. MEEHAN: And that first -- it's paragraph 17.

9
10 CHAIRMAN O'HARA: Okay.

11
12 MS. MEEHAN: And what it says is that -- basically what's
13 going on here. Is that the Board can evaluate whether activities
14 that are taken place off of Federal public lands result in a
15 failure to provide subsistence priority. Okay? So the Board can
16 evaluate that. And then after appropriate consultation with
17 State of Alaska, Regional Councils and other Federal agencies,
18 make a recommendation to the secretaries, and that's the
19 Secretaries of Interior and Agriculture, for their action.

20
21 So in other words, what the Board can do is if they
22 become aware of a problem, of an issue that's happening off on
23 State or private land that's affecting subsistence priority on
24 Federal land, they can evaluate whether it's a real problem and
25 then they are by this rule mandated to discuss it and try and
26 coordinate/cooperate with everybody else to try and sort out the
27 problem before making a recommendation to the Secretary of
28 Interior. The only person that can act is the Secretaries of
29 Interior and Agriculture.

30
31 CHAIRMAN O'HARA: Would you like for me to give you an
32 example of that?

33
34 MS. MEEHAN: Sure.

35
36 CHAIRMAN O'HARA: Okay. Two years in a row we haven't
37 had an escapement on the Kvichak because of sport and commercial
38 fishing all the way from Graveyard, which is the upper marker of
39 the commercial fishing, all the way down to False Pass/Shumagin
40 Islands. Okay. They have not even reached escapement goals.
41 But then you go up to the headwaters of your yellow map up there,
42 you don't get enough fish into the Tacenda (ph) River which is on
43 Federal lands because False Pass is catching salmon, you know, a
44 thousand miles away.

45
46 So you're going to send the Coast Guard down there and
47 shut down False Pass until you get enough fish up there. That's
48 what Katie John said. Is that right?

49
50 MS. MEEHAN: False Pass is always the example that comes

00118

1 up. I'm glad you brought it up so that I didn't have to.

2

3 CHAIRMAN O'HARA: They're the intercept people. You
4 understand what I'm talking about then.

5

6 MS. MEEHAN: And I personally honestly expect that that
7 will be the first one that comes into the office.

8

9 CHAIRMAN O'HARA: I'm simply asking is that true or
10 false?

11

12 MS. MEEHAN: I don't know.

13

14 CHAIRMAN O'HARA: Oh, okay.

15

16 MS. MEEHAN: I'm not well versed in it. I do know that
17 it's been a controversial and complicated issue and that it's one
18 that Fish and Game has worked very hard on trying to sort out
19 just exactly what's going on with the fish. And I'm not about to
20 sit here and tell you or anybody that we can walk on water any
21 better than any other agency can.

22

23 CHAIRMAN O'HARA: Well, at the public hearing in Naknek
24 the other day, the gentleman who handled that, the Park Service
25 man out of Anchorage said, yes, they can send the Coast Guard
26 down and stop the intercept fisheries in Shumagin Island if it's
27 going to impact subsistence user in the upper parts of the
28 Federal lands or the Drainage of Bristol Bay. And that's on
29 record.

30

31 MS. MEEHAN: And I'm not disagreeing with that.

32

33 CHAIRMAN O'HARA: Okay.

34

35 MS. MEEHAN: That's what that authority speaks to.

36

37 CHAIRMAN O'HARA: Okay.

38

39 MS. MEEHAN: Is that that can happen. And I'll I'm doing
40 is elaborating a bit on what's going to happen in between the
41 concern being raised and a decision being made.

42

43 CHAIRMAN O'HARA: I'm sure there's a counselor somewhere
44 that will handle that, legal department, yeah.

45

46 MS. MEEHAN: Probably one at API that will help.

47

48 CHAIRMAN O'HARA: Robin?

49

50 MR. SAMUELSEN: I've got a question. When I went home

00119

1 for lunch at lunch time I listened to KDLG and apparently you did
2 an interview on KDLG yesterday that.....

3
4 MS. MEEHAN: I did?

5
6 MR. SAMUELSEN: I believe it was you that said.....

7
8 MS. MEEHAN: It was from the public hearing last night.

9
10 MR. SAMUELSEN: I think -- like I say, you can correct me
11 if I'm wrong, but he mentioned your name, that you stated that
12 there was no connection between False Pass and our fish stocks up
13 here?

14
15 MS. MEEHAN: Let me clarify that because what I intended
16 to convey is that before such an action could take place there
17 would have to be a clear connection established. And to my
18 knowledge, and I'm not a fisheries biologist, there's not a real
19 clear connection. And all I'm saying is that that's the sort of
20 -- that's the aspect of that issue that would have to be sorted
21 out. And the example that I've used, which is absolutely
22 simplistic, but if there is a stream that comes off of Federal
23 public land onto State land, somebody on State land puts a net
24 all the way across the stream so that no fish get up onto Federal
25 land, then that's a clear case for the Federal government to come
26 in and say, you have to take your net out of the stream.

27
28 Okay. So there's a real clear action that's stopping the
29 ability to do subsistence fishing, that is not letting any fish
30 out there. The thing that's challenging about False Pass is that
31 it's not as clear cut. And so I'm just letting you know that
32 that's the aspect that would have to be really explored.

33
34 MR. SAMUELSEN: For your information, I spent 25 years of
35 my life studying the False Pass Fishery in different regulatory
36 arenas. And 55 percent of the chums caught in False Pass are
37 bound for Western Alaska, which about 17 percent are Bristol Bay.
38 We have an Allocation Plan over our sockeye salmon that allocates
39 8.3 of our sockeye into False Pass. The Board of Fish just
40 imposed a 60,000 coho cap in the July Fishery on the area on
41 fisheries because those fish the Board felt, based on the best
42 scientific information available, were chums headed for Bristol
43 Bay and Western Alaska.

44
45 I think that comment, not a linkage, not a clear cut
46 definitive picture out there is because you haven't looked hard
47 enough in my estimation. And I would recommend that you go to
48 the Department of Fish and Game and review the Annual Management
49 Reports put out by those people before such a statement is made.
50 There is a direct linkage. I mean there's a -- it goes so far as

00120

1 they do scale analysis and genetic studies that could show you
2 how many river systems are being impacted and the probability of
3 those rivers being impacted when that fishery is executed down
4 there. That fishery is recognized as a mixed stock fishery. And
5 based on run timing -- they do have local stocks down there, but
6 based on run timing when they fish in June, when they fish in
7 July, when they fish in August, there's variations of whose fish
8 are going through there.

9
10 So I think before you make statements like that in public
11 you need to do the research and qualify it. But that fishery
12 down there has always been recognized as a mixed stock fishery.
13 And it's only in late August and into September that it becomes
14 a terminal fishery.

15
16 CHAIRMAN O'HARA: We're getting a little off the track
17 here, but that's okay.

18
19 MR. SAMUELSEN: Yeah, I'll reel back in, Mr. Chairman.

20
21 CHAIRMAN O'HARA: All right. Okay. Now we're back on
22 track. Did you want to ask a question?

23
24 MR. HEYANO: Well, I guess is it my understanding that
25 everything printed in here is subject to change, depending on
26 public comment?

27
28 MS. MEEHAN: Yes, it can.

29
30 CHAIRMAN O'HARA: Oh. Rosa, we kind of interrupted you
31 there now, and you were at a very interesting point of what the
32 Secretary could do providing all this information was given to
33 him. So.....

34
35 MS. MEEHAN: Well, I think we've probably hashed this
36 point. That I just wanted to point out, you know, make it clear
37 that that authority does exist. The other part that I'd like to
38 share with that is that it is an authority that has been
39 exercised historically extremely rarely because it tends to be
40 highly controversial. And we were trying to come up with the
41 number of times that it's been exercised and it's probably less
42 than half a dozen times in the last hundred years. So it's just
43 to put some perspective around that particular authority.

44
45 Another provision within this Proposed Regulation that's
46 new and has received a lot of comment is to identify customary
47 and traditional -- no, that's not it -- relates to acknowledging
48 customary trade. And that's on page 66238. And the intent of
49 this portion of the regulation is to recognize existing levels --
50 I mean recognize that customary trade does occur now and that we

00121

1 want to basically legalize current practices. And this again is
2 on page 238, it starts on the bottom of column one and it goes up
3 through the top of column two.

4
5 CHAIRMAN O'HARA: Number 11?

6
7 MS. MEEHAN: Yes, number 11. And the challenge that we
8 faced in trying to write this part of the regulation is that we
9 want to acknowledge existing practices, however, we did not want
10 to create the loophole, if you will, that would allow the use of
11 subsistence fishing to turn into a commercial enterprise. And so
12 the way that we did the important language in here is actually
13 number 12. And the last sentence says that persons licensed by
14 State of Alaska to engage in a fisheries business may not receive
15 for resale or barter subsistence-taken fish, their parts or their
16 eggs. And so the idea is to recognize the practice of selling
17 small amounts of subsistence caught fish to neighbors or
18 relatives or whoever that were unable to go out, you know, for
19 whatever reason, to recognize that that occurs and to permit
20 that, but what we're trying to prevent here is the sale of
21 subsistence caught fish to someone who is then going to sell them
22 again. Okay. Or to sell them on into a market situation. So
23 that's the intent of the regulation.

24
25 And the question that we've been posing to all the
26 Councils is, does this cover the customary practices in your
27 region? I mean is this going to help you out and if there's a
28 problem with it we also want to know that.

29
30 MR. SAMUELSEN: Mr. Chairman?

31
32 CHAIRMAN O'HARA: Yes.

33
34 MR. SAMUELSEN: Clarification. Under 12 persons licensed
35 by the State of Alaska to engage in a fisheries business may not
36 receive for resale or barter or solicit to barter for subsistence
37 fish taken. So that just means that I can't go and sell it to
38 Dan here who is a licensed commercial fisherman, right?

39
40 CHAIRMAN O'HARA: No, processor.

41
42 MR. SAMUELSEN: Or processor?

43
44 MS. MEEHAN: The intent was to keep it from being sold to
45 a processor that would then sell the fish or the processed fish
46 on.

47
48 CHAIRMAN O'HARA: Again.

49
50 MS. MEEHAN: Again. That's the idea. Now, that same

00122

1 sentence, when we were in one of the Interior Council meetings
2 was immediately flagged, well, wait a minute, there's an awful
3 lot of people who are commercial fishing, but they also
4 subsistence fish. And we one way to interpret this is that if
5 somebody holds a commercial license, that they could not, because
6 they hold a commercial license, do some of this small scale
7 selling to their neighbors with their subsistence fish. In other
8 words, it would limit somebody who holds a license their ability
9 to do that. So I think there's some rewording that we could do
10 there to clarify that that's not the intent.

11
12 MR. SAMUELSEN: What does your division consider a
13 limited exchange?

14
15 MS. MEEHAN: That's something that we have not
16 specifically identified because we recognize that it's very
17 regional. It's one that would be impossible to specifically
18 identify on a statewide basis, as does similarly the phrase
19 significant commercial enterprise. Those purposely are soft
20 phrases, if you will, to allow the regional variation that we
21 know exist in the State.

22
23 Now, if we get into a situation where we have to define
24 these more tightly, what we would do is look to the Councils to
25 help us do that on a region by region basis, as appropriate. But
26 rather than do that now we wanted to leave it somewhat open.

27
28 MR. SAMUELSEN: Mr. Chairman, you know, that's a major
29 problem. And a few years ago there were some subsistence users
30 in Southeast Alaska took \$9,000 worth of roe I believe it was and
31 prepped it through Canada and down to Seattle and they were
32 cited. And the judge sided with them and said that wasn't
33 substantial or.....

34
35 MS. MEEHAN: A significant commercial enterprise. That's
36 the Parachavich (ph) case in Seattle.

37
38 MR. SAMUELSEN: Currently at the Council, North Pacific
39 Management Council, we're developing subsistence halibut
40 regulations. And trade is also going to be allowed. And a
41 limited amount of trade. And the two options we were looking at
42 was zero, I believe it was, 200, 400 and \$600 per annum. I don't
43 know where it's going to go, but the concern there from
44 subsistence users, and there was a wide variety of -- I was the
45 head of that committee. They wanted to make sure that the
46 herring roe case didn't come back and bite them. And this is
47 pretty open-ended in my estimation. Kind of in the eyes of the
48 beholder. How much your crook could haul.

49
50 MS. MEEHAN: I'm not disagreeing with you by any means.

00123

1 The intent of this was that the notion of resale would prevent a
2 situation such as the herring roe cited, because that clearly was
3 happening with that case. And so, again, what we're focusing on
4 is trying to define the practice of selling to an end user, not
5 to a commercial distributor.

6
7 CHAIRMAN O'HARA: Any more questions?

8
9 MR. SAMUELSEN: No.

10
11 CHAIRMAN O'HARA: Robert?

12
13 MR. HEYANO: Yeah, Mr. Chairman, I think this is an area
14 for potential problems unless their definition of -- and maybe
15 there is, it says to support personal and family needs. I mean
16 is there a definition? What are we talking about; sending our
17 eight children to college? Just providing grub or fuel, or what,
18 providing house payments? If nothing else, I would recommend
19 that some side boards be put on what its intent is, to fall
20 within a low and a high.

21
22 The other thing I think is, you know, what constitutes
23 significant commercial enterprise. You could go around this
24 table here in this room and you'll probably have different
25 definitions for that word. I think unless those things are
26 clarified or further defined, it's going to create a lot of
27 problems in the future.

28
29 CHAIRMAN O'HARA: Rosa, is this the place, are we just
30 making com -- we're not here to -- you're here to make a
31 presentation to us.

32
33 MS. MEEHAN: Also to take your comments.

34
35 CHAIRMAN O'HARA: Okay.

36
37 MS. MEEHAN: And so this is very helpful.

38
39 CHAIRMAN O'HARA: So then this is good.

40
41 MS. MEEHAN: And just, you know, since we're on to this,
42 I mean clearly there's some discomfort with the way this is
43 written, which is why I wanted to really highlight it.
44 Obviously, you know, we were sitting in our little cubicles and
45 came up with this notion of resale and that doesn't feel like
46 that's a comfortable safeguard from this Council's perspective.
47 And so I guess I would have a question back as to what sort of
48 approach do you think would work to help define this?

49
50 CHAIRMAN O'HARA: Me?

00124

1 MS. MEEHAN: Uh-huh (affirmative).

2

3 CHAIRMAN O'HARA: Okay. I've given this a lot of thought
4 and I've gone on public record, have gotten beaten up and they
5 called me a few names, they said they like Robin better than they
6 liked me and all those fun things. And I said, well, that's
7 life, you know. Go jump off of a high building or something, I
8 guess.

9

10 But I think that this is pretty open-ended, and yet I
11 think I can't -- you know, something has to be done region by
12 region too. Who would have thought we would have gotten into a
13 Moose Management Plan to the depth that Robert took us to today,
14 you know, that maybe the next Council doesn't even consider. So
15 maybe this is going to be region by region that we're going to be
16 dealing with, you know, and maybe we can do that.

17

18 But let me give you an example, let's go to the Christmas
19 bazaar that they have in my community. And they all come down to
20 the old gymnasium where you can wear your street shoes and they
21 set up all their booths all the way around these room, all these
22 men and women that come in there, and they have their Christmas
23 bazaar. And one of the things they have is this package of fish
24 that they're selling. Alaska Department of Environmental
25 Protection Agency, whoever they are, would throw you in jail for
26 having that booth there. I mean they'd shut you down. But they
27 do it. Now, they're selling those fish maybe to somebody from
28 San Diego, but mostly it's just us local people who are buying
29 each other's fish. And are you saying that that's the type of
30 thing you're talking about, or do we give somebody in Levelock
31 10,000 pounds of reds and say, hey, go for it?

