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BRISTOL BAY SUBSISTENCE REGIONAL ADVISORY
COUNCIL MEETING

12
13 City Hall Chambers
14 Dillingham, Alaska
15 March 13, 1998, 9:00 o'clock a.m.
16

17
18 VOLUME II
19

20 Members Present:

21
22 Daniel J. O'Hara, Chairman
23 Alvin Boskofsky
24 Andrew Balluta
25 Robert Heyano
26 Peter M. Abraham
27 Timothy M. Enright
28 Harold Robin Samuelson, Jr.
29
30 Helga Eakon, Coordinator

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P R O C E E D I N G S

(On record - 9:00 a.m.)

CHAIRMAN O'HARA: Good morning. Ready to go. Come back into session. Okay. We're doing proposals, we have 11 to finish. And, Helga, would you take us to the next one, unless we have any announcements to make this morning.

MS. EAKON: Actually, Mr. Chair, there's 12. We'll start off with Proposal 50, which would remove the antler requirement for moose in Unit 9. And Dave Fisher is the lead.

MR. FISHER: Good morning, Mr. Chairman.

CHAIRMAN O'HARA: Good morning, David.

MR. FISHER: How are we doing this morning?

CHAIRMAN O'HARA: Oh, very good, thanks.

MR. FISHER: Okay. Let's move on here to Proposal 50. This was submitted by the Alaska Peninsula Becharof National Wildlife Refuge in King Salmon, and it would change the harvest limit description from one antlered bull moose to one bull moose for hunting in Subunits 9(A), 9(B), 9(C) and 9(E). And what this would do is align the Federal regulations with the description for harvest of a bull moose with the current State of Alaska hunting regulations for the same subunits.

CHAIRMAN O'HARA: All right.

MR. FISHER: So it would go from one antlered bull to one bull moose in those subunits.

CHAIRMAN O'HARA: Any questions of Dave on that?

MR. FISHER: The Staff supported this proposal. And, actually, it would eliminate some confusion for subsistence users and give subsistence users the same opportunity to harvest a bull moose on Federal lands that they already have under State regulations.

CHAIRMAN O'HARA: Okay. Thank you very much. Is there any comment from the Alaska Department of Fish and Game?

MR. SAMUELSEN: It's the same.

CHAIRMAN O'HARA: Same. Okay. And then other agencies, Helga, apparently not.

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1 MR. SAMUELSEN: Aniakchak and Naknek.

2

3 CHAIRMAN O'HARA: Did they have any comment?

4

5 MS. EAKON: Yeah. Written public comments?

6

7 CHAIRMAN O'HARA: Written public comments.

8

9 MS. EAKON: The Aniakchak Subsistence Resource
10 Commission supports the proposal with a modification for one
11 moose bag limit for Unit 9(E) to reflect a customary and
12 traditional harvest practice by residents. The Naknek/Kvichak
13 Fish & Game Advisory Committee supports this, as this action
14 will align State and Federal regulations. End of comments.

15

16 CHAIRMAN O'HARA: All right. Since that's the only
17 public written comments? Mr. Sellers, were you in on that
18 meeting at all when the Advisory Committee -- that's just
19 another alignment between the Federal program and the State
20 program?

21

22 MR. SELLERS: Right. I was at the Naknek/Kvichak
23 Committee when they endorsed the consistency and we support
24 that proposal.

25

26 CHAIRMAN O'HARA: Okay. Thank you. And that was Mr.
27 Sellers there, David. Okay. Any public testimony on this
28 proposal? Hearing none, it's a bookkeeping item. What's the
29 wish of the Council?

30

31 MR. SAMUELSEN: Move to adopt Proposal 50, Mr.
32 Chairman.

33

34 CHAIRMAN O'HARA: Okay. Robin moved.

35

36 MR. BOSKOFISKY: Second.

37

38 CHAIRMAN O'HARA: Second by Alvin. Any discussion?

39

40 MR. SAMUELSEN: I think Staff has pretty much said it,
41 Mr. Chairman. It's consistent with what the Council has
42 maintained all along, is keeping regulations consistent with
43 State regulations so the users will -- so confusion wouldn't be
44 added out in the field.

45

46 CHAIRMAN O'HARA: Okay. Robert?

47

48 MR. HEYANO: Yes, Mr. Chairman, the way I understand
49 the intent of the proposal it will still only limit the harvest
50 to bull moose caribou and just allows the subsistence user to

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1 harvest one without any horns on it.

2

3 CHAIRMAN O'HARA: That's right. Question?

4

5 MR. SAMUELSEN: Question.

6

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

8

9 IN UNISON: Aye.

10

11 CHAIRMAN O'HARA: Opposed.

12

13 (No opposing responses)

14

15 CHAIRMAN O'HARA: Okay. Go to the next proposal.

16

17 MS. EAKON: The next block of proposals are ones that
18 overlap with the Yukon-Kuskokwim Delta Regional Council, and
19 Pat McClenahan is the lead presenter.

20

21 CHAIRMAN O'HARA: All right. Good morning, Pat.

22

23 MS. McCLENAHAN: Hi. Mr. Chairman and Council members,
24 with your permission I would like to present these c&t
25 proposals as a block because the analyses are very redundant
26 for the proposals. Rather than re-present the information four
27 times, I'd like to present some general information all at once
28 and then give you some details for each proposal and then you
29 can act on them.

30

31 What I'd like to do is present Proposal 51, and then
32 Proposal 52, then Proposal 58, and come back to Proposals 53
33 and 54. Proposals 51 and 52 and 58 are from the communities of
34 Akiak and Akiachak and they are requesting for black bear,
35 brown bear and moose. Proposals 53 and 54 then are for
36 caribou. And there are two proposals, one from Akiak and
37 Akiachak and one from AVCP. These are all backlogged proposals
38 and that's why they're coming up in a group like this.

39

40 CHAIRMAN O'HARA: Okay.

41

42 MS. McCLENAHAN: This map shows the distribution of
43 Federally administered lands in the area that we're talking
44 about, Unit 17(A), (B) and (C). I'd like to talk especially
45 about factors number 1 and number 4 with regard to Akiak and
46 Akiachak's use of these units.

47

48 The communities of Akiak and Akiachak were founded
49 close to the end of the 1800s by the former residents of
50 Quikertarmiut. They were forced to move because of changes in

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1 the Kuskokwim River. Residents of these communities speak
2 central Yup'ik and they share a common language with the people
3 of the greater part of the Yukon-Kuskokwim Delta and also the
4 Bristol Bay side of the upper and central Alaska Peninsula.
5 There was another community that relocated prior to 1880 called
6 Kalikanuk and it was located just above the modern Akiak.
7 These people were related to the people of Akiak and Akiachak
8 and they moved their community in the area of the Mulchatna.
9 They called it by the same name and today we spell it
10 Koliganek. And it was in its new location by 1880.

11
12 Our earliest references in historic records go back to
13 the 1700s, and we found those in the Bureau of Indian Affairs
14 ANCSA files when we were doing research this year. There are
15 no ADF&G Division of Subsistence Technical Papers on Akiak and
16 Akiachak yet. And so we need to make reference to neighboring
17 Kwethluk's subsistence study that was done by Michael Coffing
18 in 1991. It's Technical Report 157.

19
20 There are a few ethnographic studies that include
21 references to Akiak and Akiachak, but also some that refer to
22 the Lower Kuskokwim communities in general. Some of these
23 include Oswald and Ron Thuma of 1985. And there's one more
24 that I'll run across in a few minutes that I've forgotten.

25
26 From the 1920s until the late 1940s, the Lower
27 Kuskokwim traditional season ground was interrupted for
28 families who were taking part in reindeer herding activities.
29 And herders were taken by their caribou up into areas of Unit
30 17 where they continued to carry out subsistence resources in
31 conjunction with reindeer herding.

32
33 Some herders from the Lower Kuskokwim communities
34 settled on the other side of Togiak and in Levelock and they
35 never returned to the Kuskokwim area. Lower Kuskokwim families
36 have relatives in the Unit 17 communities of Clark's Point, New
37 Stuyahok, Aleknagik, Manokotak and Dillingham. Residents of
38 Akiak and Akiachak are also in a resources exchange network
39 that includes at a minimum the Kuskokwim communities and Togiak
40 in Unit 17. The Unit 17 communities of Togiak and Twin Hills
41 have a positive customary and traditional use finding for black
42 bear in Unit 18. One Akiachak resident's great grandmother was
43 born in the Kilbuck Mountains at the headwaters of the Kwethluk
44 River.

45
46 I would like to take a moment -- oh, before I do that,
47 there's a table in the analyses that I provided you that show
48 that subsistence use of large mammals ranges from two to 13
49 percent of the total the yearly take for selected Yukon-
50 Kuskokwim Delta communities for which there is information.

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1 According to one Akiachak resident, however, large terrestrial
2 mammals make up closer to 40 to 60 percent of their diets.

3
4 I'd like to show you a series of maps now that will
5 relate to the proposals as we get to them. This map represents
6 the use of moose and bear by Akiak in the 1980s. Okay, Dave.
7 This represents Akiachak's use of moose and bear in the 1980s.
8 Okay, Dave. This map represents the use of caribou by Akiachak
9 in the 1980s. And this is caribou for Akiak in the 1980s. The
10 mid-80s. The information was gathered in 1985. This is a
11 generalized, all subsistence resources map for Akiak. Okay, go
12 ahead. And then this one is the same for Akiachak, all
13 resources. All of these maps were taken by Ron Thuma in the
14 development of the Comprehensive Conservation Plan in 1985.
15 They were taken at community meetings at which community elders
16 and hunters were present.

17
18 I've since talked to some of the unit managers, the
19 Yukon-Kuskokwim Delta Refuge, National Wildlife Refuge and
20 Togiak National Wildlife Refuge. They've informed me that the
21 RITs on their staff were involved in this and that they felt
22 the maps were fairly accurate. The Staff had a visit from 12
23 members of the communities of Akiak and Akiachak and they went
24 over the maps and they recognized them as the work of their
25 elders and they had no changes to make in those historic maps.

26
27 Let me, after giving you that general information then
28 go back to Proposal 51, which is a request for use of black
29 bear in Unit 17. Black bear plays a greater or lesser role in
30 a community's overall subsistence depending on many factors.
31 Through a subsistence regime you might use one resource more
32 than another in a year of shortage of that particular resource.
33 Other resources that are used by the Yukon-Kuskokwim
34 communities are fish, land mammals, sea mammals and a variety
35 of vegetables.

36
37 Current ADF&G Harvest Ticket Data/sealing records give
38 no information on black bear use by Akiak and Akiachak since
39 recording is not required for black bears. Table 2 in your
40 books, which is on page 79, presents information from the
41 Community Profile Database showing the per capita use of black
42 bear in comparison to the per capita subsistence harvest of all
43 resources for the Unit 18 subregion communities. It does not
44 have specific information however for Akiak and Akiachak. It
45 was not available.

46
47 Hunters from Akiak and Akiachak go to spring mountain
48 camps at the headwaters of the Kisaralik, Kanektok, Kwethluk
49 and Togiak Rivers in Unit 17(A) and 17(B) to hunt bear and
50 moose, and they do so any time from early April through late

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1 May and early June. Moose and bear are frequently hunted at
2 the same time. And other activities are carried out as well,
3 and they include collecting eggs, fishing for pike, lake dolly
4 varden and grayling, and hunting migratory birds and ptarmigan.

5
6 The pattern of resource use for Akiak and Akiachak is
7 very similar to that of Kwethluk, according to our informants.
8 In conclusion Staff recommends that you grant a positive
9 customary and traditional use determination for black bear for
10 Akiak and Akiachak in Units 17(A) and 17(B). That's a
11 modification from the original proposal. We feel that we have
12 sufficient information both from ethnographic resources,
13 historic sources, informant information and these maps to
14 recommend that.

15
16 CHAIRMAN O'HARA: Pat, that would be a c&t finding for
17 51 then?

18
19 MS. McCLENAHAN: Yes, for 51. And that would be a
20 modification for Units 17(A) and 17(B).

21
22 CHAIRMAN O'HARA: Do you want to action on that now or
23 are you going to continue with your presentation?

24
25 MS. McCLENAHAN: I -- whatever the Council would like
26 to do. It might be easier to do it as a -- if you want to
27 wait.....

28
29 CHAIRMAN O'HARA: Okay. We still have several steps to
30 go through before we have an action on that.

31
32 MS. McCLENAHAN: Okay.

33
34 CHAIRMAN O'HARA: Well, Council members, let's go ahead
35 and go through the rest of the steps here, then act on 51. And
36 I was wondering if the Alaska Department of Fish and Game had
37 any comment on this before their part of the agenda, ADF&G.
38 Okay. Larry is coming up. Subsistence man is coming up.

39
40 MR. SAMUELSEN: ADF&G comments deferred they said.

41
42 CHAIRMAN O'HARA: Yeah. Does ADF&G have any comments?
43 Dave, could you give him or somebody give him a seat there.

44
45 MR. FALL: Mr. Chair, Jim Fall from Subsistence, Fish
46 and Game. Just some brief comments. These were prepared by
47 Mike Coffing from our Bethel office, who has done some research
48 in this area, especially in Kwethluk. And I'll just read what
49 he provided. He agrees that the data presented in the analysis
50 -- and this is for Proposal 51 and 52. The data presented in

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1 the analysis indicates that Akiak and Akiachak do use portions
2 of Unit 17. He notes that they use the northwest portion of
3 17(B) and the northern portion of 17(A), according to the maps
4 that you just saw.

5
6 He notes that the data do not indicate that GMU 17(C)
7 is used by either community. So Mike's point is that not all
8 of 17(A) or 17(B) are used, but portions of those. And he
9 suggested that if the proposal is amended and adopted, that the
10 Council might consider using the same geographic description
11 for the c&t finding for Akiak and Akiachak as now appears in
12 your c&t finding for Kwethluk. And you'll note in your
13 regulations that a portion of 17(A) and 17(B) are defined as
14 the area that Kwethluk has customarily and traditionally used
15 for a variety of resources. And Mike is suggesting that that
16 same area be defined for Akiachak and Akiak.

17
18 And he concludes by suggesting that if more current
19 information is collected to expand that area, it would be
20 appropriate in the future to revise the finding. And that
21 concludes our suggestions.

22
23 CHAIRMAN O'HARA: Do we have any problem with that,
24 Council members? I don't think we do. Yeah, thank you very
25 much, Jim. Appreciate it. Are there other agencies, Helga,
26 that are supposed to be commenting on this, do you know? Okay.
27 You want to handle it from there, written comments?

28
29 MS. EAKON: The recommendation of the Yukon-Kuskokwim
30 Regional Council is to support the proposal with the
31 modifications supported by Staff. And we received no written
32 comments.

33
34 CHAIRMAN O'HARA: Okay. Any public comments that we
35 have from the audience today on this Proposal 52? You said
36 them yesterday? Okay. Did you want to say them again today?
37 It's okay? All right. Okay. Fritz George is the secretary of
38 the Western Yukon Council, and we appreciate him coming down.
39 He made comments yesterday on these proposal. So, Helga, this
40 is a proposal that we acted on this before, but we wanted more
41 information?

42
43 MS. EAKON: No, this is a brand new proposal.

44
45 CHAIRMAN O'HARA: Oh, this is a new one. Okay

46
47 MS. EAKON: That one you acted on was moose in 17(A).