32

33 MS. MEEHAN: I think what you described is certainly one
34 of the sorts of action that we had in mind in trying to craft
35 this regulation. The other one is I don't think I've ever gone
36 through any of the Village Centers without seeing a handwritten
37 note upon the bulletin board saying, I have whitefish for sale,
38 I have, you know, something like that. That's the sort of
39 practice that we'd like to just recognize, it does happen and
40 we're trying to address it in the regulations.

41

42 CHAIRMAN O'HARA: Berries for sale, people sell berries.

43

44 MS. MEEHAN: Fortunately, we're not doing berries.

45

46 CHAIRMAN O'HARA: I do believe -- well, berries, I guess
47 that's not fish. Anyway, I do believe that ANILCA in Title VIII
48 has an economic benefactor on a subsistence basis to your rural
49 people. I do believe that. I think it's going to be something
50 that's going to be helpful to them versus guiding or sports

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1 fishing or something else. Something they can put their hands on
2 without a big investment to help their economy. I really believe
3 that and I stand up and I give that in public and I don't
4 necessarily get agreed with. Okay. Carry on if there's no other
5 comments?

6
7 MS. MEEHAN: If you walk away from this and have an idea
8 on how this can be better crafted, more appropriate limitations
9 put on it, I'd urge you to please let us know, drop us a line,
10 we're on e-mail, but some way help us out with this because it's
11 clearly one of the ones that -- it's just a hard one to deal with
12 directly.

13
14 CHAIRMAN O'HARA: I make a list and lose it and you
15 expect me to write to you.

16
17 MS. MEEHAN: You can call us.

18
19 CHAIRMAN O'HARA: Okay. Call you. 1-800 number?

20
21 MS. MEEHAN: Yep.

22
23 MR. SAMUELSEN: Mr. Chairman?

24
25 CHAIRMAN O'HARA: Robin?

26
27 MR. SAMUELSEN: If I may, Mr. Chairman, I'd like to ask
28 Jim Fall if the Subsistence Division has come up with a
29 definition of trade and barter? I know the Board of Fish has
30 been grappling with the issue for a number of years.

31
32 MR. FALL: Mr. Chairman, Jim Fall with Division of
33 Subsistence. No, Robin, I don't think we have. About eight
34 years ago our research director, Bob Wolf and one of our Staff
35 managers, Jim Magdanz, prepared a very, very lengthy report on
36 customary trade around the state. There were a series of case
37 examples. And I can't remember right now if they had any
38 recommendations as part of that. But at that point in the
39 evolution of the State's program, we were about to tackle
40 customary trade within the State regs and then the McDowell
41 decision happened and we haven't gotten back to it.

42
43 MR. SAMUELSEN: Oh, okay.

44
45 CHAIRMAN O'HARA: Scared you off, huh. Okay. Rosa.

46
47 MS. MEEHAN: Just the final part on this was that towards
48 the back of the regulations there's the seasons, harvest limits
49 and methods and means for fisheries that would be part of these
50 regulations. And this part of the regulation is taken by in

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1 large straight from the State regulations. And we're doing it
2 for a couple of reasons. One, as Robin so eloquently pointed out
3 earlier, I'm not a fisheries biologist and we do not have
4 fisheries people on Staff to rewrite regulations.

5
6 And so we're taking the same approach as we did when we
7 started the wildlife part of this program, of starting with the
8 State regulations as a template and then working from those to
9 refine as necessary to address subsistence uses. And it's within
10 this part of the regulations that if there are some aspects of
11 them that are simply not working for you or for your
12 constituents, the people that you live with, we're very much
13 opened to those comments, with the proviso that we don't have the
14 staff really to evaluate things in detail now and what we're
15 looking for is to try and identify problems, but think in terms
16 of that's the sort of thing that we would try and address in a
17 year when we start the whole proposal process analyses and then
18 review in front of the Council. But just to let you know that
19 that does come from the State and it's done that way on purpose.

20
21 CHAIRMAN O'HARA: Is that your presentation?

22
23 MS. MEEHAN: That's my presentation.

24
25 CHAIRMAN O'HARA: Okay. Any questions, Council members?

26
27 Robert?

28
29 MR. HEYANO: I guess I do have a question. On page
30 66235, I guess it's c&t.

31
32 CHAIRMAN O'HARA: Tell us a column.

33
34 MR. HEYANO: Well, it's this page.

35
36 CHAIRMAN O'HARA: Yeah, okay.

37
38 MR. HEYANO: Why was herring excluded from Togiak
39 district?

40
41 MS. MEEHAN: Our program is on waters that cross Federal
42 public lands and therefore it's terrestrial waters, not marine
43 waters.

44
45 MR. HEYANO: Okay.

46
47 MS. MEEHAN: So herring is not something that we will be
48 addressing.

49
50 MR. HEYANO: Okay. Another couple of questions.

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1 CHAIRMAN O'HARA: Sure.

2

3 MR. HEYANO: On this determination, I assume that's
4 customary and traditional use for the various species?

5

6 MS. MEEHAN: Yes.

7

8 MR. HEYANO: And see, you have Bristol Bay and you have
9 Nushagak and then all residents of Nushagak. Okay. Then you go
10 down, you have a Naknek/Kvichak district, Naknek River Drainages,
11 salmon and other fresh water fish, residents of the Naknek and
12 Kvichak River Drainages. So any communities or residents living
13 in Naknek or Kvichak Drainages have c&t for salmon and other
14 fresh water fish in the Naknek River Drainage, correct?

15

16 MS. MEEHAN: Uh-huh (affirmative).

17

18 MR. HEYANO: And I guess the next one I see,
19 Naknek/Kvichak district, Iliamna and Lake Clark Drainages. Same
20 thing, but there only residents of Iliamna and Lake Clark. So I
21 assume that mean that the people of Naknek do not have c&t
22 findings or anybody else for any salmon or fresh water fish in
23 Iliamna and Lake Clark Drainages. Is that what that tells me?

24

25 MS. MEEHAN: I think that's just sort of poorly worded,
26 part of that.

27

28 CHAIRMAN O'HARA: Poorly worded becomes part of
29 regulations.

30

31 MS. MEEHAN: No, that's something we'll need to look at.

32

33 CHAIRMAN O'HARA: Absolutely.

34

35 MR. HEYANO: Mr. Chairman, can we as a Council make
36 comments to this and have it put in the record instead of doing
37 it individually?

38

39 MR. SAMUELSEN: As we comment they're being put into the
40 record.

41

42 CHAIRMAN O'HARA: Yes, but did you want to have a motion
43 from this Council to address this regulation?

44

45 MR. HEYANO: That's one issue. And I don't know, maybe
46 you and Andrew and some of the other folks who are more closely
47 tied to this area can decide how you want to do.

48

49 CHAIRMAN O'HARA: Yeah.

50

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1 MR. HEYANO: The other one I'd like to make is on page
2 66238, or section, whatever that number represents, and it's
3 number 13. Except as provided elsewhere in this subpart, the
4 taking of rainbow trout and steelhead trout is prohibited. So
5 unless it specifically says it's allowed, subsistence users
6 cannot harvest them on their subsistence, right?

7
8 MS. MEEHAN: That's correct.

9
10 MR. HEYANO: I guess, Mr. Chairman, based on my
11 experience on the lengthy process it takes to get c&t
12 determinations under land mammals or animals, I would suggest we
13 just reverse that, it is allowed.

14
15 CHAIRMAN O'HARA: Would you like to put that in the form
16 of a motion?

17
18 MR. HEYANO: Well, I think.....

19
20 CHAIRMAN O'HARA: Or did you want to get them all
21 together then let's put them in the form of a motion.

22
23 MR. HEYANO: Those are the two that really stood out to
24 me, Mr. Chairman, except for some of the discussions we had on
25 some definitions on what's the word for customary trade. I think
26 those are things that -- I think if we could correct them here
27 and it goes out, it will save us a long drawn out process later
28 on.

29
30 MS. MEEHAN: What other Councils have done -- I've seen
31 Councils do this both ways, they've either taken each comment,
32 made it a motion and voted on it. Another approach is just at
33 the end of all the comments, have made a motion to adopt all the
34 comments as input from the Council and pass a motion that way.
35 So either way would work to put your comments formally on the
36 record. And as part of the process of putting this Proposed Rule
37 together, there will be a section in the front of it that
38 addresses all the comments that have come in, and we'll explain
39 how those comments were responded to.

40
41 And they might not say Robert Heyano said X, Y, Z, and
42 this is how we respond to him. There will be categories of
43 comments that have come in, but the specific issues will all be
44 addressed.

45
46 CHAIRMAN O'HARA: Well, Robert, if you would feel so led,
47 why don't you make a motion on that. And Andy and I maybe should
48 just -- we're going to take a break here shortly but, you know,
49 like every year we go to the Kvichak and fish up there on a
50 regular basis. I don't want a regulation that says now I can't

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1 go up there and can't catch a trout any more. I guess that's one
2 bad part of the Federal program, is they draw these lines and you
3 can't cross them. So, unless Andy got a heartburn with that, I
4 think that some people do go up to the lake country and they
5 certainly come down our way and we do that. So I don't think we
6 ought to be tied by some of those things. That and the rainbow
7 trout certainly better be subsistence because that really is.

8
9 MR. HEYANO: I think, Mr. Chairman, it's fairly easy to
10 clarify the first one.

11
12 CHAIRMAN O'HARA: Which one is that?

13
14 MR. HEYANO: The one that says Naknek/Kvichak district,
15 Iliamna/Lake Clark Drainages, residents of the Iliamna/Lake Clark
16 Drainages, and we could put residents of Iliamna, Lake Clark,
17 Naknek and Kvichak River Drainages and that should.....

18
19 CHAIRMAN O'HARA: Is that a motion?

20
21 MR. HEYANO: I don't know. I heard from you. I'd like
22 to hear from Andrew, if that's in fact happened. My experience
23 is it does, that you people move back and forth quite a bit. And
24 when I was reading this it just kind of stood out that if this
25 goes through, then you people would be excluded from the
26 Iliamna/Lake Clark Drainage.

27
28 CHAIRMAN O'HARA: What are your thoughts, Andy? Do you
29 have any?

30
31 MR. BALLUTA: Well, Iliamna/Lake Clark Drainages all
32 drain into Bristol Bay area, doesn't it?

33
34 CHAIRMAN O'HARA: Naknek, yeah.

35
36 MR. BALLUTA: So I would say, you know, we travel back
37 and forth everywhere and use the same subsistence use of the
38 fish. So I agree with you.

39
40 MR. HEYANO: Okay. I guess, Mr. Chairman, on that light
41 then I would make a motion that on the Iliamna/Lake Clark
42 Drainage we recommend c&t determinations to include Naknek and
43 Kvichak River, residents of the Naknek/Kvichak River Drainages
44 also.

45
46 CHAIRMAN O'HARA: Is there a second on that motion?

47
48 MR. SAMUELSEN: Seconded.

49
50 CHAIRMAN O'HARA: Any further discussion?

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1 MR. ENRIGHT: Question.

2

3 CHAIRMAN O'HARA: All those in favor say aye.

4

5 IN UNISON: Aye.

6

7 CHAIRMAN O'HARA: Opposed.

8

9 (No opposing responses)

10

11 CHAIRMAN O'HARA: Okay. Let's deal with that fish issue.

12 What page was that?

13

14 MR. HEYANO: It's on page 66238, number 13. And I guess,
15 Mr. Chairman, I'm going to need help on language, if in fact what
16 we want to do is include rainbow trout and steelhead.

17

18 CHAIRMAN O'HARA: Helga, what do we need here? Do you
19 feel comfortable helping us out on that? We want to make this
20 steelhead trout, which is rainbow -- we don't need a c&t finding
21 on that, that's -- and subsistence.

22

23 MR. HEYANO: Would language such as this, the taking of
24 rainbow trout and steelhead trout is prohibited unless -- except
25 as provided -- I don't know how to put the language in, Mr.

26 Chairman.

27

28 CHAIRMAN O'HARA: Well, can we just table that until
29 maybe a break or something and work on some language on that if
30 we have to? Okay. All right. Rosa, is there anything else?

31

32 MS. MEEHAN: That's it.

33

34 CHAIRMAN O'HARA: And any other questions you might have,
35 Council members? Thank you.

36

37 MS. MEEHAN: Okay. If you have further comments or, you
38 know, work something out, please send them into us.

39

40 CHAIRMAN O'HARA: Okay.

41

42 MS. MEEHAN: April 20th is our deadline for receiving
43 comments.

44

45 CHAIRMAN O'HARA: All right.

46

47 MR. HEYANO: April what?

48

49 MS. MEEHAN: April 20th.

50

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1 CHAIRMAN O'HARA: Thank you very much. Appreciate your
2 work. Council members, we probably should take a break and work
3 until 5:00, come back at 7:00. Take a 10 minute break and then
4 we'll be on our way.

5
6 (Off record)

7
8 (On record)

9
10 CHAIRMAN O'HARA: Are we ready, David?

11
12 MR. HAYNES: We're on record.

13
14 CHAIRMAN O'HARA: Call the meeting back to order. And
15 the record, David, here mentioned to me just in the way of an
16 announcement, that when we walk out the door here at 5:00 o'clock
17 tonight, that he locks the door because of the equipment. And
18 he'll be back here at 6:45 to let you in. So don't come back too
19 much early than 6:45 or you're going to be standing outside, and
20 because he has to lock the door. Okay.

21
22 And at this time we're on a second motion on this
23 fisheries issue and it has to deal with c&t in relationship to
24 rainbow trout. Did you work out something, Robert?

25
26 MR. HEYANO: I think some people around here, Mr.
27 Chairman, have the language, but boy it's -- I didn't get it. I
28 think everybody knows what the intent it.

29
30 CHAIRMAN O'HARA: Well, let's work it up later then. We
31 can even put it under new business if we need to.

32
33 MR. HEYANO: Yeah. And I think one more thing that was
34 brought to my attention, Mr. Chairman, during the break is that
35 there is no c&t findings for some other communities in our region
36 and namely Egegik, Pilot Point, Nushagak, Port Heiden and I think
37 the Chigniks, Perryville and Ivanoff.

38
39 CHAIRMAN O'HARA: For what?

40
41 MR. HEYANO: C&t?

42
43 CHAIRMAN O'HARA: For anything?

44
45 MR. HEYANO: For -- well, they're not mentioned here.

46
47 CHAIRMAN O'HARA: For trout?

48
49 MR. HEYANO: Or salmon.

50

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1 CHAIRMAN O'HARA: Oh, my goodness.

2

3 MR. SAMUELSEN: Mr. Chairman, they're mentioned other
4 places, but they need to be added in the c&t section.

5

6 CHAIRMAN O'HARA: Okay. All right. Let's see.....

7

8 MR. HEYANO: And we will work on draft language for this
9 rainbow trout thing too.

10

11 CHAIRMAN O'HARA: Okay. I just have to write myself a
12 little note here real quick. Okay. Was there any other
13 concerns, other than what we're going to take care of a little
14 later on? Or did you want to add now the rest of the communities
15 in on the c&t finding for salmon, if they're not in there?

16

17 MR. SAMUELSEN: So move, Mr. Chairman.

18

19 CHAIRMAN O'HARA: All right. Second?

20

21 MR. BALLUTA: Second.

22

23 CHAIRMAN O'HARA: And the motion is that we want to make
24 sure that like Egegik, Pilot Point, Nushagak, Chigniks on down,
25 Perryville, Ivanoff Bay are going to be included in the salmon
26 part of c&t findings. I mean that's just a given.

27

28 MR. BALLUTA: And I second the motion.

29

30 CHAIRMAN O'HARA: Okay. Everybody in favor say aye.

31

32 IN UNISON: Aye.

33

34 CHAIRMAN O'HARA: Opposed.

35

36 (No opposing responses)

37

38 CHAIRMAN O'HARA: Okay. And we'll work out a definition
39 of this rainbow trout subsistence issue c&t under new business.
40 Any other concerns right now that you want to deal with on
41 fisheries that have been presented to us? Okay. Helga, would
42 you take us to the next agenda item, please. Then we'll try to
43 get that done before dinner tonight.

44

45 MS. EAKON: Okay. We are going to start the process of
46 your deliberation on the Proposals. There's a total of 16
47 Proposals that you'll have to consider. They are all under Tab
48 F in your book. I'm sorry, Fritz George is not here. He went
49 to go cash a check. But right after Tab F we do have a report of
50 the joint meeting of the Representatives of Bristol Bay, the

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1 Yukon-Kuskokwim Regional Council and Western Interior, talking
2 about overlapping proposals. Dan O'Hara was there, as was Pete
3 Abraham, Carl Morgan, who chairs Western Interior Regional
4 Council, as was Fritz George of the Yukon-Kuskokwim Regional
5 Council. Did you have anything to add to that Dan or Pete, to
6 our little meeting there in Anchorage?

7
8 CHAIRMAN O'HARA: Pete, do you have any comment on that?
9 We sat down in Anchorage, Council members, with some of the
10 Council members from Western Alaska. And when Fritz gets back it
11 might be good to have him, if he have any comment, he was there
12 and the concern that they had, and I think the problem that the
13 Federal people were having is that we have overlapping boundaries
14 where people have used subsistence. And it's pretty hard to draw
15 a line and say you can't go beyond this point.

16
17 Now, that was one of the things that we had had a long
18 discussion on. And I think it's rather interesting, I think that
19 when I went in there I pretty well had my boundary drawn, that
20 this is going to be our boundaries and you're not going to come
21 across this line because, you know, from this point on
22 subsistence is ours and, I'm sorry, but you've got to stay on
23 that side of the line. And then we began hearing how people had
24 used the resource so long, long time ago, that we really couldn't
25 say, I'm sorry but, you know, you've got to stay on that side of
26 the line.

27
28 So that was a process that kind of took place as the day
29 went on. Then by the time the day was over we really didn't come
30 to any motion, there was no motion, it was not necessary to have
31 a motion at all. One of the most interesting meetings I was in.
32 And I guess we were brought to the point where we're going to
33 have to take into consideration other districts on some of these
34 subsistence needs too.

35
36 And that's basically what I got out of it. I don't know
37 if I need to add any more to that or not, Helga?

38
39 MS. EAKON: No, that's perfectly fine. And, as a matter
40 of fact, formal action could not be taken because this was not a
41 publicly noticed public meeting, it was just a work session. So
42 we had to be careful not to make any formal motions.

43
44 CHAIRMAN O'HARA: Yeah, that's right. It was very
45 informative. I guess the reason that we were able to get so much
46 done was that we did not have a recording of every word that was
47 said and we just kind of discussed among ourselves some of the
48 common problems that we face. And it was very good. I thought
49 it was a well worthwhile program.

50

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1 MS. EAKON: Okay. The second part before we go into the
2 discussion of the first proposal, is to have Jim Fall come up and
3 tell you the findings of the study of subsistence harvest and
4 uses or caribou, moose and brown bear in 12 Alaska Peninsula
5 communities. And he is accompanied by Ted Krieg of Bristol Bay
6 Native Association.

7
8 MR. FALL: Thank you, Mr. Chairman. Again, my name is
9 Jim Fall and I'm the Regional Program Manager for the Division of
10 Subsistence in Anchorage. And the last three years the Division
11 of Subsistence has worked with the Bristol Bay Native Association
12 on a study of subsistence harvests and uses of caribou, moose and
13 brown bear in 12 Alaska Peninsula communities. Those are the
14 communities of GMU 9(C) and 9(E). And this work was largely
15 supported by the U.S. Fish and Wildlife Service, Office of
16 Subsistence Management.

17
18 And what we'd like to do is very briefly describe the
19 study, the methods that we used and then show you some of the
20 results so that the Regional Council has an idea of what kinds of
21 information is indeed available from this research. And Ted is
22 going to take over and describe how we did the study.

23
24 MR. KRIEG: My name is Ted Krieg with Bristol Bay Native
25 Association, Natural Resource Department. I guess I've given you
26 kind of an overview of how these surveys went before. But with
27 Jim's overheads here it will be a little more comprehensive. And
28 if you have questions feel free to ask them at the end.

29
30 The BBNA Natural Resource Department worked cooperatively
31 with the Division of Subsistence, Alaska Department of Fish and
32 Game. The Natural Resource Department did the majority of the
33 field work and the Subsistence Division handled the data
34 management and compiled the report. And this varied I guess over
35 the two years of the survey, the participation that each of us
36 had in it, but basically that was the set up.

37
38 The project was funded with the cooperative agreement
39 from the Office of Subsistence Management, U.S. Fish and Wildlife
40 Service. Primary purpose, document contemporary subsistence
41 harvest and use patterns of caribou, moose and brown bear in the
42 communities of Game Management Unit 9(C) and 9(E).

43
44 Data was gathered systematically by household interviews
45 conducted in person in each study community. Local residents
46 were hired as surveyors and assistants and trained to do the
47 interviews. The people that helped with the surveys -- I guess
48 I'm going to start out, in three communities we were able to have
49 surveyors that had worked with us in the past and they worked
50 independently, you know, with no assistance from me or from

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1 anyone from the Alaska Department of Fish and Game.

2

3 And those three communities were in Chignik Lagoon, Nancy
4 Anderson did the surveys; in Naknek, Smiley Knutsen; and in Pilot
5 Point, Nikki Shanigan. In Chignik Bay, Debbie Daugherty assisted
6 me with the surveys. Chignik Lake, at least in the second round
7 of surveys, Molly Chythlook with ADF&G Subsistence Division here
8 out of Dillingham worked with Elizabeth Lind. In Egegik, Roy
9 White and Lucy Goode helped me. Ivanoff Bay I got some
10 assistance from Karen Kalmakoff. King Salmon, Ralph Angasan, Jr.
11 Perryville it was Ivan Kosbruk. Port Heiden, Bobby Christensen.
12 South Naknek, Joe Savo and Viola Savo and in Ugashik, Arthur
13 Condardy, Jr. And this was just the second round, the most
14 recent round of surveys.

15

16 There were two rounds of interviews, the most recent one
17 was compiled last fall and we collected information for three
18 study years over the two -- you know, both study times. Each
19 study year matches a regulatory year as defined in the State and
20 the Federal regs. And that's from July 1st through June 30th.
21 So the years we had information for are the '94-95 regulatory
22 year, '95-96 regulatory year and the '96-97 regulatory year.

23

24 The study communities were in Game Management Unit 9(C),
25 King Salmon, Naknek, South Naknek. And 9(E), Egegik, Pilot
26 Point, Port Heiden, Nushagak and the Pacific Drainage portion of
27 9(E), Chignik Bay, Chignik Lagoon, Chignik Lake, Ivanoff Bay and
28 Perryville.

29

30 In the two largest communities, Naknek and King Salmon,
31 we did a random sample of 30 percent of the households. For the
32 other 10 communities the goal was to do a survey in every
33 household. In total for the '94-95 regulatory year, surveys were
34 done in 316 households and which represented 51.9 percent of all
35 of the households. '95-96, 324 households were interviewed,
36 which represented 52.2 percent of all the households in the
37 region. And in '96-97 year, 313 households, which represented
38 55.1 percent of all the households. Participation in the survey
39 was entirely voluntary. Individual household information was not
40 released, data is compiled for each community as a whole.

41

42 I have a survey form here if anyone is interested in
43 looking at the format. I only have one. But the questions that
44 were asked for each household, for each species, for caribou,
45 moose, brown bear, the household was asked if they used the
46 resource, hunted the resource and then there was a distinction
47 made. I mean they could have hunted but not harvested, so if
48 they harvested the resource, if they received any of the
49 resource, if someone gave them some meat, and if they gave any
50 other resource away, and that included any meat that was given to

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1 them also.

2

3 The number of hunters in the household who hunted for
4 each resource were also recorded. And for each animal that was
5 caught, we recorded the month, a general location and the sex of
6 each animal. For each animal that was recorded we also had a
7 base map with a clear sheet of mylar on it that we had lined up
8 for each -- you know, each household got their own overlay and we
9 mapped kill site locations. Also asked was whether each
10 household's needs were met. And finally each household was asked
11 if they had any questions, comments or concerns about the survey,
12 subsistence in general or anything important to them. That ends
13 my portion of it. Are there any questions?

14

15 CHAIRMAN O'HARA: Any questions, Council members? Ted,
16 when you did King Salmon and Naknek, you said you did 30 percent
17 of the homes?

18

19 MR. KRIEG: Yes.

20

21 CHAIRMAN O'HARA: And that was just -- King Salmon as you
22 know has a big percentage of government workers. So did Bucko,
23 Ralph Anderson, Jr., help you with that, was he the one?

24

25 MR. KRIEG: He got me set up. You know, I coordinated
26 with him, but a lot of it I did own my own, yeah.

27

28 CHAIRMAN O'HARA: Yourself. In other words, you didn't
29 spend all your time in FA housing.....

30

31 MR. KRIEG: No. We had what we felt was a comprehensive
32 list of all of the households, and then our 30 percent sample
33 came out of that. I mean there were a fair number of Federal
34 employees, but it was supposed to represent a random sample.

35

36 CHAIRMAN O'HARA: Any other questions, Council members?
37 Thank you very much. Appreciate it.

38

39 MR. FALL: Okay. And on the second half I'll just
40 mention a few of the findings. First of all, for the first round
41 of surveys we wrote up the findings after review by the
42 communities in a Division of Subsistence Technical Paper. It's
43 Technical Paper No. 240. And it has tables and graphs and color
44 maps that show harvest areas. And the color maps for this year
45 are on the back wall too and you can take a look at those.

46

47 And how we reported the harvest location information was
48 aggregated by uniform coding subunit. People actually marked the
49 location of their harvest on the mylar, but we never release
50 individual information like that. What was done is that each

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1 point was entered into a computer program and then we calculated
2 how many animals were taken within a uniform coding unit as
3 defined by the Department of Fish and Game. And the maps have a
4 color code which basically show various levels of harvest. So
5 you can basically see where the density of harvest is occurring
6 in the units.

7
8 And we could do maps in other ways too, like show where
9 the different communities go, but we haven't done that yet. And
10 the next two years, the Technical Paper is now in production.
11 It'll be Technical Paper 244, and it's in a draft form right
12 here. It's not ready for release.

13
14 And the information that we're going to show you now for
15 the last two years is draft information. We want to show it to
16 the Regional Council because we think it's an important study to
17 know about. When we do have our meeting to discuss caribou and
18 moose in this area, we'll have final information. What I'm
19 leading up to is that the information I'm going to show you, if
20 you want to use it in some other form, please contact Ted or me
21 first to make sure it's the final information.

22
23 We should mention that community review was an important
24 part of this project and the tables and draft maps are provided
25 to each community government for their review before we complete
26 the study. I'll just show you a couple of bar graphs that show
27 some of the characteristics of us. This is caribou for the three
28 years of the work. And the first set of bars there show the
29 percentage of households that use caribou. This is for all the
30 communities combined. And you can see it's a very, very high
31 percentage. Not a surprising finding for anybody that's here.
32 And that didn't change all that much over the three years. Each
33 bar on the set is a different year. So you can compare the three
34 years and if you notice any trends or anything, that's part of
35 the goal. Most households in these communities also hunt
36 caribou. And most of them harvested caribou. Most of the
37 hunters that we interviewed were successful. A very high
38 percentage receive caribou meat, but not as high as moose, you'll
39 see in a second. And giving away of caribou is pretty common
40 too.

41
42 Now, let's look at the next one. We've seen some of
43 these data before. These are our harvest estimates for the three
44 years. If you look all the way over to the right, we estimate
45 that the residents of these 12 communities harvested about 1,345
46 caribou in the first study year, about 1,100 the second study
47 year and about 1,050 in the third study year. Those estimates by
48 statistical methods are not significantly different. Looking at
49 these by subunits -- now these are not where the harvest took
50 place, these are harvests by people who live in those subunits.

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1 9(C) is interesting, look at the higher harvest that first year.
2 Hunters and others attribute that to the presence of Mulchatna
3 animals in large numbers. In 9(C) they were not there the next
4 two years. And you do see a drop off in harvest there.

5
6 In 9(E), Bristol Bay, that's Port Heiden, Pilot Point,
7 Nushagak and Egegik, combined fairly steady harvest over the
8 three years. In the Chigniks, Perryville and Ivanoff Bay, a
9 decline in harvest over the three years. And a lot of those
10 animals are not taken on the Pacific side, they're taken around
11 Port Heiden and around Ilnik and places like that. But that's by
12 those people. Will you show the next one, Ted.

13
14 There were questions about the composition of the harvest
15 by sex and it's about two to one in the subsistence harvest. And
16 this again was fairly steady over time, the two bulls were taken
17 for every cow. And in our reports we do break this out by month
18 and by community. So if you want to look at a particular month
19 and see what the proportion of bulls to cows is in the
20 subsistence harvest you can know that from this work.

21
22 And lets take a look at moose. The percentage of
23 households using moose overall is slightly lower than caribou.
24 Remember, caribou was 80 to 90 percent; moose is about 55 to 60
25 percent. This again is not a surprising finding for a variety of
26 reasons. Not as many moose are taken. Caribou in both
27 communities as you know are preferred over moose. But,
28 nevertheless, households use moose. A smaller percentage hunt
29 moose. And you'll notice only about half the first two years
30 were successful and about a third were successful in the third
31 year of the study, that middle set of bars. Notice the very high
32 level of sharing of moose meat. Very, very consistent over the
33 three years of the study. And most people that harvest moose,
34 again not a surprising finding, give a lot of it away to friends
35 and relatives and elders and other people who need it.

36
37 Our estimates of moose are the next overhead. Our
38 estimate for the first two years was basically the same, 127 and
39 118. And you notice that within each of the three sub-areas it
40 also was about the same those first two years. Now, our
41 preliminary results do show a notable drop. It doesn't pass
42 statistical tests, but you still do notice that there were a lot
43 less moose reported in our survey that third year. We're right
44 now evaluating that estimate. There are some questions about it.
45 For example, from harvest tickets we know that at least seven
46 moose were taken by King Salmon hunters in the winter of that
47 year and we didn't get any. So it's raised some questions for us
48 about our sample; we need to look at that and we might have to
49 put an asterisk or something on some of these graphics and
50 evaluate that estimate.

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1 But notice that the harvests were down in the other two
2 areas as well in the Port Heiden and Pilot Point area over the
3 three years, especially in that third year, as well as over in
4 the Chigniks. And those look like pretty good estimates to us.
5 The bull/cow harvest were for moose, this is the same thing that
6 we can do for caribou. Most people take bulls and not a
7 surprising finding but that gives you some idea of the ratios of
8 bulls to cows in the subsistence harvest. And that again can be
9 looked at by month.