48
49 CHAIRMAN O'HARA: Oh, okay. What's the wishes of the
50 Council? C&t finding for black bear. Yes, Robert?

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1 MR. HEYANO: Yeah, Mr. Chairman, I could support
2 Proposal 51 with the amended area to reflect the Old Western
3 Alaska brown bear management area.

4
5 CHAIRMAN O'HARA: Is that a motion?

6
7 MR. HEYANO: Okay. It is.

8
9 CHAIRMAN O'HARA: All right. It's a motion.

10
11 MR. ABRAHAM: Second.

12
13 CHAIRMAN O'HARA: Okay. Robert motioned and Pete
14 second the motion. Okay. Any other discussion on the motion?
15 Question?

16
17 MR. SAMUELSEN: The old language would mirror the c&t
18 finding area like for Kwethluk. This would be just the
19 northwest portion of 17(B) and the northern portion of 17(A)?

20
21 MR. HEYANO: Yeah, that's correct, Mr. Chairman. It's
22 the old boundary of the brown bear management area.

23
24 CHAIRMAN O'HARA: Well, we're dealing with black bear
25 right now, but that's the same, huh? 52 is black bear c&t
26 finding?

27
28 MR. HEYANO: Right. But I'm referring the boundary
29 that was in place for the brown bear.

30
31 CHAIRMAN O'HARA: Okay. Good.

32
33 MS. McCLENAHAN: Excuse me, Mr. Chairman, could I look
34 at the 17? There isn't really that much Federal land in 17(A)
35 and 17(B), I don't believe. There's a little bit of BLM land,
36 but you might want to look at this just because you're
37 deliberating.

38
39 CHAIRMAN O'HARA: Now, what are we looking at, Pat?

40
41 MS. McCLENAHAN: At the upper right-hand corner of
42 17(B), there's a little bit of Park land as well, which isn't
43 -- doesn't show.....

44
45 CHAIRMAN O'HARA: Upper right-hand, up here?

46
47 MS. McCLENAHAN: Yeah. It might be better to look in
48 your regulations book.

49
50 MS. EAKON: Page 95.

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1 MR. SAMUELSEN: Mr. Chairman?

2
3 CHAIRMAN O'HARA: Uh-huh.

4
5 MR. SAMUELSEN: I don't think that the northeast
6 portion of the Federal land in Unit 17 applies if you look at
7 the maps. They've traditionally hunted that portion in 17.
8 The northwest portion applies, but not on the eastern portion.

9
10 CHAIRMAN O'HARA: What page under the subsistence
11 management regulations?

12
13 MR. SAMUELSEN: Page 95.

14
15 CHAIRMAN O'HARA: 95?

16
17 MR. SAMUELSEN: So, I think we'd be consis -- yeah, I
18 know we'd be consistent with the data presented to us.

19
20 MS. McCLENAHAN: Mr. Chairman?

21
22 MR. SAMUELSEN: And I concur with Staff comments on the
23 justification on the eight criteria.

24
25 MS. McCLENAHAN: Mr. Chairman?

26
27 CHAIRMAN O'HARA: Yes?

28
29 MS. McCLENAHAN: Before we proceed, Dave has a comment.

30
31 MR. FISHER: I have a comment here. In 17(B) on Togiak
32 National Wildlife Refuge, you can just a little bit of the
33 Refuge extends up into 17(B). And in 17(A), Upper Togiak Lake
34 area, there's no black bears in those areas. I've never seen
35 any and Mike just passed the word on to me that he's never seen
36 any and there's none that we know of. Pete maybe could -- he
37 may be our local traditional knowledge person there, could shed
38 a little light on it.

39
40 MR. ABRAHAM: No. Unh-unh. No, there is no known.
41 Even in 17(A) there's very rare black bears has been observed
42 in that area.

43
44 MR. FISHER: Very rare or never?

45
46 MR. ABRAHAM: Hardly. Since the area.....

47
48 MR. SAMUELSEN: So, Mr. Chairman, if I may, the
49 recommendation then is only good for 17(B), Dave?

50

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1 MR. FISHER: Are you asking me for a recommendation?

2

3 CHAIRMAN O'HARA: I'm asking Staff. Somebody in Staff.
4 I think there's a possibility of bear being in 17(B), black
5 bear in the upper right-hand corner there.

6

7 MS. McCLENAHAN: Also what about the area around
8 Koliganek?

9

10 CHAIRMAN O'HARA: I don't know about Koliganek, but
11 when you go all the way up into the Aniak River there and, you
12 know, comes right straight across from Sparrevohn on 95, I
13 venture to say that -- I don't know, I wouldn't want to leave
14 that out if there is a possibility of us not knowing if there's
15 black bear in that area for 17(B).

16

17 MR. FISHER: There is some BLM land down around
18 Koliganek. Larry just nodded that there could be some black
19 bear in that area.

20

21 MR. HEYANO: Mr. Chairman?

22

23 CHAIRMAN O'HARA: Yes.

24

25 MR. HEYANO: Maybe we'd better get a clarification of
26 exactly where the Western Alaska brown bear special management
27 area boundaries are. My understanding it didn't include
28 Koliganek.

29

30 CHAIRMAN O'HARA: That's pretty far south, yeah.

31

32 MS. McCLENAHAN: No, it doesn't. That area is far to
33 the west.

34

35 MR. FISHER: Well, we have a proposal I think before us
36 to expand the western -- if we haven't already talked about it.
37 Didn't we talk about that yesterday or maybe it's coming up.

38

39 CHAIRMAN O'HARA: Yeah. Robert?

40

41 MR. HEYANO: Yeah, Mr. Chairman, my understanding is at
42 the last Board cycle we did expand it to include all of 17(B).
43 That's why my motion said the old boundary.

44

45 CHAIRMAN O'HARA: That's what I was talking about.

46

47 MR. HEYANO: Which basically took in the northwest
48 portion of 17(B) and 17(A).

49

50 CHAIRMAN O'HARA: I still think that's okay.

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1 MR. FISHER: Was a Federal proposal to align the
2 Federal regs with the State regs for the western area, western
3 brown bear management area.

4
5 CHAIRMAN O'HARA: So the motion is okay. I think the
6 motion is okay. Yeah, I mean, I think I'll be comfortable with
7 that motion. Are there any other discussion by Council
8 members.

9
10 MR. SAMUELSEN: 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: Okay. Passed. Pat, what do you have
21 next?

22
23 MS. McCLENAHAN: Okay. Let's move on to Proposal 52
24 for brown bear. The information that I have for black bear is
25 much the same for brown bear. And so what the proposal is, it
26 requests positive customary and traditional use determination
27 for brown bear in Unit 17.

28
29 CHAIRMAN O'HARA: 17?

30
31 MS. McCLENAHAN: In Unit 17.

32
33 CHAIRMAN O'HARA: Period?

34
35 MS. McCLENAHAN: Yes.

36
37 CHAIRMAN O'HARA: A and B.

38
39 MS. McCLENAHAN: And everything pretty much is
40 redundant with the proposal I just presented. And so with your
41 permission I'd like to move to our preliminary conclusions,
42 unless you have some specific questions of me.

43
44 CHAIRMAN O'HARA: Any questions on brown bear in 17(A)
45 and (B)? All right. Go ahead.

46
47 MS. McCLENAHAN: Our preliminary Staff conclusions are
48 to grant a positive customary and traditional use determination
49 for brown bear for Akiak and Akiachak, modifying the proposal
50 to read Units 17(A) and 17(B).

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1 CHAIRMAN O'HARA: All right. Does that conclude your
2 report?

3
4 MS. McCLENAHAN: Yes. Unless you'd like some
5 justification.

6
7 CHAIRMAN O'HARA: Well, did you have some justification
8 on it that you wanted to discuss?

9
10 MS. McCLENAHAN: Formal, written subsistence use
11 studies have not been done for Akiak and Akiachak; however,
12 sufficient information, particularly information about Factors
13 1 and 4, exists to grant a positive finding for Units 17(A) and
14 17(B).

15
16 CHAIRMAN O'HARA: All right.

17
18 MS. McCLENAHAN: And the evidence is the same as I
19 presented before for you.

20
21 CHAIRMAN O'HARA: Okay. Any questions on the
22 justification, Council members? Is that all, Pat?

23
24 MS. McCLENAHAN: Uh-huh.

25
26 CHAIRMAN O'HARA: Okay. The next agency would be the
27 Alaska Department of Fish and Game, if they have a comment.

28
29 MR. FALL: Thank you, Mr. Chair. Jim Fall again. The
30 same comment as we provided on 51. We note that the maps show
31 use in portions of 17(A) and 17(B) by Akiak and Akiachak. And,
32 again, we would suggest that the proposal be modified as you
33 just did for black bear to narrow down the unit of eligibility
34 to that as defined for for Kwethluk.

35
36 CHAIRMAN O'HARA: Okay. Any question, Council members?
37 Thank you, Jim. Go the portion, Helga, of other agencies that
38 might want to comment on this. Hearing none, we'll go to
39 summary of written public comments.

40
41 MS. EAKON: The recommendation of the Yukon-Kuskokwim
42 Regional Council is to support the proposal with the
43 modification recommended by Staff. And there were no written
44 comments submitted.

45
46 CHAIRMAN O'HARA: All right. Any public comments that
47 you might want to make on this? Fritz, you're happy with what
48 you said yesterday? Okay. No other written comments? 17(A)
49 and (B), c&t findings on brown bear, what's the wish of the
50 Council? Up or down the table. Is this the lull before the

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1 storm or what do we have here?

2

3 MR. SAMUELSEN: Move for adoption.

4

5 CHAIRMAN O'HARA: All right. Second.

6

7 MR. ENRIGHT: Second.

8

9 CHAIRMAN O'HARA: Okay. Robin moved, Tim seconded.

10 And did you want to speak to your motion, Robin?

11

12 MR. SAMUELSEN: Same comments as Proposal 51, the
13 modified version.

14

15 CHAIRMAN O'HARA: All right. Any other comments by
16 Council members?

17

18 MR. HEYANO: Clarification/modification of the
19 boundary, Mr. Chairman.

20

21 MR. SAMUELSEN: Yes.

22

23 CHAIRMAN O'HARA: Okay.

24

25 MR. HEYANO: Okay.

26

27 CHAIRMAN O'HARA: Any other comments? Question?

28

29 MR. HEYANO: Question.

30

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

32

33 IN UNISON: Aye.

34

35 CHAIRMAN O'HARA: Opposed.

36

37 (No opposing responses)

38

39 CHAIRMAN O'HARA: Okay. The next proposal, Pat would
40 be 53?

41

42 MS. McCLENAHAN: Let's go to Proposal 58, which is --
43 this is a request from Akiak and Akiachak for the use of moose
44 in Unit 17(B). And it's only 17(B), not 17(A).

45

46 CHAIRMAN O'HARA: Proposal what, Pat?

47

48 MR. SAMUELSEN: 58.

49

50 MS. McCLENAHAN: Proposal 58, which is on page 157.

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1 The information that you have here is the same as it is for
2 black bear and brown bear. The moose are historically a
3 relatively new species to much of Southwest Alaska, including
4 these units under discussion in Unit 18. Even though they've
5 been present in Alaska since prehistoric times, unknown numbers
6 of moose lived along the Middle Kuskokwim River until the --
7 I'm sorry, in the 1840s.

8
9 Some Unit 18 residents report seeing their first moose
10 in the 1930s. As the moose population increased the animals
11 were taken opportunistically. Over time moose hunting became a
12 regular part of the seasonal round of activities for most
13 Yukon-Kuskokwim Delta communities. And now it's an important
14 source of meat for many residents of Unit 18. Moose play a
15 greater or less role in a community's overall subsistence
16 regime depending on many factors, including the relative
17 importance or availability of other resources.

18
19 Table 2 on page 160 shows the relative importance of
20 moose as a subsistence resource in some Unit 18 communities
21 where there's information. There is not information for Akiak
22 and Akiachak in this chart, however. Once again, this is
23 repetitious, but some families use between 40 and 60 percent of
24 large land mammals to make up their protein intake per year.

25
26 I've already mentioned to you that hunters from Akiak
27 and Akiachak use spring mountain calves at the headwaters of
28 the Kisaralik, Kanektok, Kwethluk and Togiak Rivers in Units
29 19(A) and (B) to hunt moose, and that this is a traditional
30 pattern. And they hunt in conjunction with taking a wide
31 variety of other resources. I think that you already have all
32 the other information that I have.

33
34 So I'd like to move to the preliminary conclusion, and
35 that is to grant a positive customary and traditional use
36 finding for Akiak and Akiachak for moose in Unit 17(B).
37 Although formal subsistence studies have not been completed for
38 these communities, there is other information to support a
39 positive finding. And we feel that the available information
40 satisfies all eight factors, but particularly Factors 1 and 4.

41
42 CHAIRMAN O'HARA: Particularly what?

43
44 MS. McCLENAHAN: One and four.

45
46 CHAIRMAN O'HARA: One and four?

47
48 MS. McCLENAHAN: Uh-huh.

49
50 CHAIRMAN O'HARA: Okay. And that's your report?

00192

1 MS. McCLENAHAN: Uh-huh.

2

3 CHAIRMAN O'HARA: Any questions for Pat today? All
4 right. The Alaska Department of Fish and Game.

5

6 MR. FALL: Thank you, Mr. Chairman. Jim Fall again.
7 I'm going to start sounding like a broken record, but.....

8

9 CHAIRMAN O'HARA: Sounds good to us.

10

11 MR. FALL:Mike submitted the same comments on 58
12 as he did for 51 and 52, noting the maps that these two
13 communities do use a portion of 17(B), basically that
14 northwestern portion that you've addressed in the previous two
15 proposal.

16

17 CHAIRMAN O'HARA: All right. Thank you very much, Jim.
18 Any questions for Jim, Council members? Thank you very much.
19 Other agencies that might want to comment on this? Written --
20 public written comments?

21

22 MS. EAKON: The recommendation of the Yukon-Kuskokwim
23 Regional Council is to support the Staff recommendation to
24 support the proposal. And there were no written comments, Mr.
25 Chair.

26

27 CHAIRMAN O'HARA: All right. Thank you very much. Any
28 public comments on this? All right. Hearing no public
29 comments, what's the wish of the Council? I think this is a
30 pretty basis proposal that I don't think we have a problem
31 with. Yes?

32

33 MR. HEYANO: Mr. Chairman, I see in this on page 161,
34 the reference these communities hunting in 17(A) and 17(B) hunt
35 moose any time from early April through late May and early
36 June, this is a traditional pattern. At this time healthy and
37 normal moose cows are fat and the meat is tasty. Is this the
38 primary time that these folks were taking moose?

39

40 CHAIRMAN O'HARA: Let me -- Fritz, could we call on you
41 to provide some information?

42

43 MR. GEORGE: What was the question?

44

45 CHAIRMAN O'HARA: Go ahead, Robert.

46

47 MR. HEYANO: I guess the question is, at what time of
48 the year were the people primarily taking moose in 17(B) and
49 17(A)?

50

00193

1 MR. GEORGE: Presently, during fall season, like in
2 September.

3
4 CHAIRMAN O'HARA: Go ahead.

5
6 MR. GEORGE: Like the hunting grounds we're using now
7 is like Holitna, Ho-Ho and Stony, the headwaters of them rivers
8 are like overlapping 19 -- 19 and 17(B). It's Unit 19(B),
9 yeah.