10
11 And, finally, the second to last graph is brown bear,
12 which was the third resource that we looked at. In contrast to
13 moose and caribou, a minority of households used, hunted,
14 harvest, received and gave away brown bear. These results were
15 also very consistent over the three years of the study. The vast
16 majority of the users, hunters and harvesters and receivers and
17 givers of brown bear live in three communities, Chignik Lake,
18 Perryville and Ivanoff Bay. The next one just shows our
19 estimates of brown bears. Now, the scale has changed on this.
20 This no where equals what we saw for caribou and moose.

21
22 We counted 13 subsistence brown bears for the first study
23 year, 18 the second and eight in the third. And you'll see that
24 most of those in each of the three study years were taken in the
25 Pacific side. And those are all harvests by Perryville, Ivanoff
26 Bay and Chignik Lake. And that's just some highlights of the
27 study and we'll certainly make sure that the full set of
28 information, the Technical Paper is provided to all the Regional
29 Council members, as it will be to the Refuges and to the Federal
30 and State Staff and other people who want it. And the final
31 report I hope is done in early April.

32
33 CHAIRMAN O'HARA: Okay. Any questions, Council members?
34 Thank you very much.

35
36 MR. FALL: Thank you.

37
38 CHAIRMAN O'HARA: Are you finished with the overhead now?

39
40 MR. FALL: Yes.

41
42 CHAIRMAN O'HARA: Okay. Could we have the lights on.
43 Appreciate it. Let's see, I think we don't have any more on this
44 subject. It's 43 that we have a public comment on, Proposal 43.
45 So it's a c&t finding, is that right?

46
47 MS. EAKON: Yes, whatever I gave you. Yes, 43.

48
49 CHAIRMAN O'HARA: Okay. John, we'll wait until 43, or do
50 you want to do it now?

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1 MR. KNUTSEN: I do want to make a comment, but I should
2 have made one for both. And it's regarding the survey.

3
4 CHAIRMAN O'HARA: Sure. Come on up and talk to the
5 microphone. And we'll go to dinner after you talk to us.

6
7 MR. KNUTSEN: Thank you. I should have submitted a green
8 slip or whatever color slip it is; purple slip. My name is John
9 C. Knutsen and I'm representing the shareholders of Paug-Vik,
10 Inc., Limited. And I also have some information from South
11 Naknek and the Naknek Village Council. My primary testimony will
12 be on the c&t determination for brown bear in 9(C), but I did
13 want to make a comment on the survey that he just reported on.

14
15 As you heard him say, I did the survey for the Naknek
16 area. And you should also know that during the winter I'm a
17 permanent/part-time seasonal worker for the U.S. Fish and
18 Wildlife Service, although I am in no way representing that
19 entity right now.

20
21 CHAIRMAN O'HARA: Okay.

22
23 MR. KNUTSEN: And I also contract with the State of
24 Alaska in the summertime. But, there again I'm representing the
25 Village of Naknek. I've not only done the large mammal survey,
26 and I don't know if he mentioned it or not, but it's a random
27 sampling. It's not every household because of the size of the
28 community. And although I did the survey, I didn't like the idea
29 that there are so few users of brown bear. And on top of the
30 fact that we are not allowed, it's been determined that we don't
31 have customary and traditional hunting privileges, we can't. And
32 that just doesn't come out in the survey. We can't, so therefore
33 it's not going to show that we do. Hopefully, later on tomorrow
34 or later this evening I'll be able to give a presentation on
35 that.

36
37 And in regard to other surveys, I do the migratory use
38 survey for Naknek, King Salmon and South Naknek. Now, we also
39 had a choice there of either random sampling for the community
40 because of the size, but because of the limited amount of use in
41 the springtime by local residents, you all understand that King
42 Salmon especially and Naknek aren't really a big percent of
43 traditional users there. So had we gone to the random sampling
44 there with the migratory bird use survey, the numbers would have
45 been a lot lower than what they will be.

46
47 So in considering all of this I just wanted the Council
48 to understand how we feel about the surveys that were taken for
49 the large mammal and also the migratory bird. Of course you
50 don't have anything to do with that, but I just wanted to clarify

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1 that and I thank you, Mr. Chairman, for allowing me to.

2

3 CHAIRMAN O'HARA: Sure. Any questions that you might
4 have, Council members? Thank you very much, Smiley, we
5 appreciate you. Well, it's 5:00 o'clock or thereafter, I think
6 we should recess until 7:00, is that okay? 6:45 the doors will
7 swing wide open.

8

9 (Off record)

10

11 (On record)

12

13 MR. HAYNES: We're on record.

14

15 CHAIRMAN O'HARA: Okay. One minute after 7:00, I'll call
16 the meeting back to order. At this time we're going to be doing
17 proposals. And proposals are under Tab F. No problem finding
18 that. And we're doing 43, 45 and 46 together.

19

20 MS. EAKON: The proposals start on page 17 of the
21 analysis portion of the book, which is under Tab F as in Fahey.

22

23 CHAIRMAN O'HARA: All right.

24

25 MS. EAKON: Proposals 43, 45 and 46 would revise
26 customary and traditional use determinations for brown bear in
27 Unit 9. They were combined for analysis and Pat McClenahan is
28 the lead.

29

30 CHAIRMAN O'HARA: All right. Pat, would you help us out,
31 please?

32

33 MS. McCLENAHAN: I'll do my best.

34

35 CHAIRMAN O'HARA: Give your name to the gentleman over
36 there.

37

38 MS. McCLENAHAN: I'm Pat McClenahan, I'm the Staff
39 Anthropologist for the Office of Subsistence Management. This is
40 a complex proposal analysis including, as Helga said, Proposal
41 98-45, 98-46 and 98-43.

42

43 CHAIRMAN O'HARA: Are you talking proposals?

44

45 MS. McCLENAHAN: Yes.

46

47 CHAIRMAN O'HARA: I thought we were 43, 45 and 46?

48

49 MS. McCLENAHAN: Yeah, that's it, 43, 45 and 46.

50

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1 MS. EAKON: Yes. This is the beginning of your
2 deliberations on the proposals.

3
4 MS. McCLENAHAN: This is the analysis for those three.

5
6 CHAIRMAN O'HARA: Okay.

7
8 MS. McCLENAHAN: Now, I've left Proposal 43 kind of to
9 last because it was submitted by the Kodiak Aleutians Regional
10 Advisory Council, it's from Region 3, and Rachel Mason and I
11 worked on these together. They are adjacent to our reason, they
12 could affect you but, you know, you'll have to decide what you
13 want to do about it.

14
15 Proposal 98-45, however, was submitted by the Bristol Bay
16 Native Association. The Bristol Bay Subsistence Regional
17 Advisory Council, Beth Joy Abalama and John Knutsen, and it
18 requests a positive customary and traditional use determination
19 for Units 9(A), 9(C) and 9(D) brown bear for rural residents of
20 Units 9(A), 9(C) and 9(D). This proposal was deferred in 1997
21 until more information became available.

22
23 Proposal 98-46, submitted by the Pilot Point Traditional
24 Council this last year in 1997, requests that the residents of
25 Pilot Point be added to the existing c&t finding for brown bear
26 in Unit 9(E). And then 98-43, which was submitted by the
27 Kodiak/Aleutians Regional Advisory Council requests a positive
28 c&t use determination for Unit 9(D), for residents of unit 9(D)
29 and in Unit 10, Unimak Island only for residents of Unit 9(D) and
30 10, Unimak Island. Units 9(D) and 10 are in Region 3.

31
32 These three proposals were analyzed together because all
33 three involve the customary and traditional uses of brown bear on
34 the Alaska Peninsula. The current Federal customary and
35 traditional use determination for brown bear in the units under
36 discussion is: Unit 9, brown bear; Units 9(A), 9(C) and 9(D),
37 currently there's no Federal subsistence priority; Unit 9(B),
38 rural residents of Unit 9(B); Unit 9(E), residents of Chignik
39 Lake, Egegik, Ivanoff Bay, Perryville and Port Heiden/Meshik;
40 Unit 10, Unimak Island, no determination.

41
42 Nearly 50 percent of the lands in Unit 9 are under
43 Federal management, and include Becharof National Wildlife
44 Refuge, Alaska Peninsula National Wildlife Refuge, Izembek
45 National Wildlife Refuge, Lake Clark National Park and Preserve
46 of which 3,653,000 acres are opened to subsistence hunting for
47 resident zone community residents. Katmai National Park and
48 Preserve, 382,074 acres in the Preserve are open to hunting.
49 Aniakchak National Monument and Preserve, of which 572,000 acres
50 are open to subsistence hunting for the resident zone community

1 members, and Bureau of Land Management lands.

2

3 Unit 9(A): In Unit 9(A) there are no communities,
4 however, Pedro Bay is documented as having customarily and
5 traditionally used that unit to hunt brown bear and moose
6 according to one subsistence use study and a local informant. In
7 the past, Iliamna and King Salmon also hunted brown bear in Unit
8 9(A), according to the sealing records.

9

10 Unit 9(C): King Salmon, Naknek and South Naknek. While
11 there's evidence of historic use of brown bears, according to the
12 most recent subsistence use studies, which you heard a report on
13 this evening, the greater majority of Upper Alaska Peninsula
14 residents no longer subsistence hunt and use brown bears. And,
15 in fact, you might want to hark back to John Knutsen's comments
16 about that earlier tonight. And it is in fact John's extended
17 family that is interesting in continuing to hunt and use brown
18 bears.

19

20 Previously, residents hunted on Naknek Lake in the area
21 that was incorporated into Katmai National Park. Some of the
22 hunters stopped hunting bears when they were no longer able to
23 use their traditional locations, such as Naknek Lake. Sealing
24 records show that during the past 20 years the rural residents of
25 Unit 9(C) have hunted the small number of bears over the years
26 primarily in Unit 9(C). However, the sealing records may be
27 incomplete and they do not differentiate between sports hunters
28 and subsistence hunters. This is an important point since the
29 military had been in the area for a long time. They are no
30 longer here though as I understand it.

31

32 In 1994 and 1995 at least one household in each community
33 reported either using or attempting to use brown bear, according
34 to this recent BBNA Harvest Study. During the 1995-1996 season,
35 none of the sampled households in that 30 percent sample in King
36 Salmon or Naknek reported hunting or using brown bear. 2.7
37 percent of South Naknek residents sampled reported brown bear and
38 10.8 percent reported using brown bear products that year. In
39 1996-1997, none of the sampled households in Naknek, King Salmon
40 or South Naknek reported hunting brown bears. And only 2.7
41 percent of sampled households in South Naknek reported using bear
42 products during the year. According to one Naknek resident, the
43 hunters in his community are not likely to take more than four
44 bears a year, as bears are a food supplement.

45

46 Unit 9(E); Mid-Alaska Peninsula Subregion, Bristol Bay
47 side, that's Egegik, Pilot Point, Port Heiden and Ugashik. Bears
48 were used historically. Egegik and Pilot Point elders report
49 that the communities have a history of harvesting bear for
50 subsistence. Sealing records and a map provided by the Pilot

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1 Point Traditional Council show that bear hunting takes place in
2 Unit 9(E). According to the most recent studies by BBNA and
3 ADF&G, at least one household in each community reported either
4 using or attempting to take brown bear during that year. During
5 the 1996/97 study, Egegik and Port Heiden reported using and/or
6 taking brown bear.

7
8 Brown bear use in this subregion is compared to that of
9 the Pacific Ocean Drainages where some of the communities hunt
10 and use brown bear in Unit 9(E). Recent studies in the mid-1990s
11 found that most households in Chignik Lake, Perryville and
12 Ivanoff Bay use brown bear meat or fat for subsistence purposes.

13
14 Unit 9(D) and Unit 10 in Region 3, Cold Bay, False Pass,
15 King Cove, Nelson Lagoon and Sand Point. In lists of subsistence
16 resources for these communities, brown bear is not listed. Brown
17 bears are no longer used for subsistence in False Pass. In 1992
18 one percent of Sand Point households and 1.3 percent of King Cove
19 households used brown bear.

20
21 Going back to Unit 9(A), Pedro Bay is a resident zone
22 community of Lake Clark National Park and Preserve. Pedro Bay
23 residents hunt brown bears and moose along the boundary of Units
24 9(A) and 9(B) in the upper Iliamna River Drainages and drainages
25 that feed Lake Clark in the Chigmit Mountains, and they hunt
26 brown bears in and around Chulitna Bay in Unit 9(A). This
27 documentation came from ADF&G reports, published reports, and
28 also from a Pedro Bay resident.

29
30 Pilot Point residents hunt brown bears in the Ugashik
31 Drainage. And, in fact, at the end of this analysis there is a
32 map that Pilot Point residents provided us that you may want to
33 look at.

34
35 CHAIRMAN O'HARA: What page?

36
37 MS. McCLENAHAN: Let's see if I can figure it out. It's
38 probably page 48.

39
40 CHAIRMAN O'HARA: Okay. Thank you.

41
42 MS. McCLENAHAN: In going through the existing ADF&G
43 studies, I found no subsistence use area information or maps that
44 had been published for this particular community. And no maps
45 specific to harvest of brown bear are among the harvest use area
46 maps available for the Lower Alaska Peninsula Subregion.

47
48 Staff preliminary conclusions are for Unit 9(A) to
49 support a positive customary and traditional use finding for
50 brown bear by the residents of Pedro Bay. For Unit 9(C), there

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1 is evidence of historic subsistence use of brown bear. There is
2 archaeological evidence as I reported before to you. There are
3 also some ethnographic reports of brown bear being used by
4 residents of Unit 9(C). However, regarding modern use of the
5 resource, information in the most recent subsistence use studies
6 does not show current subsistence use of brown bear by the
7 residents of Unit 9(C). The residents of Unit 9(C) do not have
8 a positive customary and traditional use finding to hunt brown
9 bear. But our recommendation is to not support the request for
10 a positive c&t determination in Unit 9(C).

11
12 For Unit 9(E), Pilot Point, some information, including
13 the subsistence use area map that I referred you to, has been
14 provided by the Pilot Point Traditional Council and residents.
15 However, while it satisfies the information requirements of
16 factor four, there is no information about whether there's a long
17 term consistent pattern of use of brown bear.

18
19 Tim Enright has tried to help me get information about
20 this and we've located three residents who said they use brown
21 bear or would like to use it. One was an elder who no longer
22 hunts, and then the other two families, one member of each family
23 was from another area. The information provided by the Pilot
24 Point Traditional Council is not sufficient to support the
25 request for a positive customary and traditional use
26 determination. And so our preliminary recommendation is not to
27 support the request for a positive c&t.

28
29 For Unit 9(D) and 10 in Region 3, there is no evidence
30 that the subsistence use of brown bear by residents in Unit 9(D)
31 and 10, Unimak Island, currently takes place. Do not support the
32 request for a positive c&t use determination in Units 9(D) and
33 10.

34
35 CHAIRMAN O'HARA: And that covers, Pat, 43, 45 and 46?

36
37 MS. McCLENAHAN: Uh-huh (affirmative).

38
39 CHAIRMAN O'HARA: Council members, do you have any
40 questions of Pat McClenahan on any of this c&t findings? None?
41 Thank you very much, appreciate that. Helga, do we go to the
42 Alaska Department of Fish and Game now?

43
44 MS. EAKON: That is correct.

45
46 CHAIRMAN O'HARA: All right.

47
48 MR. SAMUELSEN: Maybe one question, Mr. Chairman.

49
50 CHAIRMAN O'HARA: Okay.