10 When I talked to Willie about the proposals, he didn't know.
11 Seems like when this person, Roma, came by to Akiachak and met
12 with my elders, when they marked the map, seems like my elders
13 were author of these proposals there which we've separated like
14 a couple of years ago. One proposal for each species in each
15 unit, instead of coming up with one proposal in all these
16 units. Seems like that's how it was written.

17
18 Then since the Anchorage meeting of the three Councils,
19 we returned and so far submitted a resolution to the service
20 for a request to do a subsistence resource and area study for
21 Akiachak. And seems like Akiak is going to do the same. So
22 we're going to do it together, work on the study, which is
23 going to be starting on August, hopefully, this coming fall.

24
25 MR. SAMUELSEN: Mr. Chairman?

26
27 CHAIRMAN O'HARA: Yeah. Go ahead, Robin.

28
29 MR. SAMUELSEN: On page 95 then it'll be the red
30 portion there in the northeast corner of 17(B). That's the
31 area we're talking about, just that little area there?

32
33 CHAIRMAN O'HARA: Where?

34
35 MR. SAMUELSEN: Right here. Is that where we're
36 talking about? Because the rest is State land.

37
38 CHAIRMAN O'HARA: Must be that little corner. Okay.
39 All right.

40
41 MR. SAMUELSEN: And it'd be all of Unit 17(A), not a
42 portion of?

43
44 MS. McCLENAHAN: We're just speaking to 17(B).

45
46 MR. SAMUELSEN: Oh.

47
48 MS. McCLENAHAN: That's what the proposal is, 17(B)
49 only.

50

00194

1 CHAIRMAN O'HARA: So it's a very small section. Robin,
2 does that satisfy your question?

3
4 MR. SAMUELSEN: Yes.

5
6 CHAIRMAN O'HARA: Okay. Anything else, Fritz?

7
8 MR. GEORGE: No.

9
10 CHAIRMAN O'HARA: Thank you very much. We appreciate
11 you talking to us.

12
13 MR. GEORGE: Thank you, Mr. Chairman. Robert, did you
14 have a concern on the April hunt? Is that something you want
15 to pursue? In other words, do a c&t finding and that becomes a
16 part of what's going to be a part of the regulation. Is that a
17 concern to you?

18
19 MR. HEYANO: I guess, Mr. Chairman, based on some of
20 the information here presented to us I'd -- my preference would
21 be is to take no action on this proposal until we do get some
22 additional information. I think Fritz indicated that they were
23 going to do an extensive resource user study here starting this
24 fall. So based on the information presented to us and the time
25 of the year according to the information they were using this
26 resource, I'd prefer to wait.

27
28 MR. SAMUELSEN: Second his motion.

29
30 CHAIRMAN O'HARA: There's a motion on the floor, isn't
31 there? Was there a motion on the floor, David? Did we put a
32 motion on the floor? No. Oh, okay.

33
34 MR. SAMUELSEN: Make that into a motion, Robert.

35
36 MR. HEYANO: I could, Mr. Chairman.

37
38 CHAIRMAN O'HARA: Okay. All right. Want to put this
39 in holding, problem with the Council. All those in favor say
40 aye.

41
42 IN UNISON: Aye.

43
44 CHAIRMAN O'HARA: Opposed.

45
46 (No opposing responses)

47
48 CHAIRMAN O'HARA: Okay. Thank you very much. Yes,
49 Pat?

50

00195

1 MS. McCLENAHAN: To clarify, you want this deferred
2 until the subsistence study is completed?

3
4 CHAIRMAN O'HARA: Well, Fritz is going to do some
5 research on it with the agencies, apparently. And so.....

6
7 MS. McCLENAHAN: You don't want to just defer it until
8 next year, you want to defer it until the subsistence study is
9 completed?

10
11 CHAIRMAN O'HARA: Yes. I don't think we're in any
12 hurry on this.

13
14 MS. McCLENAHAN: Okay.

15
16 CHAIRMAN O'HARA: What is the next one, Pat?

17
18 MS. McCLENAHAN: Let's move to Proposals 53 and 54.

19
20 CHAIRMAN O'HARA: You're going to handle those both
21 together?

22
23 MS. McCLENAHAN: Please.

24
25 CHAIRMAN O'HARA: Okay.

26
27 MS. McCLENAHAN: Proposals 98-53 -- this is on page 116
28 for your use. Proposal 98-53 was submitted by Akiak and
29 Akiachak. It requests a positive customary and traditional use
30 determination for caribou in Unit 17 for the residents of Akiak
31 and Akiachak. Proposal 98-54 was submitted by AVCP, which is
32 the Association of Village Council Presidents, I believe. It
33 requests a positive customary and traditional use determination
34 for caribou in all of Units 17(A) and 17(B) for all rural
35 residents of Unit 18.

36
37 This is going to be kind of long, but I'd like to read
38 the communities that we have found available subsistence use
39 area maps for. And those are Russian Mission, Alakanuk,
40 Sheldon's Point, Emmonak, Kotlik, Mountain Village, Hooper Bay,
41 Scammon Bay, Chevak, Andraefsky, Pilot Station, Pitkas Point,
42 St. Mary's, Scammon Bay, Nunapitchuk, Kasigluk, Atmautluak,
43 Napaskiak, Oscarville, Tulksak and Sheldon Point. These
44 communities are not known to use or have used Unit 17 to
45 subsistence hunt for caribou. And that comes from a number of
46 ADF&G subsistence studies.

47
48 A number of communities in Unit 18, Chefornak, Toksook
49 Bay, Tununak, Kipnuk, Kongiganak, Kwillingok, Nightmute, Newtok
50 and Mekoryuk are not presently included in the customary and

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1 traditional use determination for caribou in Unit 18. That
2 means to me that there is no documentation that these
3 communities use caribou. We have no written record at this
4 time.

5
6 The communities within the region of the Lower
7 Kuskokwim for which little subsistence use area information is
8 available are Bethel, Napakiak, Eek, Platinum and Tuntutuliak.
9 Fly-in caribou hunters from Bethel use Hart Lake and Nishlik
10 Lake a small amount, according to Coffing. Fly-in hunters
11 possibly from Bethel came in the late spring and summer to hunt
12 squirrels and caribou in Unit 17(B) in the mid-1980s, according
13 to Dave Fisher. This was not considered a long term consistent
14 pattern of use, however. It seemed to be an episodic thing.
15 Unit 18 communities for which subsistence use area maps or
16 descriptions of use areas exist showing or describing the use
17 of Unit 17(A) and (B) are Akiak, Akiachak, Kwethluk, Goodnews
18 Bay and Quinhagak. Region 6 residents of Sleetmute hunt
19 caribou in Unit 17(B), and residents of Chuathbaluk may also
20 use those units.

21
22 Caribou have been gone from the Yukon-Kuskokwim Delta
23 region since the mid-1800s. And except for small pockets of
24 animals here and there. As far as the role that caribou plays
25 in the subsistence of these communities, it's pretty much the
26 same as moose. Caribou is one of the favored animals for use
27 at the time of Slavik for their feasts.

28
29 Regarding Factor number 4, I'd just like to go quickly
30 over this one. This is the consistent harvest and use of fish
31 or wildlife as related to past methods and means of taking,
32 near or reasonably accessible from the community area. For the
33 Coastal Subregion, many of the coastal communities are located
34 at some distance from Units 17(A) and 17(B). The coastal
35 communities of Eek, Nunapitchuk, Quinhagak, Tuntutuliak,
36 Goodnews Bay and Platinum have the greatest proximity to the
37 units in question. Eek, Nunapitchuk, Tuntutuliak use the
38 Kwethluk River and the Kisaralik Drainage. The headwaters of
39 the Kisaralik are in Unit 17(B).

40
41 The communities of Quinhagak, Goodnews and Platinum use
42 Units 17(A) and 17(B) to subsistence hunt for caribou.
43 Platinum residents have residents in Koliganek and Aleknagik,
44 and perhaps New Stuyahok, and they go to Unit 17(A) to hunt
45 with family members, according to Coffing. Quinhagak and
46 Goodnews Bay hunt caribou by snowmachine in the winter and in
47 February and March, in the mountain valleys at the headwaters
48 of the Kisaralik in Unit 17(B), the Kanektok, Units 17(A) and
49 (B), the Arolik, Unit 18, and the Togiak River, Units 17(A) and
50 17(B). They use certain parts of Unit 17(A) but not the

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1 Nushagak Peninsula, according to Dave Fisher. Ron Thuma's maps
2 for Quinhagak confirm this pattern. Bethel uses Hart Lake and
3 Nishlik Lake in Unit 17(B) for a small amount of fly-in caribou
4 hunting.

5
6 For the Kuskokwim Subregion the communities of this
7 subregion are the communities nearest to Units 17(A) and 17(B).
8 And so I think that I'd like to move to our preliminary Staff
9 conclusions. And that is to modify the proposal and to grant a
10 positive customary and traditional use determination for the
11 residents of Akiak, Akiachak, Quinhagak, Goodnews Bay, and
12 Platinum for caribou in Units 17(A) and 17(B). And to decline
13 to grant a positive c&t determination for the remainder of the
14 Unit 18 communities.

15
16 Sufficient information about each of the eight factors,
17 including the use area maps, or verbal descriptions of the
18 areas used are available to support granting the determination
19 for Akiak, Akiachak, Quinhagak, Goodnews Bay and Platinum. For
20 the others that information is lacking.

21
22 CHAIRMAN O'HARA: Okay. Council members, let's address
23 this issue. Oh, no, excuse me. Do you have any questions of
24 Pat? I think this is one of those deals like you have a Naknek
25 where information is lacking, but it doesn't necessarily mean
26 that that information is not there. And I think we're
27 excluding a lot of communities that we don't know anything
28 about really. I really don't know about those communities. I
29 know that Henry Dock and Carl Dock would come down from Kipnuk
30 to Naknek with an airplane to hunt caribou at Johnson Hill.
31 You know, that was in the 70s. I don't know if they went from
32 there over to 17(B) or (A) to get caribou in their day. And so
33 I don't know if I would feel comfortable. There's just too
34 many names and too many villages I'm not aware of to -- I don't
35 know what the wishes of the Council are, but we'll get the
36 report maybe as we go along here. Did you do your summary and
37 are you finished now, Pat?

38
39 MS. McCLENAHAN: Uh-huh.

40
41 CHAIRMAN O'HARA: Okay. Alaska Department of Fish and
42 Game, maybe they have some comments on the whole list of
43 villages. Jim?

44
45 MR. FALL: Thank you, Mr. Chairman. Related to that
46 idea of the whole list of villages, what our recommendation for
47 53 and 54 is, is that action be deferred on the proposals
48 pending a comprehensive review of which communities have a
49 customary and traditional use of caribou in GMU 17. As we
50 heard from the Staff report, there are big gaps in that

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1 information. And I also will once again refer to Mike
2 Coffing's comments about Akiak and Akiachak, as well as
3 Goodnews Bay, Platinum and Quinhagak. We do acknowledge that
4 the use of portions of 17(A) and 17(B) by those communities, as
5 indicated by the maps and by the testimony of elders and
6 others.

7
8 CHAIRMAN O'HARA: Jim, before you leave. We can talk
9 about this later, but this is too early to get into the action
10 part of it. We're just getting reports, so that will be fine.
11 Any questions of the Department of Fish and Game?

12
13 MR. HEYANO: I guess what -- were they hunting the
14 Kilbuck caribou? Definitely couldn't be hunting Mulchatna
15 animals. They're a fairly new item into that portion of 17(B)
16 and 17(A). So was it the Kilbuck herd or.....

17
18 MR. FALL: Mr, Chair. Robert, I'm not sure. I didn't
19 do that research. You would probably need to ask one of the
20 biologists about which caribou population that likely was.

21
22 MR. ABRAHAM: Mr. Chairman?

23
24 CHAIRMAN O'HARA: Yes.

25
26 MR. ABRAHAM: I could clarify your question, I guess,
27 Robert. The Mulchatna and Kilbuck were combined in that area
28 there. A lot of those people even from Nightmute/Toksook area,
29 they go all the way up the 18, that area 18(A) or 18 to caribou
30 hunting nowadays by snowmachines. You can get lot of
31 information like from even Kipnuk, Newtok, that area. They are
32 starting to go after those caribou today.

33
34 CHAIRMAN O'HARA: Today. What about yesterday?

35
36 MR. ABRAHAM: Even yesterday.

37
38 CHAIRMAN O'HARA: Even yesterday. Any other questions?
39 Thank you very much, Jim. Any other agencies that need to
40 address this issue? Written comments?

41
42 MS. EAKON: For both proposals the recommendation of
43 the Western Interior Regional Council is to defer the proposals
44 to Bristol Bay Regional Council, providing that Lime Village
45 and Stony River maintain their current determinations in Unit
46 17. The recommendations of the Yukon-Kuskokwim Regional
47 Council are to support the proposals with the modifications
48 recommended by Staff. And there were no written public
49 comments.

50

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1 CHAIRMAN O'HARA: Okay. Any public comments on this
2 proposal? All right. We can act on this or take a break.
3 Robin?

4
5 MR. SAMUELSEN: Mr. Chairman, on Proposal 53 and 54, I
6 move that we take no action and action be deferred on this
7 proposal pending a comprehensive review of which communities
8 have a c&t use of caribou in Unit 17.

9
10 CHAIRMAN O'HARA: Okay. A motion by Robin.

11
12 MR. ENRIGHT: Second.

13
14 CHAIRMAN O'HARA: Second by who? By Tim. Any
15 discussion or comment to the motion? What I'd like to do is,
16 the Chair is going to be getting together in May in Anchorage
17 and the Chairman of these Regional Councils. I'd like to, if
18 this Council would not mind me talking to those people, gaining
19 a little more information. There's just too many gaps in there
20 to cut somebody out of a c&t finding that maybe should be
21 involved. Any other comments? Question?

22
23 MR. SAMUELSEN: Mr. Chairman?

24
25 CHAIRMAN O'HARA: Yeah.

26
27 MR. SAMUELSEN: As new information becomes available,
28 that doesn't preclude them from coming back and submitting
29 their proposal based on that new information and we'll take
30 another look at it. So it wasn't my intent to exclude them,
31 it's just that we don't have the information in front of us.

32
33 CHAIRMAN O'HARA: Yeah, that's right. And it's easier
34 to do it all at once without having to try to bring something
35 back and trying to get something back that we've given away.

36
37 MR. SAMUELSEN: Yes.

38
39 CHAIRMAN O'HARA: Question?

40
41 MR. ABRAHAM: Question.

42
43 CHAIRMAN O'HARA: All those in favor say aye.

44
45 IN UNISON: Aye.

46
47 CHAIRMAN O'HARA: Opposed.

48
49 (No opposing responses)

50

00200

1 CHAIRMAN O'HARA: 10 minute break.

2

3 (Off record)

4

5 (On record)

6

7 CHAIRMAN O'HARA: On record. Introduction of 55, is
8 that where we're at, Helga?

9

10 MS. EAKON: Actually we're going to be on 55, yes.

11

12 CHAIRMAN O'HARA: All right. Who is the lead agency on
13 this? David?

14

15 MS. EAKON: Okay.

16

17 CHAIRMAN O'HARA: Are you the lead agency on this?

18

19 MS. EAKON: Proposal 55 would modify the season and
20 harvest limit for caribou in Unit 17. Dave Fisher is the
21 presenter.

22

23 CHAIRMAN O'HARA: 17(A)?

24

25 MR. FISHER: Yes, Mr. Chairman, this deals with caribou
26 hunting areas in 17(A). It's Proposal 55, it was submitted by
27 the Togiak National Wildlife Refuge. And what it would do,
28 would re-describe those caribou hunting areas in Subunit 17(A).
29 Currently under Federal regulations there's three caribou
30 hunting areas in 17(A). This would reduce those three down to
31 two. So we would have the Nushagak Peninsula area or the
32 Nushagak Peninsula caribou herd, and we would have remainder of
33 17(A). And it would basically align with the current Fish and
34 Game regulation. Seasons and dates would be determined by the
35 Refuge Manager and cooperation with Fish and Game I would
36 assume before the season was to start. But it would simplify
37 and make it easier for subsistence users to understand the
38 areas in 17(A). So it's going to reduce them from three down
39 to two.

40

41 CHAIRMAN O'HARA: We had three before?

42

43 MR. FISHER: Yes.

44

45 CHAIRMAN O'HARA: Was that the Kilbuck, Nushagak
46 and.....

47

48 MR. FISHER: No. I can explain those to you. We had
49 Unit 17(A), that portion west of the Togiak River, we have Unit
50 17(A) the Nushagak Peninsula, and we have 17(A) remainder. And

00201

1 the remainder was between 17(A) Nushagak Peninsula and east of
2 the Togiak River. So we want to re-describe that into two
3 areas, 17(A) remainder and 17(A) for Nushagak caribou.

4
5 CHAIRMAN O'HARA: Okay. Any other comment? Any
6 questions, Council members? Alaska Department of Fish and
7 Game, do you have any comments on this one?

8
9 MR. VAN DAELE: Mr. Chairman, Larry Van Daele, Fish and
10 Game. Last spring at the Board of Game meeting the Board
11 authorized the State to open a season with up to language when
12 the caribou moved through Unit 17(A). The rationale behind
13 that was because area managers are not authorized to open
14 seasons, basically, we're usually just authorized to close
15 seasons. And because the Mulchatna caribou herd's movement are
16 somewhat erratic and we wanted to be able to respond to the
17 villages that were in closed areas as soon as a large portion
18 of a herd move through, they tailored a way to give the Area
19 Managers authority to open seasons when the caribou were
20 abundant. And my understanding from what Mr. Fisher said this
21 proposal said, is that this is an attempt do to the same thing
22 on the Federal side, is that correct, Dave?

23
24 MR. FISHER: Yes.

25
26 MR. VAN DAELE: Okay. In the past, at least in this
27 area, we've worked very closely with Yukon-Delta National
28 Wildlife Refuge Staff and Togiak National Wildlife Refuge Staff
29 to have our openings coincide and their closings coincide for
30 these caribou. And that would be the intent in the future with
31 this.

32
33 CHAIRMAN O'HARA: Okay. So you're in agreement then
34 with them.....

35
36 MR. VAN DAELE: Yes, sir, we would support this
37 proposal. It would help.

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

41
42 MR. HEYANO: Yes. Larry, if this proposal is adopted
43 it would still allow for the protection of the Nushagak
44 Peninsula herd, those few animals that are just east of Twin
45 Hills?

46
47 MR. VAN DAELE: As I understand this proposal, and
48 correct me if I'm wrong, it would allow the Area Managers to
49 tailor the openings to any portion of 17(A). If they felt they
50 needed to protect that area around Twin Hills and such, they

00202

1 could. They could set the boundaries where they wanted to for
2 the openings, as we have in the past.

3
4 MR. ABRAHAM: Mr. Chairman?

5
6 CHAIRMAN O'HARA: Pete.

7
8 MR. ABRAHAM: I think from Pango River down towards
9 Twin Hills is closed area, but from Pango River above is opened
10 along with north side of Togiak River.

11
12 MR. VAN DAELE: That's correct. And that's what we're
13 talking about doing now. We think that what Dave is trying to
14 do with the proposal is allow the Federal Managers that same
15 flexibility without having to go back to the Board every single
16 time they want to do it.

17
18 MR. FISHER: Mr. Chairman, maybe I can just really
19 simplify it here. The season, harvest limit and hunt area
20 would be announced by the Refuge Manager sometime between
21 August 1st and March 31st. That kind of gives him that
22 latitude to cooperate with Larry and unify the regulations.

23
24 CHAIRMAN O'HARA: Any other questions of -- yes?

25
26 MR. SAMUELSEN: To Robert's comment about concern about
27 the caribou in Twin Hills. I don't think them caribou are
28 there any more are they, Mike? Are they there?

29
30 MR. HINKES: We counted over a hundred in that area.

31
32 MR. SAMUELSEN: Oh.

33
34 MR. HINKES: That group is getting larger all the time.

35
36 MR. SAMUELSEN: Oh, okay.

37
38 CHAIRMAN O'HARA: This is east of Twin Hills? Cool.
39 That's all right. That light at the end of the tunnel is not a
40 runaway train, huh? Any other -- no other comments? All
41 right, we have another presenter here.

42
43 MR. ADERMAN: Yes, Mr. Chairman, Andy Aderman, Togiak
44 National Wildlife Refuge. Really what Proposal 55 does is deal
45 with the west side of the Togiak River. Currently on the
46 Federal side if we open it, we have a bag limit of two. Under
47 the State system they can open it up to five. We can open up
48 to five in Unit 18 and on the east side of the river. So it's
49 basically a housekeeping proposal.

50

00203

1 CHAIRMAN O'HARA: Yeah. Okay. Yet it gives you
2 protection on the Kilbuck herd too. Kilbuck herd is protected
3 and if the Mulchatna herd moves in it makes a difference.

4
5 MR. ADERMAN: That's taken into consideration before
6 opening a hunt.

7
8 CHAIRMAN O'HARA: Yeah. Okay. Thank you, Andy. Any
9 other questions, Council members? Any other agencies need to
10 comment on this? Written public comment?

11
12 MS. EAKON: Western Interior Regional Council took no
13 action on this. They kind of overlooked it at their meeting.
14 Recommendation of the Yukon-Kuskokwim Regional Council is to
15 support the Staff recommendation. And there were no written
16 public comments.

17
18 CHAIRMAN O'HARA: Any public comment here today?
19 Hearing none, what's the wishes of the Council?

20
21 MR. HEYANO: Mr. Chairman, I move for adoption of
22 Proposal 55.

23
24 CHAIRMAN O'HARA: Robert made a motion.

25
26 MR. BOSKOFISKY: I second.

27
28 CHAIRMAN O'HARA: Alvin seconded. Any discussion or
29 did you want to address your motion?

30
31 MR. HEYANO: Mr. Chairman, as it was explained to us,
32 is that I consider it basically a housekeeping proposal to
33 align both State and Federal regulations.

34
35 CHAIRMAN O'HARA: Call for the question.

36
37 UNIDENTIFIED VOICE: Question.

38
39 CHAIRMAN O'HARA: All those in favor say aye.

40
41 IN UNISON: Aye.

42
43 CHAIRMAN O'HARA: Opposed.

44
45 (No opposing responses)

46
47 CHAIRMAN O'HARA: Screaming right along.

48
49 MS. EAKON: Proposal 56 would authorize same day
50 airborne hunting of the Nushagak Peninsula caribou herd. And

00204

1 the presenter is Dave Fisher.

2

3 CHAIRMAN O'HARA: Who is the lead agency here? Go for
4 it, man.

5

6 MR. FISHER: I don't even know if I want to talk about
7 this.

8

9 CHAIRMAN O'HARA: You're under mandate to talk about
10 this.

11

12 MR. FISHER: This proposal was submitted by Mr. Robert
13 Heyano from Dillingham, Alaska. And this would allow for the
14 same day airborne subsistence hunting of caribou on the
15 Nushagak Peninsula, Subunit 17(A) and Subunit 17(C), those
16 parts that are on the Peninsula within the Togiak National
17 Wildlife Refuge. And if you'll recall, an identical proposal
18 was submitted last year by the Nushagak Peninsula Caribou
19 Planning Committee and your Council tied on the vote. So there
20 was no decision made by the Council. And the proposal went on
21 and it was consequently rejected by the Federal Subsistence
22 Board at their meeting.

23

24 The caribou herd that we're dealing with is the
25 Nushagak Peninsula herd. I think we're all pretty well
26 familiar with that. There are currently two Federal
27 regulations which prohibit same day airborne hunting. The
28 Airborne Hunting Act prohibits while airborne attempt to take
29 any wildlife, it also prohibits harassment of wildlife. And
30 then the Federal subsistence regulations prohibits same day
31 airborne hunting for bear, wolf, wolverine, furbearers and
32 other ungulates, which include caribou, moose.

33

34 State regulations also prohibit same day airborne
35 hunting. There's some exceptions under State regulations, and
36 that's caribou in Units 9(B), 17(B) and 17(C) east of the
37 Nushagak River and those dates are January 1 through April
38 15th. So there is a provision there and that was passed by the
39 Board of Game to allow same day airborne for take of Mulchatna
40 herd. And they also allow same day airborne hunting in
41 southeast for the take of deer. However, the hunter has to be
42 at least 300 feet from the plane. Once the plane lands, he's
43 got to be 300 feet from the airplane before he attempts to
44 start hunting.

45

46 The harvest on the Nushagak caribou herd over the past
47 four years hasn't been what we had earlier anticipated. There
48 was 35 animals taken in '95, 52 animals taken in '95-96, an
49 estimated 20 animals taken in '96-97 and currently we've had
50 about 23 animals reported killed for this winter. However,

00205

1 there have been approximately 58 permits issued. So all the
2 permits aren't back yet, and the season doesn't end until the
3 end of March, so we don't know what the kill will be for this
4 winter.

5
6 One of the reasons the harvest has been low in the
7 earlier years was poor travel conditions for people accessing
8 that herd. And the increased opportunity, not this winter but
9 the previous two or three winters, for take of Mulchatna
10 caribou. Guidelines for that Nushagak caribou herd specified
11 that we wanted to keep the population around 1,000. The
12 estimated population right now is around 1,200, possibly a
13 little bit more.

14
15 The Staff has some concerns with this proposal. We
16 feel that allowing airborne hunting on this rather small area
17 could put some stress on the caribou during the winter and
18 early spring when the animals are in their poorest physical
19 condition. There's a possibility that airborne activity in
20 that area could make the caribou more skiddish to snowmachines
21 that are down, people on snowmachines down in area hunting
22 animals. And we feel that to access that herd fairly close to
23 Dillingham and to Manokotak, snowmachines and four-wheelers
24 offer an excellent means to access that herd. Allowing same
25 day airborne hunting on this area would be in conflict with the
26 Airborne Hunting Act.

27
28 The Bristol Bay Native Association is currently opposed
29 to the same day hunting of caribou on the Nushagak Peninsula.
30 And the Staff felt that frankly there are other means to
31 control the harvest of these animals; that seasons and harvest
32 limits could be used rather than to introduce airplanes on a
33 National Wildlife Refuge to try and control populations.

34
35 The Staff recommendation was to oppose this proposal,
36 Mr. Chairman.

37
38 CHAIRMAN O'HARA: Was that your presentation.

39
40 MR. FISHER: Yes, sir.

41
42 CHAIRMAN O'HARA: Any questions, Council members. All
43 right, yes, Robert, go ahead.

44
45 MR. HEYANO: The question I have, Mr. Chairman is you
46 make a statement in here that same day airborne hunting is not
47 an acceptable method to sound wildlife management, could you
48 explain that?

49
50 MR. FISHER: Well, throughout the National Wildlife

00206

1 Refuge system we don't use same day airborne hunting to control
2 populations of game.

3

4 MR. HEYANO: Yeah, Mr. Chairman, I realize that the
5 regulation prohibiting on Refuge lands, my question, what does
6 that have to do with sound wildlife management? To me, what
7 this statement is referencing is that somehow same day airborne
8 is detrimental to the wildlife population.

9

10 MR. FISHER: Well, I think it is in many circumstances,
11 that's why they passed the Airborne Hunting Act in 1972. There
12 were some problems with airplanes used in the taking of game so
13 they introduced that act to help eliminate that.

14

15 CHAIRMAN O'HARA: I don't think that's true. I think
16 you're inaccurate on your information on that. I think the
17 reason they eliminated same day airborne hunting is a non-
18 resident could come in and take as much game as we could take
19 and therefore your guides and other people could take a lot of
20 the game. In this particular situation you have a certain
21 number of permits, it doesn't make any difference whether you
22 shoot them with a cannon or a helicopter or a F-16 -- it might
23 make a difference.

24

25 MR. FISHER: We realize that, and I think we would
26 rather try to lengthening the season or increasing the harvest
27 limit before we brought airplanes in to help control the
28 population.

29

30 CHAIRMAN O'HARA: I think there's a common sense thing
31 here, but I think Robert is making a statement, that on Federal
32 land you don't allow same day airborne hunting, according to
33 the Airborne Hunting Act. Now is that the statement you made?

34

35 MR. FISHER: Pardon?

36

37 CHAIRMAN O'HARA: Did you make a statement that this is
38 not.....

39

40 MR. FISHER: I said allowing airplanes to hunt caribou,
41 same day airborne on the Nushagak Peninsula could conflict with
42 the Airborne Hunting Act.

43

44 CHAIRMAN O'HARA: What does that, Same Day Airborne
45 Hunting Act mean?

46

47 MR. FISHER: It prohibits you from taking wildlife
48 while airborne or harassing any type of wildlife with an
49 airplane.

50

00207

1 CHAIRMAN O'HARA: Okay. Is it not allowed to hunt same
2 day airborne on Federal lands -- oh, this is State lands, it
3 doesn't matter.

4
5 MR. FISHER: No, this is Federal lands.

6
7 CHAIRMAN O'HARA: Oh, this is Federal lands, okay.

8
9 MR. FISHER: Yes.

10
11 CHAIRMAN O'HARA: So you cannot hunt same day airborne
12 on Federal lands?

13
14 MR. FISHER: No.

15
16 CHAIRMAN O'HARA: No, you cannot?

17
18 MR. FISHER: Well, you can't hunt -- under the Airborne
19 Hunting Act, you cannot hunt while airborne.

20
21 CHAIRMAN O'HARA: Oh, no, but you can land and shoot
22 the same day as airborne on Federal lands.....

23
24 MR. FISHER: Yes.

25
26 CHAIRMAN O'HARA:for caribou?

27
28 MR. FISHER: No, not under subsistence regulations you
29 can't.

30
31 CHAIRMAN O'HARA: So it's illegal to go out and get the
32 Nushagak herd with an airplane with same day airborne? It's
33 not allowable according to.....

34
35 MR. FISHER: That's correct.

36
37 CHAIRMAN O'HARA: And who determined this?

38
39 MR. FISHER: Well, it was determined when the Federal
40 Subsistence regulations went into effect. I think possibly it
41 was picked up under State regulations because many of the
42 subsistence regulations that we use for game were a direct
43 result of what Fish and Game already had in place.

44
45 CHAIRMAN O'HARA: Somebody made a law saying that you
46 could not shoot and fly same day airborne on Federal lands?

47
48 MR. FISHER: Yes.