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1 MR. SAMUELSEN: Unit 9(C), in your preliminary
2 conclusions there there's no evidence that shows current
3 participation, subsistence participation use of brown bear. In
4 making a c&t finding wouldn't we have to base it on past
5 participation, not current participation?
6

7 MS. McCLENAHAN: Which was disrupted by the formation of
8 Katmai National Park as far as I've been able to understand it.
9

10 MR. SAMUELSEN: But I'm kind of puzzled. Because we
11 didn't find current participation, and Staff comes out with
12 preliminary conclusion that they do not support a positive c&t
13 based on no present use. So there seems to be a conflict here.
14 What's happening?
15

16 MS. McCLENAHAN: What I gave you is all that I have.
17

18 MR. SAMUELSEN: Okay.
19

20 MS. McCLENAHAN: And we're trying to meet the eight
21 factors. And I haven't gotten any other information. I
22 interviewed John Knutsen and that's where I got a lot of the
23 information that you'll find in this analysis about historic use.
24 But other people, I have not gotten anybody else in the community
25 to talk about their use, either current or otherwise. I do have
26 one other -- one of John's relatives, Susan Savage and I
27 interviewed him in the early 1990s and he gave us similar
28 information to that which John gave us, just for your
29 information.
30

31 MR. SAMUELSEN: Okay.
32

33 CHAIRMAN O'HARA: Do you have any more questions?
34

35 MR. SAMUELSEN: No.
36

37 CHAIRMAN O'HARA: Any other questions from the Council
38 members? Pat, the criteria then is not past use, but present use
39 in order to find a c&t?
40

41 MS. McCLENAHAN: I think that we need as much information
42 as we can get about use, both past and present. And the fact
43 that a disruption is taken into account.
44

45 CHAIRMAN O'HARA: Well, I mean, yeah, they made the park.
46 But I'm still not getting an answer to my question. I know
47 there's elders in Naknek and South Naknek that have eaten brown
48 bear, you know, when they were young or maybe even in the latter
49 years. But that still doesn't constitute a c&t finding for the
50 community, huh?

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1 MS. McCLENAHAN: I think that what we were looking for is
2 more modern use. The ADF&G/BBNA study did not find much, if any
3 modern use.

4
5 CHAIRMAN O'HARA: Okay. So when ANILCA under Title VIII
6 established what we're doing here today, they wrote the criteria
7 saying if it wasn't modern, I mean within the last three years,
8 then there is no c&t findings?

9
10 MS. McCLENAHAN: I think they look for like the last 10
11 years or the last 20 years. And I have information from two
12 people only from the community. And I don't have information
13 from other members of the community to support that.

14
15 CHAIRMAN O'HARA: And, Ted did a cross-section of 30
16 percent of the people and still didn't find anybody who'd
17 previously used bears?

18
19 MS. McCLENAHAN: Very, very limited.

20
21 CHAIRMAN O'HARA: Wow. Well, that's one we have to
22 wrestle with on this.....

23
24 MR. ENRIGHT: Mr. Chairman?

25
26 CHAIRMAN O'HARA: Yeah, Ted -- Tim.

27
28 MR. ENRIGHT: You know there's one problem I found out
29 down there, you know, when I was talking to different people. I
30 know for a fact myself that there's people who get bears, but one
31 of the problems you have down there, you've got a season where
32 it's closed, every other year it's opened, you know. And then
33 people go out and shoot a bear out of season, you know, they're
34 not going to tell me or you or anybody else, well, yeah, I shot
35 a bear. Or they might kill 20, I don't know. But see that's one
36 thing, they won't say because they're afraid if they say
37 something somebody's going to get word and then they'll have to
38 go to court over it. So there's a lot of that going on. So, I
39 don't know.

40
41 CHAIRMAN O'HARA: Well, if you don't tell, I guess you're
42 not going to get.....

43
44 MR. ENRIGHT: Yeah.

45
46 CHAIRMAN O'HARA: Helga?

47
48 MS. EAKON: Late breaking news on Proposal 46, that was
49 from the Pilot Point Council, they would like this proposal to be
50 tabled for a year until they could get more information. And I

00148

1 spoke to Nikki Shanigan and Ted just spoke with her just now.

2
3 MR. KRIEG: Actually, Marlene.

4
5 MS. EAKON: Marlene. So they would like the Regional
6 Council to table action for a year on Proposal 46.

7
8 CHAIRMAN O'HARA: And they're in Unit E?

9
10 MS. EAKON: Yes.

11
12 CHAIRMAN O'HARA: 9(E).

13
14 MS. EAKON: Yes.

15
16 CHAIRMAN O'HARA: Okay. We still have some more hoops to
17 jump through here. If we don't have any further questions of
18 Mrs. McClenahan. Pat, yes?

19
20 MS. MCCLENAHAN: Something that Rosa just brought up that
21 I should kind of review with you is the fact that what we're
22 looking for is information for each of the eight factors. And
23 when I do my analysis you'll see that I arrange it that way, by
24 factor. And in particular factors one and four are of
25 significance. One, a long term consistent pattern of use,
26 excluding interruptions beyond the control of the community or
27 area. And, factor four, the consistent harvest and use of fish
28 and wildlife as related to past methods and means of taking near
29 or reasonably accessible from the community or the area. Those
30 we look for first. And then another factor that we look for is
31 the taking of a wide variety of resources by the community.

32
33 CHAIRMAN O'HARA: Okay. No other comments, Council
34 members? All right. Let's have the Alaska Department -- did you
35 have a question?

36
37 MR. SAMUELSEN: I think we need a little discussion on
38 applying the eight criteria that we need to use to determine a
39 c&t finding. When I was on the Alaska Board of Fish we did c&ts
40 in all of Southeast Alaska. And because of the regulatory
41 processes some of the old traditional practices were excluded by
42 regulations adopted by the Board of Fish. So the activity didn't
43 cease in the subsistence users eyes, they just did it when nobody
44 was looking and the Department wasn't looking and the Board did
45 find c&ts.

46
47 And Pat referred to number 1, a long term consistent
48 pattern of use, excluding interruptions beyond the control of the
49 community or area.

50

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1 CHAIRMAN O'HARA: Such as the park.

2

3 MR. SAMUELSEN: And that's a very important aspect of
4 doing a c&t. You know there was reference to three years. Three
5 years is absolutely, from the way I understand making the
6 determinations, if there was a park created 20 years ago and it
7 excluded a c&t subsistence user from participating in a gathering
8 that's been happening since time immemorial, you still apply the
9 criteria number 1, long term consistent, you just go back to that
10 time period when they did it.

11

12 CHAIRMAN O'HARA: I think it's important to take into
13 consideration that when the people went up to Naknek Lake to get
14 a bear it was different than going to the dump and getting a
15 bear. And I don't think anybody wants to eat a bear that's been
16 in the city dump, or been eating your dogs locally around the
17 area. So there's a difference. Rosa, did you have something
18 that -- okay.

19

20 MS. MEEHAN: You're not going there so I'm not going to
21 get in it.

22

23 CHAIRMAN O'HARA: All right. Robert?

24

25 MR. HEYANO: Pat, did I hear you correctly that past
26 history these residents primarily hunted bear that's in the area
27 that's now Katmai Park?

28

29 MS. McCLENAHAN: As I understand it from two members of
30 this extended family, whose history goes back to the early 1900s
31 there in the area.

32

33 CHAIRMAN O'HARA: I don't believe they're going to hurt
34 the bear population by having a c&t finding in that area. Any
35 other questions, Council members? Well, we need to go on to the
36 Alaska Department of Fish and Game is the next one, next
37 division, if they have any comment. And who might be
38 representing -- oh, Sellers, is he here?

39

40 MS. EAKON: Jim Fall.

41

42 CHAIRMAN O'HARA: Oh, you are there. Okay.

43

44 MR. FALL: Thank you, Mr. Chair. Jim Fall, Division of
45 Subsistence. As listed in your proposal book, the Department
46 submitted some written comments and we deferred comments on 43
47 and our recommendation on 45 and 46 was do not adopt. I can
48 amend those briefly now.

49

50 On 43 we have since reviewed the Staff analysis on 43,

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1 which is 9(D), and we're in concurrence with the Office of
2 Subsistence Management's recommendation on 43, which is do not
3 adopt. And on 45 I'd like to make one amendment to our
4 recommendation. In reviewing the c&t analysis, we concur with
5 the Office of Subsistence Management Staff on their
6 recommendation regarding 9(A) and Pedro Bay. The maps that are
7 referred to in the analysis are maps that we did in that
8 community. And there is substantial evidence that people in
9 Pedro Bay have used 9(A) in the past and continue to use brown
10 bears. So I would make that amendment now. Thank you.

11
12 CHAIRMAN O'HARA: Okay. And that's the report from
13 ADF&G, Alaska Department of Fish and Game. Any question, Council
14 members? Thank you very much. Appreciate that, Jim. Are there
15 other agency comments? Okay. We have some requests for public
16 appearance. Ted Krieg, are you representing BBNA today?

17
18 MR. KRIEG: Yes.

19
20 CHAIRMAN O'HARA: All right. Thank you, Pat.

21
22 MR. KRIEG: Ted Krieg, Bristol Bay Native Association,
23 Natural Resource Department. I guess we heard this about the
24 customary and traditional use determination process earlier
25 around fish and it's something I thought I wanted to bring up
26 again. It's kind of taking a whole step back. But this was
27 written up by Bruce Balthar, who was the Staff Attorney for BBNA
28 back in 1992, and he submitted it to the Federal Subsistence
29 Board at that time. And here is the paragraph that he wrote in
30 reference to customary and traditional use determination process:

31
32 The Federal Subsistence Board should abandon the species
33 by species approach to customary and traditional use findings.
34 These findings should be made instead on a geographic basis with
35 all species within a community's customary and traditional use
36 area treated as subsistence species. This would recognize one of
37 the most salient features of subsistence, that is it is
38 opportunistic and that villages traditionally use all subsistence
39 resources that are reasonably available to them.

40
41 And that seems to me to fit more of what really, you
42 know, what subsistence is really about. You know, saying that
43 that one thing -- I mean it may not be used and there may be
44 different factors that have prevented people from using them, you
45 know, using one resource for a while but, you know, I think if
46 the opportunity is there some day it may become necessary to use
47 it.

48
49 I guess the other thing, you know, it seems pretty
50 obvious that Katmai Park plays a big part in this because that

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1 seems to be the traditional area for hunting bear. And I'm just
2 going to read a couple of paragraphs, this is a historic resource
3 study put out by Katmai National Park. Embattled Katmai: A
4 History of Katmai National Monument by John A. Hussey. And it
5 was printed in 1971. And this is on page 369.

6
7 Now, this is in reference to after the Katmai eruption.
8 And it says, by 1918 American Pete, the former leader of Old
9 Savonoski was making annual month long bear hunts near his one
10 time home. Other residents of New Savonoski did the same.
11 Eskimos from that settlement and South Naknek hunted bear along
12 the Savonoski River at least as late as 1939, and Brooks River is
13 still a favorite spot for taking salmon. And it goes on to say
14 American Pete said, you know, they couldn't go back to Savonoski
15 to live because it was all covered with ash.

16
17 And then the next paragraph talks about the flu epidemics
18 that came up later. And I thought this was interesting because
19 it says -- let's see, well, I'll just read the whole paragraph,
20 it's probably easier that way. 54 refugees from the Upper Naknek
21 Drainage were living on New Savonoski when the 1918 flu epidemic
22 swept across Alaska. The toll was heavy along the Bristol Bay
23 Coast. In 1953 only eight former residents of Old Savonoski were
24 still alive, and New Savonoski then had only 19 permanent
25 residents. By 1961 there remained only three persons on the
26 Lower Naknek who had lived at the ancient village at the head of
27 Iliuk Arm.

28
29 And I guess so up till 1940 it's documented in here that
30 they were hunting bear in there. During World War II the
31 military moved in and as I read in here there wasn't really much,
32 it was a National Monument, but nobody was really even stationed
33 there. And it wasn't till after World War II that they actually
34 had, you know, rangers or somebody that was coming in there on a
35 regular basis. And it seems like things started to be more
36 restricted at that time.

37
38 And the other thing that happened is there was a
39 succession of times when the boundaries of Katmai Park were
40 extended out to include more area. And recently talking to
41 people in King Salmon, they pointed out that maybe it was the
42 last extensions that President Johnson extended it, but he said
43 they had a public meeting there and people from the Federal
44 government or the Park or whoever, you know, sat there and told
45 them that this extension wouldn't have any affect on their
46 subsistence, but yet after it happened it was completely closed
47 off.

48
49 So I mean there's obviously a lot that's happened with
50 Katmai Park and that people have just been restricted from going

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1 in there. That's all I've got.

2

3 CHAIRMAN O'HARA: Tom Asplund has that famous line that
4 we didn't have to go to the park, the park came to us. You know,
5 it just kept coming down until there wasn't any more left. Any
6 questions for Ted? Thank you very much.

7

8 MR. KRIEG: I'll hand this around. There's some other
9 interesting things. I don't think it's like real obscure or
10 anything, but.....

11

12 CHAIRMAN O'HARA: We can read that, is that what you're
13 saying?

14

15 MR. KRIEG: Certainly.

16

17 CHAIRMAN O'HARA: Mr. Knutsen, would you come to the
18 podium?

19

20 MR. KNUTSEN: John Knutsen, representing residents of
21 Paug-Vik, Inc., Limited and Naknek. I'm glad you mentioned a lot
22 of things because one of the things I had highlighted, Robin, in
23 the book was a long term consistent pattern of use, excluding
24 interruptions beyond the control of the community or area. And
25 I said, excluding interruptions which in this case was creating
26 Katmai National Park. It appears that we don't have any problem
27 with historic use, but I made up a map with some old pictures and
28 I wanted the Council to see it.

29

30 Well, I'll show it to you. You can see this is a small
31 scale area of Bristol Bay, Naknek Park. This shows a blow-up of
32 this area and over here you'll see a picture of my grandpappy,
33 his two grandsons and him holding a brown bear. This picture was
34 taken at this spot on Naknek Lake in August of 1958. You know,
35 I've always said that if I had one wish it would be that I was 18
36 years old again and knew everything I knew now. But I would
37 change that I guess to if I had one wish, I would be 18 and have
38 a camera with me every time I did something, shot a bear or took
39 a moose.

40

41 But, unfortunately, this is the only time that we ever
42 had a camera with me and I took this picture. One of those
43 little plastic Brownies that were popular back in the 50s. But,
44 anyway, this is a picture of him, this is the area. And what I
45 have here under the captions written on the back of these
46 pictures. And Cathy, who I grew up with, was just thoughtful
47 enough I guess to write in there exactly where the area was and
48 the date and what we were doing at the time. So to me this is
49 historic and from what I've heard, historic we haven't had a
50 problem proving that. But this helps in that sense. So there's

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1 proof of that.

2

3 I do have a few other things that I'll pass out to the
4 Council. And you will see the first page is Resolution 98-01, a
5 resolution in support of a positive determination for customary
6 and traditional use of brown bear in 9(C) for local residents.
7 This was passed and signed by the seven directors of Paug-Vik,
8 Inc., Limited. And I won't read the entire thing, but on the
9 fourth whereas our neighbors north of us in 9(B) and our
10 neighbors south of us in 9(E) were determined to have a c&t use
11 of brown bear resource. And it has been a hardship to rely on
12 these households to provide adequate meat and fat to rural
13 residents of 9(C).

14

15 Now, prior to coming over here I spoke to several people
16 and if you were to go to my home any time that you come over,
17 you'd find a jar of bear fat in my refrigerator, as you would
18 find one in Ralph Angasan's refrigerator or Steve Angasan's.
19 It's just unfortunate that in choosing the random sampling a lot
20 of these places were missed in not only Naknek/King Salmon, but
21 also South Naknek. Now, therefore be it resolved that the
22 Paug-Vik Board of Directors supports a positive c&t
23 determination. And I should mention the fifth whereas, several
24 families and heads of households to include the McCarlos, the
25 Melgenaks, the Angasans, the Wassillies, the Holstroms, the
26 Ansaknoks, the Chakuns, to name a few, traditionally hunted brown
27 bear. And most of the heads of these households of course have
28 passed on and what we have in Naknek now would be the next
29 generation which do occasionally use brown bear meat and fat.
30 But of course we have to acquire it from our friends and
31 relatives north and south of us.

32

33 The second page is a Resolution 98-05, a resolution in
34 support of a positive determination for customary and traditional
35 use of brown bear in 9(C) for local residents. And this was
36 written and passed by the South Naknek Village Council. The
37 third whereas, since statehood, the taking of brown bear later
38 became illegal so therefore have forced those that became
39 accustomed to this delicacy to become poachers or get it from
40 someone else, in reference to what Timothy had to say about
41 people not reporting it.

42

43 Pat had passed out these generic forms for me to have
44 different people fill out. And had I thought that we would have
45 such a hard time acquiring a positive c&t, I would have spent
46 more time getting more statements and working a little more
47 closely with Pat. But I did get one from Ralph and you'll see
48 his comments. Yes, we use bear year after year. We use it for
49 food. And I'm not sure how many they will take, in reply to the
50 question of how many brown bears the hunters in your community

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1 would like to take a year.

2

3 And in asking where they hunted and describing the areas,
4 of course he said Savonoski, Brooks River, Margot Creek, et
5 cetera. And how do people in the community hunt brown bear? We
6 usually hunt as a family. How is the food handled, prepared,
7 preserved, et cetera? The fat is cooked to make bear grease, the
8 meat is frozen or salted. This is traditional. So in listing
9 the variety of subsistence resources he named bear, caribou,
10 moose, redfish, trout, and so on. You'll see that at the bottom
11 of the sheet.

12

13 Now, on the way over this morning, I usually am called by
14 different elders in Naknek to stop by for breakfast, lunch or
15 dinner, and I so happened to get a call this morning, come down
16 for breakfast. And of course breakfast -- they know that I like
17 king salmon head salunuk (ph), so that's what I had for breakfast
18 this morning. And those of you who have used it know what it
19 is. But in talking with this elder I told him I was heading over
20 to Dillingham today and he said, well, I want to testify to the
21 fact that I did hunt and use brown bear and he dictated and I
22 wrote and he signed it at the bottom; my name is Alex Alvarez, I
23 am 75 years old and have lived in the Bristol Bay area all my
24 life. I was born at Red Salmon Cannery in Naknek. I hunted bear
25 with Paul Chukan in and near his cabin at Discovery Bay, which is
26 on Naknek Lake. We hunted bear at Savonoski River and around
27 Brooks River. And he also explained to me that he didn't have
28 the problem back then that you do now at Brooks River of too many
29 bears because they put up the redfish and they hunted brown bear
30 and they just weren't around that area. We put up redfish and
31 families would migrate to Brooks River every fall. I would
32 continue to hunt bear if afforded the opportunity for the meat
33 and fat. Signed, Alex.

34

35 I have a written statement too. I'll try to get you a
36 copy. My name is John C. Knutsen, a rural resident of Naknek,
37 Area 9(C) and Bristol Bay. I am representing the shareholders,
38 the minority of whom are residents of Naknek, Area 9(C) and
39 Bristol Bay. I am also presenting a resolution from the Naknek
40 Native Village Council, which I do have and I did not submit
41 because I didn't get the entire Board of the Village Council to
42 sign it, so I thought it was incomplete, and South Naknek Native
43 Village Council resolution.

44

45 I explained I had the form filled out by this King Salmon
46 resident. I could have gone to all the elders but chose not to
47 as it would be in my opinion not the proper respectful thing to
48 do. All that includes supports a need to find a positive c&t use
49 for brown bear in Area 9(C). The display shows a picture I took
50 my grandpa and two grandsons with a bear he shot in August 1958,

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1 on Naknek Lake. Most subsistence bears were taken on Naknek Lake
2 in the fall. With the expansion of the Park, people then began
3 to rely on bear imported from Iliamna or villages south.

4
5 Several years ago I personally surveyed families in rural
6 Bristol Bay and determined that the maximum amount of bear taken
7 each year would not be more than four a year. A meager amount
8 compared to what's taken by sports hunters. In light of the fact
9 that guides make a living charging phenomenal amounts for each
10 guided bear taken, it would only be logical to allow a simple
11 rural resident the same opportunity to make a living by
12 subsisting off a few bear taken each year. I am not asking to
13 cut back on the bear taken by sportsmen, as a few subsistence
14 bears would not make an impact.

15
16 I believe if only one person or one family wanted the
17 opportunity to subsistence hunt, that person or family should be
18 given that opportunity. It would seem absurd to say villages
19 north of 9(C) and villages south of 9(C) had a positive c&t, but
20 a narrow strip in the middle of 9(C), where there are the densest
21 population of brown bear in the world, would not have a positive
22 c&t use of brown bear.

23
24 As a representative of the Native rural residents of 9(C)
25 I ask that you find that they did indeed hunt and use brown bear
26 and will continue to do so if they have the opportunity to
27 continue to do so. Thank you.

28
29 CHAIRMAN O'HARA: Is that the end of your presentation,
30 John?

31
32 MR. KNUTSEN: Yes.

33
34 CHAIRMAN O'HARA: Any questions of Smiley, Council
35 members? Yeah, Robert.

36
37 MR. HEYANO: Since you can't hunt bear in the Park
38 anymore, where will you people to go hunt bear?

39
40 MR. KNUTSEN: Basically, for the people that I know, have
41 bear from down south or up north. Since most of the bears, and
42 the Park extends so far down, it would either have to be way up
43 Big Creek, or Small Creek doesn't have that many bears, which is
44 a popular place for a lot of the residents to hunt. Small Creek
45 or Big Creek.

46
47 CHAIRMAN O'HARA: Any other questions?

48
49 MR. KNUTSEN: But one other thing I should point out is
50 that if there were a positive c&t determination for 9(C), and in

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1 talking to the Park Ranger at Katmai National Park, as it stands
2 now there are several Native allotments within the Park itself.
3 During the regular State season for moose and caribou, of course
4 those people can hunt moose and caribou on their Native
5 allotment, even though it's in the Park. If there were a
6 positive c&t for brown bear, then they would also be allowed to
7 hunt brown bear on their Native allotment in the Park. But as it
8 stands now, no.

9

10 CHAIRMAN O'HARA: Any other questions? Well thank you
11 very much. We really appreciate the information that you've
12 given us.

13

14 MR. KNUTSEN: Thank you.

15

16 CHAIRMAN O'HARA: It's been really helpful to have that.
17 Thank you.

18

19 MS. McCLENAHAN: Smiley, can I get a copy of that,
20 please?

21

22 MR. KNUTSEN: Sure.

23

24 CHAIRMAN O'HARA: Are there any other members of the
25 public that wanted to testify tonight? I don't know if we got
26 all the requests in or not, but we don't want to leave you out.
27 Okay. We'll close public testimony and turn the proposal actions
28 over to Council members, 43, 45 and 46. Pardon me?

29

30 MS. EAKON: Written public comments.

31

32 CHAIRMAN O'HARA: Oh, excuse me, I'm sorry. I completely
33 left that out.

34

35 MS. EAKON: Okay. Proposal 43, the recommendation of the
36 Kodiak/Aleutians Regional Council is to defer action on Units
37 ((E) and 10 until more information can be gathered. The
38 Aleutians/Pribilof Islands Association, Incorporated, supports
39 the changes recommended. That's regarding Proposal 43. These
40 changes more accurately describe the customary and traditional
41 subsistence usage of game in these areas.

42

43 Regarding Proposal 45, the Aniakchak Subsistence Resource
44 Commission supports the proposal with modification for use of
45 brown bear in Unit 9(E) to include the communities of Chignik
46 Lagoon and Chignik Bay. The Naknek/Kvichak Fish and Game
47 Advisory Committee supports and customary and traditional
48 findings anywhere there is evidence of historical subsistence
49 use.

50

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1 Regarding Proposal 46, the Aniakchak Subsistence Recourse
2 Commission supports the proposal. That concludes the written
3 public comments.

4
5 CHAIRMAN O'HARA: Thank you very much, Helga. I
6 apologize for bypassing that part of the program. Council
7 members, what are your wishes? What action should we take here
8 on these proposals?

9
10 MR. HEYANO: Mr. Chairman, if I understand Helga
11 correctly, she indicated that proposers of Proposal 46, asked
12 that it be tabled for a year. And also the proposers of Proposal
13 43 asked for deferment. And I'd be willing to grant those two
14 requests at that time. That will leave us with Proposal 45.

15
16 CHAIRMAN O'HARA: So we're going to put on hold 43 and
17 46?

18
19 MR. HEYANO: At the request of the people who proposed
20 them.

21
22 CHAIRMAN O'HARA: All right.

23
24 MR. HEYANO: Or drafted them.

25
26 CHAIRMAN O'HARA: Would you like to put that in the form
27 of a motion?

28
29 MR. HEYANO: I so move, Mr. Chairman.

30
31 CHAIRMAN O'HARA: Is there a second?

32
33 MR. SAMUELSEN: Second.

34
35 CHAIRMAN O'HARA: Any further discussion on putting
36 deferment on 43 and 46?

37
38 MR. ABRAHAM: Question.

39
40 CHAIRMAN O'HARA: All those in favor say aye.

41
42 IN UNISON: Aye.

43
44 CHAIRMAN O'HARA: Opposed.

45
46 (No opposing responses)

47
48 CHAIRMAN O'HARA: All right. How do we want to deal with
49 45?

50

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1 MR. SAMUELSEN: 45 is 9(C), right?

2
3 CHAIRMAN O'HARA: No. 45 is 9(A).

4
5 MR. SAMUELSEN: 9(A).

6
7 CHAIRMAN O'HARA: Yeah, we ought to pass that one.

8
9 MS. McCLENAHAN: 45 is 9(A) and 9(C).

10
11 CHAIRMAN O'HARA: That's up at Pedro Bay. Yeah.

12
13 MS. McCLENAHAN: And it also includes 9(C).

14
15 CHAIRMAN O'HARA: 9(C). All right. I guess I've got an
16 executive summary here and it just has 9(A) under 45.

17
18 MS. McCLENAHAN: It includes 9(C) as well.

19
20 CHAIRMAN O'HARA: That's Naknek?

21
22 MS. McCLENAHAN: Yes.

23
24 MR. SAMUELSEN: That's where I go to page 42, probably.
25 That's what I'm working off.

26
27 CHAIRMAN O'HARA: What, 42?

28
29 MR. SAMUELSEN: Yeah.

30
31 CHAIRMAN O'HARA: Okay. All right. On the information
32 that we've received this evening, I don't see where we have a
33 problem with 9(A), none whatsoever. I know those people in the
34 Pedro Bay have gone to the salt water side generations ago when
35 I lived there, and that's where I'm from. I know they've used it
36 and they still do. So I don't see where it's a problem at all on
37 that part of it. I guess the part you're going to have to
38 wrestle with is whether you're going to do 9(C), which is a
39 Naknek -- King Salmon and South Naknek, going to do a c&t
40 finding.

41
42 MR. HEYANO: Just one other point, Mr. Chairman. If I
43 read Proposal 45 correctly they're also indicating rural
44 residents -- or a c&t for rural residents of Unit 9(D). And
45 based on previous actions I think we can exclude that portion of
46 the proposal also. I agree with you on your analysis of Unit
47 9(A), and I think maybe the issue to discuss before us is 9(C)
48 only.

49
50 CHAIRMAN O'HARA: Okay. All right. So what's the wishes

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1 on the Council for 9(C)? Take into consideration the extension
2 of the Park where I think people -- well, I don't think, I know
3 for sure they were eliminated from no longer having a boundary
4 even to hunt in. I think that's something we should to take into
5 consideration. Do you want to do it now, do you want to defer
6 it, do you want to take more evidence, what's the wish of the
7 Council? Yes?

8
9 MR. SAMUELSEN: Mr. Chairman, Smiley presented us with 50
10 percent more information than the Staff presented to us. So I
11 think it warrants going back and taking another look at. Surely
12 I'm not prepared to turn the rural residents of 9(C) down for a
13 c&t on brown bear at this time.

14
15 Just a little refresher, you know, bison -- I think it
16 was bison, Staff might refresh me, was annihilated up north and
17 they were reintroduced a hundred years later. And those
18 subsistence users petitioned for a c&t on those transplanted
19 bison and they got turned down. They went to the court and the
20 judge ruled in their favor. There was findings from a hundred
21 years prior that they did actually use that animal. I think with
22 the advent of the Katmai being created, the military bases coming
23 in, you know, I think historic practice got interrupted. And I
24 think if we go -- I don't know why Ted of BBNA missed in this 30
25 percent assessment that community over there. But I think
26 there's more uses than meet the eye. In fact, I've gotten
27 several calls from people over there.

28
29 I can't remember, I was trying to think who called me and
30 I can't even remember who called me but I remember having a
31 discussion over there with people that said that they used brown
32 bear, but it's quietly done because of the Park. So, you know,
33 I would like -- my recommendation is that we take no action on
34 9(C) and we ask BBNA and possibly Paug-Vik to work together with
35 our staff to go back through that community and do another
36 assessment on -- and using the eight criteria that we need to use
37 to make the c&T determination and see if there is more people
38 there that use that bear resource.

39
40 CHAIRMAN O'HARA: Maybe at South Peninsula, the South
41 Naknek Native Corporation to help Paug-Vik, along with BBNA.
42 That would take care of south side.

43
44 MR. SAMUELSEN: Well, I think we're talking about South
45 Naknek, Naknek and King Salmon residents.

46
47 CHAIRMAN O'HARA: Yeah.

48
49 MR. SAMUELSEN: All three of them.

50

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1 CHAIRMAN O'HARA: Okay. So we'll put that on hold then,
2 huh, or take no action?

3
4 MR. SAMUELSEN: No, no. That was my recommendation here,
5 I'm just throwing that around the table right now for discussion
6 purposes before motions are made.

7
8 CHAIRMAN O'HARA: All right. Okay. Any other thoughts
9 from Council members?

10
11 MR. BOSKOFKY: Yeah. Didn't we already do this, when
12 was it, last year to go back and find this information? I think
13 they should come up with some good ideas.

14
15 CHAIRMAN O'HARA: Last year, a year ago we were doing
16 this and this is -- we didn't find very much, but Smiley found
17 quite a bit. So it might be good to take another look. I don't
18 see where we necessarily have to put it on the fast track.

19
20 MR. SAMUELSEN: No, Mr. Chairman. Going through the
21 eight criteria, long term consistent pattern of use, excluding
22 interruptions beyond the control of the community or area. And
23 I think Katmai definitely had an affect on the subsistence users.
24 A pattern of use occurring in specific seasons for many years.
25 I think we could identify the seasons when them animals are
26 taken. Pattern of use consistent of methods and means. They've
27 got preserving, they've got drying, there's even ceremonial
28 things done with bear in that area. Consistent harvest and use
29 of wildlife as related to past methods and means and taking care
30 of. I don't think methods and means have changed that much.

31
32 So as you go through these criteria, you may say it's in
33 the eye of the beholder, but I could see in that area that
34 there's been a pattern of use. And, you know, you're looking at
35 one in three people and maybe the houses were missed, I don't
36 know. But I'm not prepared at this time. I'm kind of not
37 prepared to move forward, but I'm prepared to let the issue die
38 at this point in time. I'll look to the other Council members
39 for guidance.