49
50 CHAIRMAN O'HARA: Was that the Anchorage management

00208

1 people or was that Congress, our fathers in D.C., or where did
2 this come from?

3

4 MR. FISHER: Well, it probably started in Anchorage and
5 then went right up through the chain of command when they
6 okayed the Federal subsistence regulations.

7

8 CHAIRMAN O'HARA: Okay. I want a clarification on
9 that, I'd appreciate that.

10

11 MR. FISHER: Um-hum.

12

13 CHAIRMAN O'HARA: And the other thing is is you harass
14 animals a lot more with a snowmachine than you do with an
15 airplane, by far, and four wheelers are even worse.

16

17 MR. FISHER: We were looking at the fact that you can
18 already use snowmachines and then we were thinking snowmachines
19 are already there and then you reintroduced airplanes, you are
20 going to increase the harassment factor and you're also going
21 to possibly put more stress on those animals during the winter.

22

23 CHAIRMAN O'HARA: No, I don't think you understand what
24 we're talking about. A lot of us here, all of our life, have
25 hunted with airplanes, same day airborne. And I guarantee you
26 right now, you can land and shoot an animal from an airplane
27 and they never even know you're in the area. You cannot hardly
28 do that with a snowmachine. That is way more harassment with a
29 snowmachine if you want to look at it as far as the care of the
30 animal goes. And four wheelers, my goodness, I mean you're
31 going to chase those animals for miles before you get one on a
32 snowmachine. We've all hunted on snowmachines.

33

34 MR. FISHER: How many people are going to go out in an
35 airplane and just directly land it and start hunting? The
36 tendency would be for those people to go out and maybe try and
37 find where the animals are?

38

39 CHAIRMAN O'HARA: Yes. And you don't have to chase the
40 animals to do that. You do have to find them, but you don't
41 have to chase them.

42

43 MR. FISHER: But under some situations you could force
44 those animals to leave the area they're in or force them to
45 move and put some stress on them.

46

47 CHAIRMAN O'HARA: I don't think you know what you're
48 talking about.....

49

50 MR. FISHER: Well.....

00209

1 CHAIRMAN O'HARA:to be honest with you. But
2 that's my opinion. Anyway.....

3
4 MR. FISHER:I've done quite a bit of.....

5
6 CHAIRMAN O'HARA:you've done both?

7
8 MR. FISHER:survey work from an airplane.

9
10 CHAIRMAN O'HARA: Um-hum.

11
12 MR. FISHER: And I have seen where we have, even just
13 in our survey work, pushed animals and made them move.

14
15 CHAIRMAN O'HARA: Oh, I think in your survey work,
16 you're probably worse than airborne.

17
18 MR. FISHER: And we were trying to be very careful not
19 to do that.

20
21 CHAIRMAN O'HARA: Yeah. Well, anyway, it's my opinion,
22 you know, and I realize that you work for the government and
23 it's your opinion, but in my opinion, I think there's a lot
24 less harassment of game by same day airborne than there is
25 chasing with a snowmachine by far. No comparison.

26
27 Anyway, Council members, you have questions.

28
29 MR. SAMUELSEN: You know, Dan, you'll have us back to
30 spears here pretty soon. On the State land in Unit 17(C) and
31 (B), Larry, maybe you could correct me if Dave can't, past
32 practices was legal to same day airborne and hunt caribou and
33 then the Board did away with it for a number of years, and with
34 the increase in the Mulchatna Caribou Herd liberalized the hunt
35 during the winter, same day airborne; is that right?

36
37 MR. VANDAELE: Yes, sir.

38
39 MR. SAMUELSEN: Yeah, okay.

40
41 MR. FISHER: Well, there's three areas there, 9(B),
42 17(B) and 17(C) east of Nushagak River, State authorizes same
43 day airborne hunting from January 1 through April 15th, and
44 like I said, it's primarily for that Mulchatna Caribou Herd.
45 The hunter has to be at least 300 feet from the airplane before
46 he starts to do his hunting.

47
48 MR. SAMUELSEN: Well, I guess when the caribou
49 population was growing, there was concern about same day
50 airborne so they shut down same day airborne hunting in Unit

00210

1 17(C) and 17(B). And once the Mulchatna Caribou Herd hit a
2 certain number, they liberalized the season, January through
3 April for same day airborne because they were not culling the
4 herd, they couldn't -- the growth of the herd was 17 percent a
5 year -- averaging 17 percent a year and we're taking 7,000 to
6 8,000 animals out of there so we couldn't stop the herd from
7 growth, and that was a real concern.

8
9 MR. FISHER: Well, I think you're right and Larry may
10 want to correct me if I'm wrong, but I think it was used to put
11 a little more hunting -- help harvest more animals.

12
13 CHAIRMAN O'HARA: Any other questions for the Federal
14 program here, from Dave? Yes, Robert.

15
16 MR. HEYANO: Does the Federal Airborne Hunting Act only
17 apply to Federal lands?

18
19 MR. FISHER: Yes. Well, I'm not sure on that. I
20 better -- before I say yes I better do some research on that.
21 Larry may know the answer.

22
23 MR. HEYANO: So the answer is, I don't know?

24
25 MR. FISHER: Unless Larry has the answer.

26
27 MR. VANDAELE: I'm pretty sure the Federal Airborne
28 Hunting Act takes care of all lands, period.

29
30 MR. FISHER: I will research that.

31
32 MR. VANDAELE: Because that would be in air/space which
33 is Federal jurisdiction rather than land based.

34
35 MR. FISHER: I think Larry's right.

36
37 CHAIRMAN O'HARA: How many animals do you have over
38 there on the Nushagak Peninsula?

39
40 MR. FISHER: I think the recent estimate is around
41 1,200.

42
43 CHAIRMAN O'HARA: 1,200 and you want to keep at 1,000?

44
45 MR. FISHER: Yes. We just feel that there's other
46 means to control the harvest, like I said, seasons, increase
47 the harvest limit. The current harvest limit is two.

48
49 CHAIRMAN O'HARA: Okay.

50

00211

1 MR. FISHER: Before we bring airplanes in.

2
3 CHAIRMAN O'HARA: Robert.

4
5 MR. HEYANO: Yeah, Mr. Chairman, I'd just like to make
6 a statement I guess since we're almost done with Dave Fisher
7 there. I think that, you know, allowing same day airborne has
8 nothing to do with sound wildlife management. I think it just
9 shows the prejudice of the Federal Wildlife Refuge people has
10 against a certain, what I consider valid subsistence practices,
11 so I want to make that perfectly clear. And I think the
12 Federal Airborne Hunting Act does include all lands, Federal
13 and State, and there's areas in the State where it's allowed.
14 You know, there's laws both for State and Federal for
15 harassment of animals, whether it's by aircraft or any other
16 forms of motorized forms of transportation. So I think what
17 we're dealing with here is a Federal prejudice.

18
19 CHAIRMAN O'HARA: Yeah, I think if you issue a certain
20 number of permits, you know, that that's the issue. And I
21 think that we're dealing with the fact that you're stopping us
22 from doing an same day airborne hunting on Federal lands, and I
23 think that's where the rub comes as far as I'm concerned. I'd
24 like to challenge you on that issue.

25
26 Any other comments from the Council members? And hey,
27 long before you ever saw a chainsaw, we were hunting with
28 airplanes. You know, long before most everybody in this room
29 was ever in this part of Alaska, we hunted with airplanes, in
30 the '40s and '50s we hunted with airplanes. It's more
31 customary and traditional use than the snowmachine, you know,
32 that's the issue.

33
34 And when it comes to Larry's program of same day
35 airborne on the Mulchatna Herd, that's a different issue. It
36 can only be done by -- mostly be locals or by Alaskans and it's
37 not opened up to all the public in September and October --
38 August, September and October, and we have an X number of
39 animals. But if you go up to the Mulchatna Herd and you take
40 20, that's all you're going to take. And I said at the
41 beginning of the program we're not going to repeat ourselves,
42 so we're done. No comments, okay. We'll turn it over to the
43 Alaska Department of Fish and Game.

44
45 MR. VANDAELE: Thank you, Mr. Chairman. Larry
46 VanDaele, Fish and Game. Even though I usually agree with
47 everything the Fed's say, we disagree with the recommendation.
48 We think that this should be supported. Even though you don't
49 want us to reiterate things, I got a little list, I got to say
50 some of these things over again.

00212

1 CHAIRMAN O'HARA: You can reiterate on each different
2 proposal, that's no problem.

3
4 MR. VANDAELE: Okay. With regard to same day airborne
5 hunting on State lands. We authorize same day airborne hunting
6 for deer and for caribou in certain areas of the state.
7 Basically the only reason we don't allow same day airborne
8 hunting for certain species is to make hunters inefficient, to
9 give everyone more of a fair chance to make it more of a fair
10 chase for the animals. In areas where we have an abundance of
11 animals or in areas where access is such that it really
12 wouldn't matter, such as the middle of Kodiak Island with same
13 day airborne, we will authorize that.

14
15 With regard to the Mulchatna Caribou Herd, Mr.
16 Samuelsen's comments are correct, we did authorize it when the
17 herd reached a certain size. However, we only authorized it in
18 those areas that were the old winter range, places where we
19 really didn't want to see the caribou stay that much anymore.
20 We wanted to continue this movement to the west. So we also
21 used it as a management tool in that case, to reduce the
22 population-- well, not really reduce the population, allow
23 people to take more more efficiently, and also just do that in
24 the areas where the range was getting hit the hardest.

25
26 We specifically did not allow same day airborne hunting
27 during the rut and during the main fall hunting season when the
28 animals would be most vulnerable and when most of our hunters
29 were out here. So it was a management tool and we felt it was
30 a sound management tool used in that way.

31
32 The co-management group, which works on the Nushagak
33 Peninsula Caribou Herd, which involves the Department, the
34 Service and representatives from the various villages have
35 struggled with this. We've gone through the same arguments for
36 a couple of years now. And two years running, the same answer
37 has come out of that group. They feel it is a legitimate way
38 to hunt this herd. The rationale behind that is what you guys
39 have already said. We have a population target of 1,000
40 animals for this particular peninsula, that may be too many,
41 that may be too little, but that's our BAD again, that's our
42 best available data. We feel that by managing for 1,000
43 caribou on that herd, we can maintain that number for the long-
44 term. If we had more than that we may harm the range. We
45 haven't seen signs of harm yet, but when you start seeing signs
46 of harm, it may already be too late.

47
48 So we basically have 200 to 300 too many caribou on
49 this particular area. This liberal seasons, and with permits
50 available to all the villages, we have not been able to harvest

00213

1 more than 35 animals from this herd, perhaps this year we'll
2 get up to 50 based on what Mr. Fisher said. Still that's way
3 below what we can do.

4
5 The co-management group and Robert, correct me if I'm
6 wrong, or Robin, because you guys both sit in on that. But the
7 co-management group felt that this was legitimate subsistence
8 use. Aircraft were a subsistence method and means of going out
9 there. Currently in the fall time, several villagers charter
10 aircraft to go to the Nushagak Peninsula to pick berries. It's
11 very common to charter an airplane, Valcar's Airplane or
12 anybody else here from Dillingham to go out there and pick
13 berries. When I was hunting out there this year, caribou
14 hunting, there were at least four different aircraft that came
15 in in a two day period, right where I was hunting. None of
16 them hunted, they all went to pick blackberries, but they could
17 have hunted if the same day airborne provision was in effect.

18
19 I don't believe we have a concern about over harvest.
20 As you mentioned, Mr. Chairman, there is a restricted number of
21 permits out there. I think we may get more of a wanton waste
22 if we allow F-16s, however, if we just go with this we'll
23 probably be able to handle it.

24
25 And the final thing, again, I'm just talking biology
26 now, I'm not going to get into the politics of what's ethical
27 and what's not, but from what I've seen in my time as a
28 wildlife biologist, snowmachines do, in fact, cause a great
29 deal more harassment than aircraft do. There are already
30 restrictions in place with snowmachines not being able to herd,
31 harass or chase animals, but people tend to do that more just
32 because of the nature of the beast, it's harder not to as you
33 mentioned. The same restrictions apply for aircraft, however
34 it is much easier to land on floats when you know the caribou
35 herd is over a hill, get out of the airplane, go over the hill
36 and pop one or two and get them out of there. So I would agree
37 with you that snowmachines cause a great deal more disruption
38 to animals than aircraft do, even when they're used properly.

39
40 CHAIRMAN O'HARA: Any questions of Larry? Thank you
41 very much. Other agencies that need to address this issue
42 today? Written comment?

43
44 MS. EAKON: No written comments, Mr. Chair.

45
46 CHAIRMAN O'HARA: We have one member of the public that
47 would like to testify. Ted Krieg from BBNA.

48
49 MR. KRIEG: Ted Krieg, Bristol Bay Native Association,
50 Natural Resource Department. The BBNA Board has gone on record

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1 stating that they do not support airplanes as a customary and
2 traditional means of transportation of hunting. This -- you
3 know, the Nushagak Peninsula Caribou Herd was a subsistence
4 only hunt. And I don't -- you know, it was my -- I've heard
5 this come up before and it was never -- I don't think it was
6 ever intended to be an airplane same day airborne hunt. The
7 herd was to benefit the villages in the area. The villages
8 that are involved in this hunt and it's, you know, the village
9 councils, they're the one that control the permits are Togiak,
10 Twin Hills, Manakotak, Ilignigik, Dillingham, Clark's Point and
11 Nekok. Correct me if I'm wrong, I think those are the ones
12 involved.

13
14 And you know it seems to me that this same day airborne
15 hunt would only benefit a few people. I mean people can
16 charter, but I just, you know, I don't see it as benefiting
17 everybody and especially the people in the villages and you
18 know, I don't know in those villages how many people own
19 airplanes, but you know, like we heard, I mean I guess you can
20 charter, I don't know. Travel was good this year. I know it
21 hasn't always been good, but if that's a factor, it was good
22 this year. I was out with a large group of people and you know
23 between nine of us I think we harvested 9, 10 or 11, we had at
24 least each one. And I feel that if this is passed, it would be
25 just another thing that anti-subsistence people would focus on,
26 you know, for a reason to deny a rural preference. And I just
27 don't think it's worth it on a small herd like this that, you
28 know, that was only to benefit these villages.

29
30 So that's all I've got.

31
32 CHAIRMAN O'HARA: Any questions of Ted today? Yes,
33 Robert.

34
35 MR. HEYANO: Yes, Mr. Chairman, would BBNA come out
36 with a statement of not recognizing aircraft as customary and
37 traditional -- what criteria did they use?

38
39 MR. KRIEG: I can't answer that. I wasn't at the
40 meeting.

41
42 MR. HEYANO: I find that strange, Mr. Chairman, because
43 under both State and Federal, aircraft is a recognized as a
44 subsistence form of transportation.

45
46 MR. KRIEG: They did say that they didn't deny the fact
47 that people had used airplanes to hunt, but as far as it being
48 customary and traditional, that was my understanding.

49
50 MR. HEYANO: But you're not aware of any criteria they

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1 applied or any formal mechanism they went through to reach that
2 determination?

3

4 MR. KRIEG: No, I'm not. I wasn't at the board meeting
5 when that happened.

6

7 CHAIRMAN O'HARA: Any other questions? Thank you, Ted,
8 appreciate it. Okay, we're down to the nitty-gritty here
9 friends on the wishes of the Council on this proposal.