40
41 CHAIRMAN O'HARA: Did you have something there, Robert,
42 or are you just happy? I love these happy people.

43
44 MR. SAMUELSEN: I was thinking of Pete's steam.

45
46 MR. HEYANO: I guess, Mr. Chairman, I think it's been
47 brought forth that there's no question that these people have a
48 historical use of brown bear. I think the thing in question is
49 their current use. And I guess I could see that, you know, if
50 from the information that we've always heard is that, you know,

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1 a lot of the people took them brown bears in which is now the
2 Park and they're excluded. And, you know, if they have c&t
3 findings then they could go back in the Park and hunt bear on
4 their Native allotments, you know. I don't know how many
5 allotments are in there, whatnot, but I don't know. I would like
6 to hear from Smiley what's his thoughts were if we postpone this
7 another year, if that's something he could live with or would he
8 rather us take action?

9
10 CHAIRMAN O'HARA: Smiley, would you mind coming up? Go
11 ahead.

12
13 MR. ABRAHAM: Mr. Chairman, you know, Smiley give us
14 enough evidence right there as it is. I mean that's their way of
15 life. I mean they've been doing it for hundreds and hundreds
16 years but nothing is recorded. That's why it's not in the paper
17 and that's what it's a question. Every where you go in Alaska,
18 there is c&t every where but it's not recorded, that's why
19 there's a question all the time. Smiley brought it up, it's
20 right there, showed us picture, what more can you ask?

21
22 CHAIRMAN O'HARA: Smiley, what Robert would like is maybe
23 if we went back and found some more evidence. Is that what
24 you're looking for, Robert?

25
26 MR. HEYANO: No, I just want his opinion or comment on if
27 this Council decided to postpone it another year?

28
29 CHAIRMAN O'HARA: Oh, would there be a problem with us
30 postponing it for another year and looking at a few more factors?

31
32 MR. KNUTSEN: Well, we've waited 20 years now. No, I
33 have no objection to postponing it for another year. I can work
34 a lot more closely with Pat and Ted and knowing now exactly what
35 is important as far as information. I think that I could
36 probably gather enough to keep you guys reading for two days,
37 maybe more.

38
39 CHAIRMAN O'HARA: Okay. Thank you very much. Robert?

40
41 MR. HEYANO: Yeah, Mr. Chairman, I guess the concern I
42 have is we're presented with conflicting information, you know.
43 We have information from the folks there that's in direct with
44 some of the other information that's available. And I guess
45 personally I think there is enough, but there is the information
46 out there that would without a shadow of a doubt show positive
47 c&t finding. And I'd just feel a lot more comfortable for the
48 record in building a strong case that that be introduced into the
49 record when we make that determination now that he's made his
50 comments. That's the preferred option I would go as a Council,

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1 but I could make a decision today too.

2

3 CHAIRMAN O'HARA: Yeah. It's not going to hurt anything
4 if we just not act on this proposal. It's not going to go away,
5 it's not going to become part of the Management Plan, whatever
6 you want to call it, if we don't act on it. So it's not going to
7 be a problem. Yeah, Robin?

8

9 MR. SAMUELSEN: Yeah, Mr. Chairman. Just to point out
10 again, in the preliminary conclusions in Unit 9(C), information
11 in most recent subsistence use studies does not show current
12 subsistence use of brown bear. That statement shouldn't even be
13 in there because when you deal with c&t you're not looking at the
14 current picture, you're looking at the past practices up to the
15 current picture. And I agree with Robert, there's no question in
16 my mind I think that if I went through this eight criteria that
17 I'd probably come to a determination that there is a c&t finding
18 in 9(C) on brown bear. But as this thing progresses to the
19 Federal Subsistence Board, I feel that I don't have the necessary
20 information in front of me right now to make that recommendation.
21 And that's why I'd like it delayed, so Smiley, BBNA and our Staff
22 could provide us with better information to back up our findings
23 if it does pass.

24

25 CHAIRMAN O'HARA: Okay. Any other comments from the
26 Council members? I don't believe we have a problem with (A),
27 9(A), not a problem at all with the lake country. We ought to
28 act on that and just put 9(C) on hold or not act on it. If we're
29 not going to have any more discussion from the Council members,
30 thank you very much, Smiley, for helping us out. Let's go ahead
31 and take action on this. Let's have a motion.

32

33 MR. SAMUELSEN: Mr. Chairman?

34

35 CHAIRMAN O'HARA: Go for it.

36

37 MR. SAMUELSEN: Proposal 45, Unit 9(E), move that we
38 support a positive c&t use finding for brown bear by residents of
39 Pedro Bay, cut the discussion short, it's 8:00 o'clock, based on
40 Staff's presentation and justification, concur with that. And
41 the second part was that in 9(C), Unit 9(C), request we delay the
42 customary and traditional use determination until BBNA, Staff and
43 the respective villages in that area could provide us with more
44 information.

45

46 CHAIRMAN O'HARA: Is there a second to that motion?

47

48 MR. ENRIGHT: I second it.

49

50 CHAIRMAN O'HARA: Tim seconded the motion. Any further

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1 discussion? Did you want to address your motion?

2

3 MR. SAMUELSEN: Just did.

4

5 CHAIRMAN O'HARA: I think we've talked about it quite
6 thoroughly. Robert?

7

8 MR. HEYANO: Yeah, Mr. Chairman, I would vote in favor of
9 the motion. I don't think I need to see additional information.
10 I think I just need a clarification in the information.

11

12 CHAIRMAN O'HARA: You'll probably get more information
13 anyway. Call for the question.

14

15 MR. ABRAHAM: Question.

16

17 CHAIRMAN O'HARA: All those in favor say aye.

18

19 IN UNISON: Aye.

20

21 CHAIRMAN O'HARA: Opposed.

22

23 (No opposing responses)

24

25 CHAIRMAN O'HARA: Let's take a break and then work till
26 about 9:00 o'clock. Okay. 10 minutes we'll be back.

27

28 MR. HAYNES: We're on record.

29

30 MR. GREENWOOD: Mr. Chair, Council, Bruce Greenwood from
31 the National Park Service. I'd like to make a point of
32 clarification on the information provided to Smiley. Regardless
33 of land ownership, Title VIII of ANILCA does not apply on
34 selected lands.

35

36 MR. SAMUELSEN: Native allotments.

37

38 MR. GREENWOOD: So therefore Federal c&t would -- the c&t
39 that you determine here would have no influence whether or not
40 Smiley or anybody could harvest bear on Native allotments.

41

42 CHAIRMAN O'HARA: Oh, really? Oh, that's still State?

43

44 MR. GREENWOOD: Yes.

45

46 CHAIRMAN O'HARA: Still State management?

47

48 MR. GREENWOOD: Yes.

49

50 CHAIRMAN O'HARA: Thank you for clarifying that.

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1 MR. SAMUELSEN: We can build casinos, but we can't hunt
2 on them.

3
4 CHAIRMAN O'HARA: Let's take a break.

5
6 (Off record)

7
8 (On record)

9
10 CHAIRMAN O'HARA: Call this meeting back to order and go
11 on to 47. The lead agency on 47?

12
13 MS. EAKON: Proposal 47 would align the season for brown
14 bear in Units 9(B) and the lead is Dave Fisher.

15
16 CHAIRMAN O'HARA: All right. We're on record, Mr.
17 Fisher.

18
19 MR. FISHER: Thank you, Mr. Chairman. This proposal was
20 submitted by the Togiak National Wildlife Refuge. And what it
21 would do, it would expand the western area brown bear management
22 -- Western Alaska brown bear management area and align Federal
23 regulations with State regulations for subsistence taking of
24 brown bear in Unit 17 and the remainder of 9(B).

25
26 The State Board of Game at their meeting last March
27 expanded the western brown bear management area to include all of
28 17 and 9(B). And this proposal would align those Federal
29 regulations with the State regulations. We don't have a whole
30 lot of biological data for brown bear in 9(B) and 17. The
31 population appears to be stable to increasing in both units. The
32 Staff recommendation on this was to support the proposal.
33 Expanding the brown bear management area in these two units
34 should not impact the brown bear population. Subsistence users
35 that are qualified to hunt in these units will have a greater
36 opportunity and find subsistence regulations simplified by
37 alignment. Sport hunting regs, i.e., one bear every four years
38 and shorter seasons would be continued under State of Alaska
39 hunting regulations. That's about all I have unless somebody
40 have some specific questions.

41
42 CHAIRMAN O'HARA: Any questions, Council members, of Mr.
43 Fisher? Thank you very much, Dave. The Alaska Department of
44 Fish and Game.

45
46 MR. VAN DAELE: Mr. Chairman, Larry Van Daele, Fish and
47 Game. We concur with the recommendation of the Fish and Wildlife
48 Service.

49
50 CHAIRMAN O'HARA: Sounds like a conspiracy to me. That's

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1 too easy. Any questions? I guess we don't have any. Thank you
2 very much, Larry. Other agencies that might want to comment on
3 this proposal? Summary of written public comments.

4
5 MS. EAKON: One comment, Mr. Chair, and that was from the
6 Naknek/Kvichak Fish and Game Advisory Committee which supports
7 this proposal as it will align State and Federal regulations.
8 End of comments.

9
10 CHAIRMAN O'HARA: Okay. We don't have any request for
11 public comment. Just want to remind you that that's available.
12 Hearing none, Regional Council's deliberation/recommendations.

13
14 MR. HEYANO: Mr. Chairman, I move for adoption of
15 Proposal 47.

16
17 CHAIRMAN O'HARA: Is there a second?

18
19 MR. ENRIGHT: Second.

20
21 CHAIRMAN O'HARA: Okay. Seconded. Any further
22 discussion?

23
24 MR. ABRAHAM: Question.

25
26 MR. HEYANO: Mr. Chairman, just basically a housekeeping
27 proposal.

28
29 CHAIRMAN O'HARA: Yes. Question?

30
31 MR. ABRAHAM: Question.

32
33 CHAIRMAN O'HARA: All those in favor say aye.

34
35 IN UNISON: Aye.

36
37
38 CHAIRMAN O'HARA: Opposed.

39
40 (No opposing responses)

41
42 CHAIRMAN O'HARA: Passed. Thank you. Okay, Helga?

43
44 MS. EAKON: Proposal 48 was withdrawn by the proponent,
45 the Alaska Peninsula, Becharof National Wildlife Refuge.
46 Proposal 49 would require that meat be left on the bone of
47 caribou in Units 9, 17 and 19(B) until removed from the area or
48 is processed. And again the lead is Dave Fisher.

49
50 MR. FISHER: Thank you, Helga. Mr. Chairman, this

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1 proposal was submitted by the Bristol Bay Regional Subsistence
2 Advisory Council. And as Helga said, this proposal as written
3 would require that all edible meat from moose and caribou
4 harvested in Units 9, 17 and 19(B) must remain on the bone until
5 the meat is removed from the area or is processed for human
6 consumption.

7
8 The proposal as written closely resembles State hunting
9 regulations for the utilization of moose and caribou in 9(B), 17,
10 19(B) and 19(A) within the controlled use area there. As we
11 know, wanton waste has been a longstanding problem in Western
12 Alaska and the rest of the State and it's been a topic of concern
13 at all of the Council meetings that I've attended and goes clear
14 back to when I was here in the early 80s in Dillingham.

15
16 In an effort to address this the State Board of Game
17 revised this regulation for the salvage of game meat as follows:
18 The edible meat of moose and caribou, they included that; the
19 edible meat in the front quarters, hind quarters and ribs must
20 remain naturally attached to the bone until the meat has been
21 transported from the hunting area or is processed for human
22 consumption. The definition of edible was changed to include
23 that meat along the backbone between the front and hind quarters.

24
25 And they further made some definitions, front quarter was
26 defined to be the front leg and shoulder, excluding the pelvis.
27 Processed for human consumption was defined to mean prepared for
28 immediate consumption or prepared in such a way in an existing
29 state of preservation so as to be fit for human consumption after
30 a 15 day period. Their reasoning was meat left on the bone is
31 less likely to spoil, it's easier to keep clean and keep dry,
32 i.e., preventing spoilage. It would make LE, law enforcement a
33 little bit easier for those officers trying to define salvage
34 regulations.

35
36 There's been a lot of support for this proposal. It's a
37 little bit too early to tell, and maybe Larry will be able to
38 shed a little more light on that, and it's just been in effect
39 for one season. Most of the people that I've talked to, law
40 enforcement personnel, biologists and the Refuge people are in
41 favor of it. It has received some negative criticism, requiring
42 the meat to be left on the bone adds to the weight when you're
43 flying in a small plane and packing out quite a bit of meat.
44 People say that if meat is removed properly from the bone there's
45 very little waste.

46
47 The Staff recommendation was to support this proposal
48 with modification. The modification would be that it align
49 exactly with the current State regulations to make things easier
50 for law enforcement personnel and/or hunters. That's all I have.

1 CHAIRMAN O'HARA: Okay. Any questions for Dave, Council
2 members? Have you ever picked up the rump of a 83 inch moose,
3 put it on your back?

4
5 MR. FISHER: Probably be pretty tough.

6
7 CHAIRMAN O'HARA: Pretty tough. Yeah. That's an awful
8 big piece of bone to be putting on your back. I think that's the
9 only complaint I've heard from some of the guides that this is a
10 massive piece of bone or meat. Okay. Alaska Department of Fish
11 and Game, Larry, if you have a comment?

12
13 MR. VAN DAELE: Yes, sir, Mr. Chairman. The State Board
14 of Game deliberated on this proposal for at least two to three
15 full days last spring, hearing a great deal of testimony from
16 people in the Nushagak River Villages and also in the Unit 19(B),
17 the Middle Kuskokwim River Villages, all with the same story,
18 that something has to be done about the wasted meat. It's real
19 disrespectful, a real sad state of affairs what was going on in
20 this country. The Board listened to them, they stuck their neck
21 out and they adopted this proposal as amended, as Dave said
22 there, for the four quarters and for the rib meat for human
23 consumption or until it's out of the particular area.

24
25 This fall we had a significant hunter education program
26 telling people about this, about the problems of wasted meat and
27 so forth. We staged a major law enforcement effort, which I
28 spoke to you about last time we had a meeting over in Togiak, and
29 we implemented this meat on the bone proposal. What we saw as a
30 result of those three things was a dramatic reduction in the
31 amount of meat that was left in the field, a dramatic reduction
32 in the amount of waste that we saw. It was something that the
33 villagers noted and they commented on quite often, thanking the
34 State for doing this, thanking the State for this particular
35 regulation.

36
37 Whether that was caused by the regulation or by the
38 increased law enforcement or by the education, we don't know what
39 really caused it, we know there was a definitive change in hunter
40 behavior. As Dave mentioned, not everyone likes this regulation.
41 The State Legislature has held hearings on it, some State
42 Legislators are particularly upset with the proposal, they think
43 the Board of Game may have even over-stepped their bounds in
44 coming across with this proposal. Where that will all lead, I
45 don't know. The Board of Game will readdress this in their March
46 meeting this month, they'll look at the whole thing again.

47
48 In our comments to the Board, both the Alaska Department
49 of Fish and Game and Fish and Wildlife Protection Division will
50 support continuation of this program because of the results that

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1 we saw in the past. I would recommend, as the Department would
2 recommend, with the Fish and Wildlife Service adoption of this on
3 the Federal subsistence side, with the modifications that we go
4 with the four legs and the ribs.

5
6 One point of clarification with regard to that 83 inch
7 bull, I'll help you with that one. But you're allowed to cut
8 that leg bone into as many pieces as you want.

9
10 CHAIRMAN O'HARA: Oh.

11
12 MR. VAN DAELE: As long as the meat is still attached to
13 the bone. Realistically, you know, you're going to cut it at the
14 knee, but it will make it into reasonable size chunks there.
15 With regard to rib meat, again, you can cut the rib rack into as
16 many pieces as you want. One thing we did notice this year is
17 hunters developed a real affinity for rib meat out in the field.
18 There's an awful lot of rib stew that got eaten this year because
19 sometimes it didn't quite make it back. So those little bits of
20 clarification for you.

21
22 CHAIRMAN O'HARA: It's amazing, it takes us all winter to
23 eat it and it takes them about two days. Smart people. Yes,
24 Dave.

25
26 MR. FISHER: I have a question for Larry. I wonder if he
27 has any feel on which way the Board of Game would lean on this?
28 They're going to reevaluate it?

29
30 MR. VAN DAELE: First you want me to predict caribou and
31 then you want me to predict the Board of Game.

32
33 MR. FISHER: Well, you're doing pretty good so far.

34
35 MR. VAN DAELE: Based on what the Board of Game did in
36 March, I would say that they would continue this proposal. I
37 think that there's a pretty good chance that they'll keep going
38 with it.

39
40 CHAIRMAN O'HARA: Where are they meeting in March, in
41 Anchorage or.....

42
43 MR. VAN DAELE: Fairbanks.

44
45 CHAIRMAN O'HARA: Fairbanks. Oh, my goodness. Let's go
46 to Fairbanks. All right. Any questions of Alaska Department of
47 Fish and Game? Yes, Robert, go ahead.

48
49 MR. HEYANO: I guess one question, both of them, both the
50 Staff comments and the State comments support Proposal 49 and

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1 modify it. And I see the original proposer wanted to include
2 Game Management Units 9, 17 and 19(B). And the Staff
3 recommendations is only for Unit 17 and 9(B). And I recognize
4 the limited to the four quarters and ribs in the definition
5 there, all edible meat has to be consistent with the State
6 regulations, but maybe I haven't heard any discussion on why
7 eliminating all of 9 and 19(B).

8
9 MR. VAN DAELE: I'd have to, if Dick came back, have him
10 speak to that, but my impression is that what we're trying to do
11 with this regulation is put it in line with the State regulations
12 and not expand it to either more meat on the bone or more area.
13 So that's why we would recommend just including 17, 9(B) and
14 19(B).

15
16 CHAIRMAN O'HARA: Yeah, we'd like to have that in our
17 area too, you know, C and E. That's -- yeah, should be a
18 statewide regulation.

19
20 MR. FISHER: Well, hopefully it will be successful what
21 we've got now can then we can, you know.....

22
23 CHAIRMAN O'HARA: So you do the front quarters and the
24 hind quarters and the rib and not the backstrap?

25
26 MR. VAN DAELE: Right. The neck, backbone, sternum,
27 those do not have to be brought out.

28
29 CHAIRMAN O'HARA: Does the brisket?

30
31 MR. VAN DAELE: Brisket does not, just the ribs.

32
33 CHAIRMAN O'HARA: My goodness.

34
35 MR. VAN DAELE: But you still have to bring the meat out.
36 It doesn't have to be attached to the bone.

37
38 CHAIRMAN O'HARA: Oh.

39
40 MR. VAN DAELE: This does not change the salvage
41 requirement. It makes it.....

42
43 CHAIRMAN O'HARA: Oh, okay. All the meat comes out.

44
45 MR. VAN DAELE: Right. All the meat has to come out.

46
47 CHAIRMAN O'HARA: That'll be pretty good. That ought to
48 be interesting. Okay. No questions of Larry? Thank you very
49 much. Other agencies comments? Summary of written public
50 comments.

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1 MS. EAKON: The recommendation of the Western Interior
2 Regional Council is to support the Staff recommendation to align
3 with State regulations. The Aniakchak Subsistence Resource
4 Commission supports the proposal. Naknek/Kvichak Fish and Game
5 Advisory committee says do not support, there are already wanton
6 waste laws on the books and this requirement is a hardship to
7 hunters, requiring them to pack out more unnecessary weight at a
8 greater cost and effort. Mike Sallee of Ketchikan said that he
9 would rather see a regulation that more effectively identifies
10 and targets unethical motorized hunters instead of penalizing
11 ethical hunters. He thinks that bone-in rules may be appropriate
12 for same day airborne hunts. Bone-in rules for anywhere backpack
13 hunting is employed are an uncalled for hardship to backpack
14 hunters. End of written comments.

15
16 CHAIRMAN O'HARA: Thank them all very kindly. We do have
17 a member of the public that would like to comment. Ted?

18
19 MR. KRIEG: Ted Krieg, BBNA Natural Resource Department.
20 I don't know if I can add a whole lot to what has already been
21 said, but BBNA supports this proposal. And I guess it was my
22 recollection at the Togiak meeting that that was the intention,
23 was to include all of Unit 9. I mean it seems like that was why
24 that came about. But, yeah, I mean there's been nothing but good
25 said about this proposal. I mean enforcement says it's good. At
26 the Nushagak Advisory Committee there was even an outfitter or
27 somebody that flies people out that said, you know, to the people
28 that are giving the meat away, at least it doesn't come in just
29 like in a cooler in a big bunch and you don't even know what
30 you're getting, which to me it seems like if people are going to
31 give their meat away that way, the least they can do is keep it
32 on the bone. It's preserved better. So that's all I've got.

33
34 CHAIRMAN O'HARA: Any questions of Ted? All right.
35 Thank you very much, Ted. At this time we'll have the Regional
36 Council recommendation/deliberation. What's the wishes of the
37 Council?

38
39 MR. HEYANO: Mr. Chairman?

40
41 CHAIRMAN O'HARA: Yes.

42
43 MR. HEYANO: I guess I don't have any problems supporting
44 the Staff recommendation on the language change for forequarters,
45 hindquarters and the ribs. I would like a little bit of
46 discussion from the Regional Council as to the elimination of the
47 remainder of Unit 9.

48
49 CHAIRMAN O'HARA: My recommendation is that we just
50 blanket the whole, you know, just have it be (C) and (E) -- would

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1 be (D) and (E). Any other comments from the Council members?

2 Yes, Robin.

3

4 MR. SAMUELSEN: You know, I concur with what Staff said,
5 what Ted said. I attended the Nushagak Advisory Committee and
6 heard very positive comments on this from subsistence users. And
7 I talked to some of the air taxis that are in the business and it
8 was an undue burden for them to bring the meat in on the bone.
9 In fact, they said it was a plus because it was easier to handle.
10 And a lot of them people give meat away and the people in the
11 villages that they gave meat to were real happy. Our people like
12 the bones as much as they like the meat.

13

14 But I am concerned about the expansion at this point in
15 time since we're trying to maintain the regulation and keep the
16 regulation on the books with the jaw boning coming out of Juneau,
17 Legislators against this proposal. I know the major hunting
18 groups in the State of Alaska are against this proposal. We've
19 seen their comments at Nushagak Advisory Committee. My
20 recommendation is go with the status quo and if those other units
21 in Unit 9 -- see what happens at the Game Board level. If the
22 Game Board adopts it, those subunits of 9 could come back next
23 year and put it in a proposal to expand this into those subunits
24 that don't have it. That would be my recommendation. And what
25 would be going forward is basically a status quo. And we'd be
26 consistent mirroring our regulation with the State's regulations
27 without an expansion.

28

29 CHAIRMAN O'HARA: All right. Any other comments from
30 Council members? Robert?

31

32 MR. HEYANO: Just for clarification, so the strategy is
33 to do the status quo and then see how the regulation fairs at the
34 March meeting at the State Board and then look at it again next
35 year?

36

37 CHAIRMAN O'HARA: I think that's a good idea. Let's have
38 a motion. You guys are never at a loss for words any other time.
39 It's getting late or what. I think we should make a motion on
40 that. Should we flip a coin here or what?

41

42 MR. SAMUELSEN: Mr. Chairman, I'll make a motion that we
43 adopt Proposal 49 with the proposed modified language read as
44 Staff has proposed, all edible meat harvest from the caribou and
45 moose in Unit 17, 9(B) and I believe it's 19(B), which would be
46 consistent with the State regulation.

47

48 CHAIRMAN O'HARA: Second?

49

50 MR. SAMUELSEN: No.

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1 CHAIRMAN O'HARA: Oh, you've got more?

2
3 MR. SAMUELSEN: I got my 9's mixed up, I think.

4
5 CHAIRMAN O'HARA: Okay.

6
7 MR. HEYANO: All you want to say is Unit 17 and Subunit
8 9 (B) .

9
10 MR. SAMUELSEN: Okay. Status quo.

11
12 CHAIRMAN O'HARA: Is there a second?

13
14 MR. ENRIGHT: I second it.

15
16 CHAIRMAN O'HARA: Further discussion? Did you want to
17 address your -- you already addressed it enough?

18
19 MR. SAMUELSEN: I believe I've talked about it enough,
20 yeah.

21
22 CHAIRMAN O'HARA: Okay. Any other Council member wants
23 to address this proposal. Call for the question. All those in
24 favor say aye.

25
26 IN UNISON: Aye.

27
28 CHAIRMAN O'HARA: Opposed.

29
30 MR. HEYANO: Aye.

31
32 CHAIRMAN O'HARA: Okay. It's unanimous. Okay. All
33 right.

34
35 MR. SAMUELSEN: Was that opposing?

36
37 MR. HEYANO: Oppose it.

38
39 CHAIRMAN O'HARA: Oh, you oppose it?

40
41 MR. HEYANO: Yep.

42
43 CHAIRMAN O'HARA: Oh, you did?

44
45 MR. HEYANO: Yeah, we can't have a majority all the time.

46
47 MR. SAMUELSEN: It gets weird after 8:00 o'clock.

48
49 MR. HEYANO: No, I guess, Mr. Chairman, in speaking to
50 the motion, you know, and I think I was the one who helped draft

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1 the proposal language. I intended for 9(E). Look at the map and
2 that would have the greatest impact on Federal land 17, with the
3 exception of Togiak Wildlife Refuge, and there's hardly enough
4 moose in there for the people in Togiak, let alone anybody else.
5 It'd have very little impact. And I just thought it would send
6 a good strong signal to the State people that there is a
7 regulation or would be. But, yeah, we will see what it does.

8
9 CHAIRMAN O'HARA: I think we've done fairly well tonight,
10 Manager Eakon, and I think at this time we will probably recess
11 until tomorrow morning. And is starting up 9:00 o'clock going to
12 give us time to be out of here by 5:00 tomorrow? Or we could
13 start at 8:00, it's not a problem.

14
15 MS. McCLENAHAN: We have a meeting in the morning at
16 8:00.

17
18 CHAIRMAN O'HARA: You can always move it up. What do you
19 think?

20
21 MS. EAKON: Starting what time?

22
23 CHAIRMAN O'HARA: 9:00 o'clock. Can get it done?

24
25 MS. EAKON: I think so.

26
27 CHAIRMAN O'HARA: Okay. All right.

28
29 MR. SAMUELSEN: Mr. Chairman?

30
31 CHAIRMAN O'HARA: Yes.

32
33 MR. SAMUELSEN: Maybe Helga could sit down with Staff
34 tonight on our new business. There's a lot of these agency
35 reports, and find which ones are necessary and which one we could
36 delay till later.

37
38 MS. EAKON: Essentially, a lot of them are in your book
39 already. Togiak's report is in your book, the Alaska Peninsula
40 Becharof report is in your book, the mig-bird implementation is
41 going to be an oral report by Rosa, the Aniakchak report is in
42 your books, the Katmai report is in your books, Lake Clark report
43 is in your books, there was none from BLM. I don't know about
44 ADF&G. The majority are already in your book.

45
46 MR. SAMUELSEN: And all of them -- Mr. Chairman, if I
47 may.

48
49 CHAIRMAN O'HARA: Yes.

50

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1 MR. SAMUELSEN: All of them are just status reports, no
2 action needs to be taken?

3
4 MS. EAKON: Yes. There's no action needs to -- except
5 for -- well, there's some informational items that Rosa is going
6 to present, but the information is already in your books anyway,
7 except for her oral report on the mig-birds.

8
9 CHAIRMAN O'HARA: Oral report on what?

10
11 MS. EAKON: The migratory bird implementation amendments.

12
13 CHAIRMAN O'HARA: Okay.

14
15 MS. EAKON: That's going to be an oral report by Rosa
16 Meehan.

17
18 CHAIRMAN O'HARA: Would there be a possibility tomorrow
19 morning before -- you have a meeting at 8:00 o'clock, is that
20 right?

21
22 MS. EAKON: Yes, we have a planning session at 8:00
23 o'clock regarding the North Alaska Peninsula caribou herd, Dick
24 Sellers and Pat and Ted Krieg and Jim Fall.

25
26 CHAIRMAN O'HARA: Before that could you and I get
27 together and have a cup of coffee and see what we can condense
28 here?

29
30 MS. EAKON: Surely.

31
32 CHAIRMAN O'HARA: I think we can probably do that fairly
33 easily. All right. We will recess until tomorrow morning at
34 9:00 o'clock. Pardon me, Donald, yes.

35
36 MR. MIKE: Just want to clarify.....

37
38 CHAIRMAN O'HARA: Got to give us your name though.

39
40 MR. MIKE: Oh, I'm sorry, Donald Mike, Katmai National
41 Park. There's some items that the Aniak Subsistence Resource
42 Commission would like the Council to take action on.

43
44 CHAIRMAN O'HARA: There's what?

45
46 MR. MIKE: (Indiscernible - away from microphone).

47
48 CHAIRMAN O'HARA: Okay. All right. That'll be good.
49 Thank you. Yes?

50

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1 MR. ELEY: Yes, sir, Tom Eley from Fish and Wildlife
2 Service. If you're going to have just everyone read the reports
3 from the various refuges, I'd just like to be sure that the
4 Regional Council meets Darrell Lons, who is the new Refuge
5 Manager of Alaska Peninsula Becharof.

6
7 CHAIRMAN O'HARA: Yes. And I apologize. When you came
8 in late today we were going to have you introduce yourselves and
9 we just kept going. And we really wanted to meet the whole group
10 who came in from King Salmon and introduce you, but you're a
11 little late, but welcome anyway and we'll plan on seeing you
12 tomorrow morning. 9:00 o'clock tomorrow.

13
14 (MEETING RECESS)

15
16 * * * * *

C E R T I F I C A T E

1
2
3 UNITED STATES OF AMERICA)
4) ss.
5 STATE OF ALASKA)
6

7 I, Joseph P. Kolasinski, Notary Public in and for the
8 State of Alaska and Reporter and Owner of Computer Matrix, do
9 hereby certify:
10

11 THAT the foregoing pages numbered 02 through 175 contain
12 a full, true and correct Transcript of the Bristol Bay Federal
13 Subsistence Regional Advisory Council, Volume I, meeting taken
14 electronically by David W. Haynes on the 12th day of March, 1998,
15 beginning at the hour of 9:00 o'clock a.m. at the City Hall
16 Chambers, Dillingham, Alaska;
17

18 THAT the transcript is a true and correct transcript
19 requested to be transcribed and thereafter transcribed by Mary E.
20 Miller to the best of her knowledge and ability;
21

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

25 DATED at Anchorage, Alaska, this 25th day of March, 1998.
26
27
28
29

30 _____
31 JOSEPH P. KOLASINSKI
32 Notary Public in and for Alaska
My Commission Expires: 04/17/00