10

11 MR. ABRAHAM: Mr. Chairman, these feelings over here
12 are involving in this co-management with the Nushagak Herd,
13 Togiak, Twin Hills, Manakotak, Clark Point -- they were not
14 informed about this aircraft use at Peninsula Herd down there.
15 I think the people should be informed first before we make a
16 move on this proposal over here.

17

18 CHAIRMAN O'HARA: Okay, thank you, Pete. Any other
19 comments from Council members. Robert -- I mean Robin.

20

21 MR. SAMUELSEN: They were informed, Pete. I sit on the
22 Nushagak Peninsula Caribou Co-management Team, and Staff can
23 correct me if I'm wrong, but they did vote in favor by, I
24 think, it was one member -- or one vote rather to support same
25 day airborne. We, at the Council took this issue up and tied
26 it three to three. It went to the Federal Subsistence Board
27 which rejected it and I don't know what the vote was in there,
28 if it was a close vote or not.

29

30 But I'll move to oppose Proposal 56, Mr. Chairman.

31

32 CHAIRMAN O'HARA: There's a motion on the floor to
33 oppose 56. Is there a second?

34

35 MR. ABRAHAM: I second it.

36

37 CHAIRMAN O'HARA: Okay, Pete seconded it.

38

39 MR. SAMUELSEN: Can I speak to my motion?

40

41 CHAIRMAN O'HARA: Yes.

42

43 MR. SAMUELSEN: Thank you, Mr. Chairman. We
44 liberalized the hunting practices of airplanes on the Nushagak
45 -- on the Mulchatna Caribou Herd, which has grown to well over
46 200,000 animals and it has a growth rate of 17 percent per
47 year, which equates out to roughly 34,000 animals a year that
48 are coming on to that herd. We have a harvest rate of seven to
49 8,000 animals. So I think that on State lands we've provided
50 aircraft subsistence users that were not using aircraft to go

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1 and harvest caribou from a herd that is, not only rapidly
2 growing, but rapidly expanding. And looking at the Nushagak
3 Peninsula Caribou Herd, the goal was 1,000 animals, I think
4 there was three ranges in there. And in the last four years we
5 haven't had any snow conditions to -- for local hunters from
6 the villages that belong within that -- that participate in the
7 Nushagak Peninsula Caribou hunt except for this year. I know
8 quite a few people from Dillingham that's been going down there
9 to hunt. I think, you know, we've recommended to the Togiak
10 people that they move over into that area and hunt. So I think
11 our numbers are going to be up substantially. I'm not
12 completely opposed to allowing airplanes on the Alaska
13 Peninsula if we get overgrazing.

14
15 CHAIRMAN O'HARA: Alaska Peninsula?

16
17 MR. SAMUELSEN: I mean on the Nushagak Peninsula. If
18 that herd cannot be culled and we start having habitat
19 concerns, we see disease coming into the caribou herd, no
20 expansion moving off and the unwillingness of villagers to go
21 down to that area and start harvesting, then I think we need to
22 develop, not only liberalize the bag limit for everybody, but
23 extend the seasons and also allow aircraft in there. But I
24 don't think we're there at this point in time. So in looking
25 -- and that is about the only area that same day airborne
26 hunting caribou in Bristol Bay is restricted. And I think it
27 is a special area. I think it's -- not having airplanes in
28 there at this time is consistent with the goals and objectives
29 of the co-management team when they first adopted the plan.

30
31 So I'll be in opposition of this proposal at this point
32 in time. But I wouldn't preclude it from future years when we
33 see where the herd goes.

34
35 CHAIRMAN O'HARA: All right. Robin was the maker of
36 the motion and he spoke to the motion. Any other comments by
37 Council members.

38
39 MR. SAMUELSEN: No, Robert was the maker.

40
41 CHAIRMAN O'HARA: I mean Robin made the motion and
42 spoke to the motion -- Robert, sorry.

43
44 MR. HEYANO: Yes, Mr. Chairman, I guess I would ask
45 this Council for some consistency on this issue. You know it's
46 been determined that aircraft is a recognized method of
47 transportation for subsistence, that's what we are. We are
48 here to look out for subsistence uses and protect those. You
49 know, in 1974 the State prohibited and made it illegal. And I
50 think before that time, back into the '30s, people who had

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1 aircraft used them for hunting. And they didn't cap unless
2 they had to.

3
4 You know, I would like to see that, what I consider a
5 customary and traditional practice be allowed. I think under
6 the Federal system, you know, where we only have to look out
7 for the interest of rural residents in our communities, that's
8 quite a bit different than under the State program where
9 everybody in the State of Alaska is currently a recognized
10 subsistence user. I don't think by allowing the use of
11 aircraft under the Federal system, because of the rural
12 preference, we're going to see a significant increase in the
13 harvest of populations. And I guess, Mr. Chairman, I -- to me
14 that's the issue. And you look at this Nushagak Peninsula
15 Herd, it's further restricted, in that, there's only a certain
16 allowable number they're going to allow to harvest and it's
17 controlled by permits and it's further controlled by certain
18 villages that can participate in it. And I think it comes down
19 to the issue of why are we here.

20
21 So I would ask this Council for the same consideration
22 on this proposal as we give to the red fish in Katmai, as we're
23 currently giving to the use of ORV's in Katmai, the
24 consideration we gave when we made rod and reel a subsistence
25 tool. I think the same consideration and support we gave to
26 those people who used to hunt Round Island. And they were --
27 you know, that regulation came in in the '60s, and they were
28 prohibited from doing that. So the same consideration we give
29 to the folks in Naknek and King Salmon and south Naknek for c&t
30 of brown bear. That's all I'm asking for Mr. Chairman. And I
31 think if there's people on this committee who feel there isn't
32 enough available information, I'd be willing to put information
33 together such as Smiley presented us with. But I think in all
34 fairness, Mr. Chairman, I don't see how, as a Subsistence
35 Regional Council from Bristol Bay, that we can sit here and
36 deny people what has been customary and traditional use because
37 of maybe what we consider personal preferences.

38
39 I would challenge this Council to go through the
40 criteria, the same criteria we use when we say other methods
41 and means are customary and traditional and see if it fits.
42 And I'll go further to say maybe not every community in Bristol
43 Bay will have that finding, but I know definitely there are
44 communities in Bristol Bay who have customary and traditional
45 practices of same day airborne hunting and it was taken away
46 from them by the State, and I don't see any different with that
47 regulation and then the creation of the Park or something else
48 that prohibited some other people's subsistence uses. And
49 that's all I'm asking for, Mr. Chairman, is equal consideration
50 on this issue.

00218

1 CHAIRMAN O'HARA: Thank you, Robert. Any other
2 comments from the Council members before we vote on this today?
3 Hearing none, we will have a roll call vote.

4
5 MS. EAKON: Mr. Heyano.

6
7 MR. HEYANO: Yeah, to the motion?

8
9 CHAIRMAN O'HARA: Well, the motion is to deny.

10
11 MS. EAKON: The motion is to reject the proposal.

12
13 MR. HEYANO: No.

14
15 MS. EAKON: Mr. Abraham.

16
17 MR. ABRAHAM: Yes.

18
19 MS. EAKON: Mr. O'Hara.

20
21 CHAIRMAN O'HARA: No.

22
23 MS. EAKON: Mr. Samuelson.

24
25 MR. SAMUELSON: Yes.

26
27 MS. EAKON: Mr. Boskofsky.

28
29 MR. BOSKOFSKY: No.

30
31 MS. EAKON: Mr. Enright.

32
33 MR. ENRIGHT: Yes.

34
35 MS. EAKON: Mr. Balluta.

36
37 MR. BALLUTA: Yes.

38
39 MS. EAKON: Four yes, three no's.

40
41 CHAIRMAN O'HARA: For a while I thought we were a
42 rubber-stamp Council here, but I guess we're not. Let's take a
43 10 minute break.

44
45 (Off record)

46
47 (On record)

48
49 CHAIRMAN O'HARA: Next proposal.

50

00219

1 MS. EAKON: Okay, Proposal 57 would allow taking
2 caribou from a moving snowmachine in Unit 17(A) and a part of
3 Unit 17(C). Dave Fisher is the lead.

4
5 CHAIRMAN O'HARA: All right, David.

6
7 MR. FISHER: I don't know how I drew two tough ones in
8 a row.

9
10 CHAIRMAN O'HARA: That's why they pay you those wages.

11
12 MR. FISHER: I guess, yeah.

13
14 CHAIRMAN O'HARA: Yeah.

15
16 MR. FISHER: Anyway, here we go. This is Proposal 57
17 and it was submitted by Mr. Tommy Evon from Togiak, Alaska.
18 And it would allow the taking of caribou from a snowmachine
19 while it is in motion in subunit 17(A) and part of subunit
20 17(C), to include the Nushagak Peninsula.

21
22 Currently under Federal subsistence regulations
23 snowmachines may be used to search for and approach caribou.
24 However, it is -- and it is lawful to take caribou from a
25 snowmachine as long as it is not in motion and the snowmachine
26 is not being used to drive or harass caribou. The State of
27 Alaska regulations allow hunters to take caribou from a
28 snowmachine with the added condition that the engine is not
29 running. The Federal Subsistence Board in the past has opposed
30 similar requests to allow hunting of caribou from a moving
31 snowmachine.

32
33 If this proposal passes, we're faced with the problem
34 of a Federal regulation allowing -- and a State regulation
35 prohibiting, and especially with the -- it would create a
36 problem with the boundary units aren't really recognizable so
37 it would be tough to enforce.

38
39 The Staff also felt that there would be a chance of a
40 possible increase in the crippling loss by shooting an animal
41 from a moving platform. And also the fact that there would be
42 the harassment factor and the molestation factor which is also
43 prohibited. Basically the Staff recommendation was to oppose
44 this regulation.

45
46 CHAIRMAN O'HARA: Any questions of Dave? Alaska
47 Department of Fish and Game.

48
49 MR. VANDAELE: Mr. Chairman, Larry VanDaele, Alaska
50 Fish and Game. We concur with the Fish and Wildlife Service's

00220

1 recommendation. We strongly oppose this regulation.

2

3 CHAIRMAN O'HARA: Any questions of Larry? Thank you,
4 Larry. Other agencies that might want to comment on this?
5 Hearing none, written comment.

6

7 MS. EAKON: The recommendation of the Western Interior
8 Regional Council is to oppose the proposal for reasons of
9 safety and accuracy of shot. The recommendation of the Yukon-
10 Kuskokwim Regional Council is no action because the proposal
11 concerns only the Nushagak Peninsula in Unit 17 and no Region 5
12 communities are involved.

13

14 We received a letter -- a comment of opposition from
15 Mike Sallee of Ketchikan who said that the action is not so
16 inherently bad so much as it is too easily abused.

17

18 CHAIRMAN O'HARA: And that's the end of the written?

19

20 MS. EAKON: End of comments.

21

22 CHAIRMAN O'HARA: Okay. Any public comment we might
23 have today from this body? Hearing none, what's the wishes of
24 the Council? Robin.

25

26 MR. SAMUELSEN: Mr. Chairman, I move to oppose Proposal
27 57.

28

29 MR. ABRAHAM: Second.

30

31 CHAIRMAN O'HARA: All right. Any discussion. Did you
32 want to address your motion?

33

34 MR. SAMUELSEN: Well, I think it's -- we've always
35 maintained that we want to have consistent State and Federal
36 regulations, this will be a deviation from that consistency. I
37 believe subsistence users are provided ample opportunity to
38 harvest their caribou on a snowmachine -- non-moving
39 snowmachine and because of the inconsistency in regulations,
40 I'm in support of opposing Proposal 57.

41

42 CHAIRMAN O'HARA: Any other comments from Council
43 members? Question. All those in favor say aye.

44

45 IN UNISON: Aye.

46

47 CHAIRMAN O'HARA: Opposed.

48

49 (No opposing responses)

50

00221

1 CHAIRMAN O'HARA: Ayes have it. Next proposal.

2
3 MS. EAKON: Proposal 58 would add the -- oh, I'm sorry,
4 we already.....

5
6 CHAIRMAN O'HARA: We did 58.

7
8 MS. EAKON:we did 58. Proposal 59 would
9 establish a moose season and harvest limit in Unit 17(A). Dave
10 Fisher is the presenter.

11
12 CHAIRMAN O'HARA: All right, David, if you would,
13 please.

14
15 MR. FISHER: 59, didn't we already do 59, that's -- we
16 can do it again, I would be happy to try and get a better
17 outcome on it if you want.

18
19 CHAIRMAN O'HARA: No, no, I don't think so.

20
21 MR. FISHER: If you want to try it again.

22
23 CHAIRMAN O'HARA: I think it's 60.

24
25 MS. EAKON: Okay. Proposal 60 would align moose
26 seasons in Unit 17. The lead is Dave Fisher.

27
28 CHAIRMAN O'HARA: All right, David, you're on.

29
30 MR. FISHER: Thank you, Mr. Chairman. This is another
31 sort of a housekeeping proposal to align Federal regulations
32 with current State regulations and it's submitted by the Togiak
33 National Wildlife Refuge.

34
35 And what it would do would modify moose hunting
36 regulations in subunit 17(B) and 17(C) to align with current
37 State of Alaska moose hunting regulations for those same
38 subunits. This is similar to what we talked about last year,
39 Proposal 50 submitted by the Council. The Council later
40 modified its proposal in an attempt to align with a similar
41 proposal submitted to the State Board of Game by the Nushagak
42 Advisory Committee. However, the State Board of Game modified
43 the Nushagak Advisory Committee's proposal, so the end result
44 was Federal regulations don't really align with State
45 regulations. And if you'll look at the proposal, you'll see
46 under number one, about halfway down the first page there,
47 you'll have subunit 17(B) and (D) seasons in italics, those are
48 the changes we want to make. Those would align with State of
49 Alaska.

50

00222

1 CHAIRMAN O'HARA: What page is that on?

2

3 MR. ABRAHAM: 191.

4

5 CHAIRMAN O'HARA: 191?

6

7 MR. SAMUELSEN: 181.

8

9 CHAIRMAN O'HARA: 181, okay, we got it, we're on the
10 same page, thank you, (B) and (C).

11

12 MR. FISHER: Basically what it amounts to is some
13 slight seasonal changes.

14

15 CHAIRMAN O'HARA: What are those slight seasonal
16 changes?

17

18 MR. FISHER: Well, in subunit 17(B) we'd be going to
19 September 1 through 15, rather than a September 1 through 10
20 season.

21

22 CHAIRMAN O'HARA: All right.

23

24 MR. FISHER: Subunit 17(B), that portion that includes
25 all of the Mulchatna River drainage system from and including
26 the Chulchitna River drainage, we'd be going from an August
27 20th to the 31st to an August 20th to September 15. And in
28 subunit 17(B), the remainder, we're going from an August 20 to
29 an August 31st. And if this proposal goes through we'd be
30 changing the season to August 20 through September 15th, and
31 lengthening that December season from December 15th to the 31st
32 to December 1 through 31. Basically that's the same change for
33 subunit 17(C).

34

35 CHAIRMAN O'HARA: Um-hum.

36

37 MR. FISHER: It is sort of confusing to try and present
38 it and even more confusing, probably, to understand it.

39

40 CHAIRMAN O'HARA: Um-hum.

41

42 MR. FISHER: But basically that's what it would do is
43 some slight seasonal changes to align the two systems.

44

45 CHAIRMAN O'HARA: All right. Any questions of Dave,
46 Council members?

47

48 MR. SAMUELSEN: The.....

49

50 CHAIRMAN O'HARA: Thank you -- oh, excuse me, go ahead.

00223

1 MR. SAMUELSEN: The changes, Mr. Chairman, would be in
2 Unit 17(B) would roughly be the 1.5 percent on Federal lands
3 within Unit 17(B) that we're talking about?

4
5 MR. FISHER: Yeah.

6
7 MR. SAMUELSEN: There's basically no Federal lands.

8
9 CHAIRMAN O'HARA: Yeah.

10
11 MR. SAMUELSEN: And in Unit 17(C), according to the map
12 on Page 95, it'd be -- I don't know what percentage that is of
13 17(C), but it isn't very much, probably about 20 percent.

14
15 MR. FISHER: There's some BLM lands there on the
16 eastern part of the unit and then you get into the Togiak
17 Refuge and then in the western part of the unit.

18
19 CHAIRMAN O'HARA: Okay. Any other questions for Dave?
20 Any comment from the Alaska Department of Fish and Game?

21
22 MR. VANDAELE: Yes, Mr. Chairman, Larry VanDaele,
23 Alaska Department of Fish and Game. As Mr. Samuelsen pointed
24 out, Federal lands in subunit 17(B) and (C) are scattered.
25 They don't follow any hydrologic boundaries, any biological
26 boundaries and are difficult to find on the ground. Therefore,
27 we would support this proposal to align State and Federal
28 seasons to help the hunters in the field.

29
30 CHAIRMAN O'HARA: Any questions for Larry. Thank you
31 very much. Other agencies that might want to address this
32 issue? Written comment.

33
34 MS. EAKON: The recommendation of the Yukon-Kuskokwim
35 Regional Council is to support the Staff recommendation to
36 support the proposal. And there were no written comments, Mr.
37 Chair.

38
39 CHAIRMAN O'HARA: Any public comments from this body
40 today? Hearing none, wishes of the Council.

41
42 MR. HEYANO: Move to adopt Proposal 60, Mr. Chair.

43
44 CHAIRMAN O'HARA: Second.

45
46 MR. ENRIGHT: Second.

47
48 CHAIRMAN O'HARA: Robert made the motion, Tim seconded
49 it. Would you like to speak to your motion?

50

00224

1 MR. HEYANO: Yes, Mr. Chairman. I consider this a
2 housekeeping aligning Federal regulations with State
3 regulations even though there's only a limited amount of
4 Federal land in these two areas.

5
6 CHAIRMAN O'HARA: Any other comment Council members?
7 Question.

8
9 MR. HEYANO: Question.

10
11 CHAIRMAN O'HARA: All those in favor say aye.

12
13 IN UNISON: Aye.

14
15 CHAIRMAN O'HARA: Opposed.

16
17 (No opposing responses)

18
19 CHAIRMAN O'HARA: Yes.

20
21 MR. SAMUELSEN: Since we're dealing with moose and the
22 action that we took in Unit 17 -- in regard to Unit 17(A)
23 yesterday, since we have Larry up here, I'd like some
24 clarification on the moose hunt in 17(A) for the coming year.

25
26 CHAIRMAN O'HARA: Okay. Would you mind doing that,
27 Larry?

28
29 MR. VANDAELE: No, I'd be glad to.

30
31 MR. SAMUELSEN: Larry, last year we had roughly 235
32 moose surveyed in the area. We recommended a fall hunt not
33 more than 10 bulls be taken. This year we have roughly 125,
34 let's say, moose in the area, what is going to be your
35 recommendation or as well as the Refuge people's recommendation
36 on how many bulls could be taken out of that area?

37
38 MR. VANDAELE: Mr. Chairman, Robin, what our intent is
39 is to get together with Refuge staff and myself or my successor
40 and come up with some more definitive boundaries on what we
41 think is an allowable take. We will do that within the next
42 week or so and present those data to Mr. Heyano, or whoever is
43 in charge of this subcommittee that we came up with yesterday.
44 And those numbers will be devised at that. What we'll do is
45 we'll do research into other areas of the state as to what
46 their allowable harvest rates are. Compare it to our situation
47 here. And have a more definitive answer. If I had shot from
48 the hip, I'd say 25 animals, but I don't want to shoot from the
49 hip right now, I think we should research it since we have the
50 time to do that now, work jointly.

00225

1 MR. SAMUELSEN: Okay. Previous action by this Council,
2 I recall, especially in Naknek, I missed the Togiak meeting,
3 but we wanted to curtail the illegal harvest, Mr. Chairman.

4
5 CHAIRMAN O'HARA: Um-hum.
6

7 MR. SAMUELSEN: Staff has indicated that this winter
8 roughly six -- I believe it was six -- Mike is shaking his head
9 over there, animals have been taken illegally taken in that
10 area.

11
12 CHAIRMAN O'HARA: All right.

13 MR. SAMUELSEN: And I would like to see that the
14 illegal take, whatever number that the managers, both Federal
15 and State come up with, that that illegal take be subtracted
16 right off the top.

17
18 CHAIRMAN O'HARA: Is that a direction or do you want to
19 put it in the form of a motion?
20

21 MR. SAMUELSEN: Just kind of a directive and I'd like
22 to hear what the other Council says about that because we were
23 pretty adamant on the illegal take because of the severity of
24 the conservation concerns for the moose populations in that
25 area and our commitment to rebuild that herd. And I think that
26 there's been a dramatic increase in the illegal take and we're
27 doing everything we can to make sure that that moose population
28 is going to reach its goal and we need to have the cooperation
29 of the subsistence users to obtain that goal.

30
31 CHAIRMAN O'HARA: Any comment from the Council members?
32 Are we in agreement on that, that we do not want any illegal
33 take? In other words we put ourselves on record of less work
34 with the community of Togiak and Twin Hills, I believe for 10
35 animals and then that's it. Even when the animals were, you
36 know, below what we want in the way of numbers. As far as I'm
37 concerned, that's my opinion on that issue and I want to make
38 sure we work with Togiak, whatever the community is, necessary
39 to make sure we don't have anymore illegal take of these
40 animals so we get it up to a certain number.

41
42 MR. ABRAHAM: Mr. Chairman.
43

44 CHAIRMAN O'HARA: Peter.
45

46 MR. ABRAHAM: We all knew we had 10 animals -- we asked
47 for 10 animals last fall. And we went beyond that number, I
48 think, by 15, total -- I think I'd be comfortable with 20
49 animals and then -- because I don't think we'll hurt that herd
50 with 20. This will give the people more opportunity to go

00226

1 after more in the fall time because last fall there was a lot
2 of people asking questions, are there 10 animals dead already,
3 can we go out there? Because I don't think we'll go beyond 25,
4 you know, for the fall season.

5
6 CHAIRMAN O'HARA: Okay. Any other comments Council
7 members? Robert.

8
9 MR. HEYANO: Yes, Mr. Chairman, I think if you'll
10 recall, you know, there was actually two parts to our
11 concurrence of allowing this hunt. One, was of course to
12 provide some limited opportunity for harvest and the other one
13 was, of course, you know, that we had some assurance that
14 illegal harvest was -- you know, would not continue. And I
15 think that -- you know, we discussed that at the Naknek
16 meeting. And then if you recall in the Togiak meeting, we had
17 some discussion on whether we wanted to submit a proposal or
18 not to establish a permanent season. And my recollection is
19 the discussion centered around, well, we need to see what the
20 illegal activity was on the moose so we opted not to and take
21 care of it through special action type of a request. I think
22 that's an important -- in my opinion, that's as important as
23 allowing a hunt, is to make sure that that illegal harvest
24 stops because that's always been triggered as one of the main
25 reasons that this may be back in the earlier years -- why this
26 moose population wasn't allowed to expand. So I think some
27 work needs to be done on that. What is the number, six, seven,
28 documented?

29
30 MR. VANDAELE: Six, I believe, yes.

31
32 MR. HINKES: Could I comment on these?

33
34 CHAIRMAN O'HARA: Yes. Give us your name for the
35 Recorder.

36
37 MR. HINKES: Mike Hinkes, from the Togiak Refuge.

38
39 CHAIRMAN O'HARA: Um-hum.

40
41 MR. HINKES: We documented six animals this year.
42 Three of them were taken by one individual with some wanton
43 waste and was from another village on the Yukon. I think
44 overall, Robin mentioned that the illegal harvest has increased
45 dramatically, I think, in fact, that it's probably -- it's gone
46 down over the years. I think the illegal harvest has cut back
47 quite a bit, especially in light of the number of animals that
48 we have out there. I think that the villages from that aspect
49 has actually improved quite a bit. And I don't know, Pete
50 could probably attest to this a bit more but, you know, in our

00227

1 view, at the Refuge, we think the illegal harvest has actually
2 been reduced over the past few years from when we were hearing
3 of 20 moose being killed in that valley.

4
5 MR. SAMUELSEN: That's encouraging news, Mr. Chairman.
6 Mike, was that individual cited?

7
8 MR. HINKES: Yes.

9
10 MR. SAMUELSEN: Okay.

11
12 MR. HINKES: The troopers have gone in there and cited
13 him and like I said, there was wanton waste involved and it was
14 somebody that was in the field, unprepared from another
15 village.

16
17 CHAIRMAN O'HARA: Pete, did you have anything else to
18 bring to us.

19
20 MR. ABRAHAM: Yes. Just like Mike said, illegal
21 hunting was cut down quite a bit after we had the fall hunt
22 because the people were -- the people were happy and, you know,
23 with that hunt. And the traditional council has talked to some
24 people in the meetings that they should keep this up over here
25 and no more illegal hunting and stuff like that. And I, for
26 myself, I spread the word little by little. Because if we
27 don't have illegal hunt, the more hunt would be open to us in
28 Togiak, so it's helped a lot in a lot of ways.

29
30 CHAIRMAN O'HARA: Okay. So there's been some real
31 progress made. Any other comments, Council members? Did you
32 want any further action on this Robert?

33
34 MR. SAMUELSEN: No.

35
36 CHAIRMAN O'HARA: I mean Robin, I keep calling you
37 Robert, sorry.

38
39 MR. SAMUELSEN: I just wanted to clarify it, that's
40 all.

41
42 CHAIRMAN O'HARA: Okay, thank you very much. Yes,
43 Larry.

44
45 MR. VANDAELE: Mr. Chairman, if I may have a
46 clarification on this subcommittee that you guys discussed
47 yesterday for 17(A) moose management plan.

48
49 CHAIRMAN O'HARA: Um-hum.

50

00228

1 MR. VANDAELE: Mike and I have agreed to put together
2 some basic guidelines on what we think the moose population
3 could be projected to do, what projected harvest levels were.
4 And as I mentioned, different percentages from different
5 reference materials so we'd have some things. Who should we
6 present this to -- who will be on the committee, Mr. Abraham
7 invited us to come to Togiak to speak to the traditional
8 council. I'd like some direction, if I may, on what you'd like
9 us to do and when.

10
11 CHAIRMAN O'HARA: I don't know if we have a committee
12 appointed yet, do we Robert?

13
14 MR. HEYANO: Not that I'm aware of.

15
16 CHAIRMAN O'HARA: But we want one?

17
18 MR. HEYANO: I think that was the recommendation that
19 this.....

20
21 CHAIRMAN O'HARA: All right.

22
23 MR. HEYANO:body gave yesterday.

24
25 CHAIRMAN O'HARA: Okay. Well, we'll have something for
26 you by the end of the day and I don't think we want to handle
27 it right here.

28
29 MR. VANDAELE: Okay.

30
31 CHAIRMAN O'HARA: And then we also have another
32 committee that needs to be taken care of, too, and that's on
33 the 9(E), with the Federal, State, local people and advisories
34 and councils involved.

35
36 MR. VANDAELE: Thanks.

37
38 CHAIRMAN O'HARA: Robert, did you have your hand up?

39
40 MR. HEYANO: Yes, Mr. Chairman. I think it was my
41 understanding from the Council that the hunt will proceed under
42 the existing regulations so we're not necessarily up against a
43 time frame to have a draft plan in place for the fall season.
44 Is that the understanding of this Council?

45
46 MR. SAMUELSEN: Um-hum.

47
48 CHAIRMAN O'HARA: We want a management plan coming out
49 of this is what we want.

50

00229

1 MR. HEYANO: And brought back to this for action?

2

3 CHAIRMAN O'HARA: Yeah. But we do have, you know, the
4 State of Alaska taking the lead on this and you're going to
5 have to deal with a number of animals. I don't know if this
6 Council is going to have go on record, Helga -- I mean don't go
7 on record, but we're not going to meet before this is done,
8 we'll meet next October -- even if we meet in September, the
9 hunt will be over with or too late to deal with. so if we have
10 to deal with a number of animals, we can do it teleconference
11 if we have to. So it will be dealt with and we'll have a
12 mechanism in place to deal with it from State working with the
13 Feds.

14

15 MR. ABRAHAM: Mr. Chairman.

16

17 CHAIRMAN O'HARA: Yes.

18

19 MR. ABRAHAM: The reason why I wanted to invite the
20 people over to Togiak, it allows Quinagak and Platinum River by
21 you and Robert Heyano is I want to make this a permanent
22 management plan over here. Because this is a long range plan
23 over here. We can present it for the next fall meeting or we
24 can have teleconference on it.

25

26 CHAIRMAN O'HARA: All right. Any other comments
27 Council members? Are you satisfied that you've got the tools
28 to work with, Larry?

29

30 MR. VANDAELE: Yeah, I have a better idea of what
31 you're looking at.

32

33 CHAIRMAN O'HARA: All right.

34

35 MR. VANDAELE: Thank you, sir.

36

37 CHAIRMAN O'HARA: I guess you're going to come up with
38 a percentage number that you're going to have to work with this
39 fall?

40

41 MR. VANDAELE: We'll come up with the right number.

42

43 CHAIRMAN O'HARA: All right.

44

45 MR. BOSKOFISKY: Wasn't that the one we had the
46 committee set up for so that we'd have this before that hunt?

47

48 CHAIRMAN O'HARA: No, no. We put into place a fall
49 hunt that they'll have to come up with a number with and then
50 we're going to have a management plan and a committee to help

00230

1 get that management plan off the ground, which I imagine the
2 meeting will take place in Togiak. And we do need to give some
3 thought to what we're going to do on the Alaska Peninsula on
4 this -- who we want. I know there's several of you. Do you
5 have a comment?

6
7 MR. SAMUELSEN: Just one, Mr. Chairman. Because the
8 Nushagak Advisory Committee is also involved in the 17(A) moose
9 hunt. I'd recommend that a member be -- that we offer a slot
10 to the Nushagak Advisory Committee to also attend this.

11
12 CHAIRMAN O'HARA: Oh, sure.

13
14 MR. SAMUELSEN: Because they'll be opening a section in
15 17(B) and 17(C) and that will be part of the equation.

16
17 CHAIRMAN O'HARA: I think at this time we're going to
18 probably break for lunch. But before we do I'd like to -- is
19 it Carleen, we want to thank you for being our registrar and
20 making our coffee and taking care of errands and doing our
21 scheduling for getting out of town. She is a college student.
22 I believe she is leaning toward being probably the study of
23 biology. And we thank her for volunteering her work to come
24 down here with Helga. We appreciate it very much. I don't
25 know about the trip to Hawaii but I guess we'll just have to
26 see how that works out.

27
28 And then we have -- I don't want to miss people in the
29 audience, but I met Ralph Anderson, who is working with BBNA.
30 Ralph was originally from the area and graduated from the
31 University of Alaska and spent some time at Dartmouth and is
32 working with BBNA and has spent 20 years in the Barrow area.
33 So we're glad to have you with us and we appreciate you coming
34 out to the meeting. And I don't know if I've left anyone else
35 that we should. Yes, Helga.

36
37 MS. EAKON: I would also like to recognize Cliff
38 Edenshaw. Cliff coordinates the Kodiak/Aleutians Regional
39 Council and the Seward Penn Regional Council. And he was
40 authorized to attend this meeting "to see how a very strong
41 Council works."

42
43 CHAIRMAN O'HARA: You can put anything in there you
44 want. Be back at 1:00 o'clock from lunch, okay.

45
46 (Off record)

47
48 (On record)

49
50 CHAIRMAN O'HARA: The last proposal we have deals with

00231

1 fur. Let the fur fly, Helga.

2

3 MS. EAKON: Proposal 61, the final proposal in your
4 book would modify seasons and harvest limits for furbearers in
5 Unit 17 and the lead is Dave Fisher.

6

7 MR. FISHER: Thank you, Helga. Mr. Chair, this is
8 another, basically sort of another sort of housekeeping
9 proposal. It was submitted by the Togiak National Wildlife
10 Refuge and it would modify current subsistence furbearer
11 trapping regulations for Game Management Unit 17 to align with
12 current State of Alaska trapping regulations for the same game
13 management unit.

14

15 As you recall in 1997, both the Alaska Board of Game
16 and the Federal Subsistence Board considered regulation changes
17 for furbearers in Unit 17. You people, the Council proposed
18 regulation changes which are the current regulations. They
19 were based, in part, that the Alaska Board of Game would do the
20 same thing, however, the Board of Game didn't make all the
21 anticipated changes that we thought so what this proposal would
22 do is align with theirs.

23

24 CHAIRMAN O'HARA: Do they ever align theirs with ours?

25

26 MR. FISHER: Could they?

27

28 CHAIRMAN O'HARA: Do they?

29

30 MR. FISHER: Well, they haven't so far.

31

32 CHAIRMAN O'HARA: Okay, that's all right.

33

34 MR. FISHER: But as far as c&t goes for this all rural
35 residents are eligible for the species that are considered in
36 the analysis. The Staff recommendation was to support this.
37 Basically it would just simplify regulations for all those
38 users whether they're using Federal or State lands and/or
39 Federal or State waters.

40

41 CHAIRMAN O'HARA: Is that your presentation?

42

43 MR. FISHER: Yes, sir.

44

45 CHAIRMAN O'HARA: Any questions Council members?
46 Alaska Department of Fish and Game if they're here today. All
47 right. We don't have the Alaska Department of Fish and Game,
48 so.....

49

50 MR. SAMUELSEN: We have written comments.

00232

1 CHAIRMAN O'HARA: What -- oh, yes, Jim.

2

3 MR. FALL: I'll pinch hit for Larry on this. We support
4 this proposal basically for the reason that Dave gave that we
5 support consistency between State and Federal seasons to
6 minimize hunter and trapper confusion.

7

8 CHAIRMAN O'HARA: Thank you very much. Other agencies
9 that might be interested in commenting on this. Written
10 comments.

11

12 MS. EAKON: No written comments.

13

14 CHAIRMAN O'HARA: Public comment. No public comment.
15 Wishes of the Council.

16

17 MR. HEYANO: Mr. Chairman, I move adoption of Proposal
18 61.

19

20 CHAIRMAN O'HARA: Robert has moved to adopt. Second.

21

22 MR. ENRIGHT: I second.

23

24 CHAIRMAN O'HARA: Tim seconded. Any other discussion.
25 Did you want to talk to it?

26

27 MR. HEYANO: Yes, Mr. Chairman, I view it basically as
28 a housekeeping, similar to Proposal 60 aligning Federal and
29 State seasons.

30

31 CHAIRMAN O'HARA: Any other Council comment.

32

33 MR. SAMUELSEN: Question.

34

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

36

37 IN UNISON: Aye.

38

39 CHAIRMAN O'HARA: Opposed.

40

41

42 (No opposing responses)

43

44 CHAIRMAN O'HARA: Okay. Passed. Okay, we are
45 completed with proposals at this time?

46

47 MS. EAKON: That is correct.

48

49 CHAIRMAN O'HARA: All right. We need to go into
50 the.....

00233

1 REPORTER: Pardon me, Mr. Chairman.

2
3 CHAIRMAN O'HARA: Yes.

4
5 REPORTER: Has Mr. Abraham left the proceedings?

6
7 CHAIRMAN O'HARA: No, I don't believe so. He may have
8 but.....

9
10 MS. EAKON: No, he's not scheduled to leave.

11
12 REPORTER: Okay, I just wondered, I was going to let
13 the record reflect that if he had.

14
15 CHAIRMAN O'HARA: No, not yet. We're under old
16 business?

17
18 MS. EAKON: We are under agenda item, Page 2 of the
19 agenda, Old Business (A) as in apple, annual report 1997.
20 Please look in your books under G as in Glenn. You will have a
21 copy of your response to your 1996 report signed by Mitch
22 Demientieff, Chair of the Federal Subsistence Board, and
23 immediately after that you have a draft letter that I started
24 which will be your 1997 annual report. Everybody find the
25 right tab and page. And what I started to do was update
26 Recommendation 94-01, which is your request for a positive
27 customary and traditional use finding of offroad vehicles, also
28 known as ATV use as a traditional means of surface
29 transportation employed by local rural residents engaged in
30 subsistence uses in Katmai National Preserve. The three
31 communities involved are Kakhonak, Igiugig and Levelock.

32
33 And at your last fall meeting you had moved that this
34 be a very high priority with the National Park Service. In
35 response Katmai has hired a new subsistence resource
36 specialists, Mr. Donald Mike, and what follows is a strategy
37 that Katmai would like to follow in responding to your issue.
38 And we have Rick Clark, who is the new chief of resources of
39 Katmai to help us with this.

40
41 CHAIRMAN O'HARA: All right, Rick.

42
43 MR. CLARK: Rick Clark, chief of resource management,
44 Katmai National Park representing the National Park Service.
45 It's a pleasure to be before you again Mr. Chairman in consult
46 to address an issue that I know is true and dear to the hearts
47 of this Council and the different villages and communities that
48 you represent.

49
50 As we indicated at the last meeting, this past

00234

1 November, the Park had gone through a transition and personnel.
2 We had selected some new people and based on that we're
3 preparing a strategy accordingly as it relates to ORVs. Donald
4 Mike is our subsistence resource specialist and has begun
5 working on this matter. As indicated under Tab J, the second
6 page of our annual report provides an outline of the strategy
7 that we have developed. And that's basically to complete a
8 literature search of the information available concerning the
9 historic use of ORVs, ATVs within the Katmai Preserve and the
10 surrounding areas, basically looking at what ethnographic
11 histories have been conducted, coupled with talking with the
12 individuals and communities of those areas concerning that
13 historic use.

14
15 We're also in the process of putting together an
16 interdisciplinary team that will be comprised of subsistence
17 resource specialists, historians, natural resource specialists
18 as well as Park management to look at the issue from A to Z and
19 ultimately determine whether ATVs, ORVs have been traditionally
20 employed in the Preserve. We felt that's the absolute first
21 step that needs to be taken. Everything else would be
22 secondary to that. So that team is in the process of being
23 formed, we should have that fully assembled by June 1st.

24
25 Subsequent to forming that team, we will begin to
26 identify those individuals and communities that have a vested
27 interest including Kakhonak, Levelock and Igiugig, try and
28 reach out in those communities, take part in their village
29 council meetings as well as meet with those people that have
30 expressed interest in this issue and put together an overall
31 recommendation based on those interviews and the information
32 that we learn as to whether or not ATVs have, in fact, been
33 traditionally employed over time.

34
35 Depending upon that outcome, the mechanism by which we
36 will likely disseminate and share that information would
37 probably be in the form of an environment assessment. We would
38 be looking to go into a draft environment assessment probably
39 late fall, early winter of 1998, early 1999. But certainly
40 would be in a position at the next Council meeting to provide
41 additional information as to what we're learning from those
42 interviews and surveys within the communities of Levelock and
43 Kakhonak and Igiugig.

44
45 This fall, early winter as we begin the EA process,
46 assuming there may be a decision that is made that ATVs have
47 been traditionally employed, we will begin the EA process. And
48 at appropriate intervals would certainly entertain the comments
49 and opinions and review by those villages that would be
50 effected and have an interest. So would hope to disseminate

00235

1 that information widely and will welcome those comments and
2 that input every step of the way. So this Council certainly
3 will have a valid role in assisting in that regard and
4 providing people that we should target -- make sure that we
5 target in terms of providing this information.

6
7 Ultimately, if all goes well, we would hope to have a
8 near final environmental assessment approximately at this time
9 next year but would not go final until such time as this
10 Council had had an opportunity to review the findings and
11 complete a full review and endorse whatever alternatives we may
12 come up with. And that pretty much is the strategy as we have
13 identified it to-date and hope to carry forth from this point
14 on.

15
16 CHAIRMAN O'HARA: Okay. Council members, do you have
17 any questions? Rick, I don't remember what year that Preserve
18 was established, do you have record of that? I realize you're
19 fairly new in the area and it may not be a good fair question.

20
21 MR. ENRIGHT: 1978.

22
23 CHAIRMAN O'HARA: In '78.

24
25 MR. CLARK: A good portion also came in with ANILCA as
26 well. There was some expansion at the time.

27
28 CHAIRMAN O'HARA: 1980?

29
30 MR. CLARK: Yes.

31
32 MR. MIKE: Mr. Chairman, I believe the.....

33
34 CHAIRMAN O'HARA: Give us your name.

35
36 MR. MIKE: Donald Mike, Katmai National Park. The
37 Preserve was established, I think it was in Monument Days in
38 1978 and it was actually enacted in 1980 when it first came
39 out, so the Preserve has been enacted since 1980.

40
41 CHAIRMAN O'HARA: Do you have activity on that Preserve
42 now with ATVs?

43
44 MR. CLARK: Yes, there is demonstrated activity. We
45 can't quantify it at this point but it is apparent, extending
46 from the Kakhonak area into the Meraine Creek drainages. No
47 primary corridors that we can tell, but in doing aerial surveys
48 of the area, somewhat braided up on those ridge lines, but as
49 yet it's unquantified.

50

00236

1 CHAIRMAN O'HARA: Do you have enforcement officers that
2 check on this or not?

3
4 MR. CLARK: Yes. Yes, we do.....

5
6 CHAIRMAN O'HARA: What are their reports?

7
8 MR. CLARK:on a fairly regular basis. We do have
9 a report that was completed at the conclusion of last season
10 that does document some use in that area and some contacts
11 were, in fact, made with people that were using ATVs and we're
12 in kind of an education role and mode right now in terms of
13 providing the information. And also letting them know what the
14 policy is right now, which does prohibit ATV use within the
15 Preserve.

16
17 CHAIRMAN O'HARA: Is that a national standard that
18 these are prevented?

19
20 MR. CLARK: Typically, yes.

21
22 CHAIRMAN O'HARA: And that's something that comes out
23 of Denver or someplace?

24
25 MR. CLARK: It's in the 36 Code of Federal Regulations
26 which is what our -- which are the regulations and enforcement
27 policies, if you will, that we're based on. And in most cases,
28 to my knowledge, at least in the Lower 48, ATV use is generally
29 prohibited, some minor exceptions, but.....

30
31 CHAIRMAN O'HARA: Generally permitted.....

32
33 MR. CLARK: I'm sorry, generally.....

34
35 CHAIRMAN O'HARA:or I mean prohibited

36
37 MR. CLARK:prohibited, yes.

38
39 CHAIRMAN O'HARA: Yeah. But it has happened before?

40
41 MR. CLARK: Yes, in some areas.

42
43 CHAIRMAN O'HARA: In this case I think we've had people
44 using these lands from -- and you don't have -- I mean we know
45 for years that people have used these lands and then all of a
46 sudden we've established new boundaries with the Preserve and
47 then they no longer have the opportunity of going in there. So
48 that's what you would be dealing with I would imagine as time
49 goes on. And have you had any public hearings up there with
50 the people of Kakhonak or.....

00237

1 MR. CLARK: Not yet. This summer we hope to take part
2 in a community effort that's based with some.....

3
4 CHAIRMAN O'HARA: Excuse me, summer?

5
6 MR. CLARK: This summer, yes -- actually this May.

7
8 CHAIRMAN O'HARA: Okay.

9
10 MR. CLARK: There is a consideration that's being given
11 to work with some of the villages. Apparently in the schools
12 they sponsor activities in the summer to go to different Park
13 areas and one of the proposals this year is to go into Katmai
14 with some of the high school kids and look at that area and
15 begin to provide some information as far as what we're trying
16 to do in terms of our mandates of preservation, certainly
17 looking at their needs of use and somehow working out some type
18 of a compromise so that ultimately we don't have the
19 degradation of resources, which of course they don't want to
20 see as well.

21
22 CHAIRMAN O'HARA: Now, this is a pretty high priority
23 for this Council as you know.

24
25 MR. CLARK: Absolutely.

26
27 CHAIRMAN O'HARA: And we're going to continue to follow
28 through with it and I appreciate that you may be coming up with
29 some additional information by our October meeting or whenever
30 we meet again. But I -- did I hear you say you're going to go
31 to Kakhonak and Levelock and Igiugig and sit down with the
32 people there and have a meeting and do some research on it
33 or.....

34
35 MR. CLARK: Yes. We're in the process of making
36 arrangements to hopefully take part with the Kakhonak village
37 council to let them.....

38
39 CHAIRMAN O'HARA: There you go.

40
41 MR. CLARK:what's being contemplated and based
42 on those discussions, also identify individuals who would like
43 to speak more about it with us so that we can get a good
44 overall picture as to what that historic use is so we can make
45 an accurate finding as to whether they're traditionally
46 employed or not.

47
48 CHAIRMAN O'HARA: I think your traditional councils
49 would be a good one to talk to. I think it's fine to educate
50 the new generation, that's fine, but the traditional use of

00238

1 that land, I think, is going to be very, very important. And
2 we're going to be very much interested in what goes on here.

3

4 MR. CLARK: And we certainly welcome that involvement.

5

6 CHAIRMAN O'HARA: Yeah, okay.

7

8 MR. CLARK: And if there are individuals that, you
9 know, you think in particular that we should be interviewing,
10 some of which we already know but if there are others that come
11 to mind, certainly that information would be valued to share
12 with us as we continue to go on.

13

14 CHAIRMAN O'HARA: Do you have a ranger by the name of
15 Jim Hummel who is in your office?

16

17 MR. CLARK: Sure is, yes.

18

19 CHAIRMAN O'HARA: Did you go up there with Karen --
20 what's her last name?

21

22 MR. CLARK: Gustin, the unit manager?

23

24 CHAIRMAN O'HARA: Yeah. Did they overfly the area of
25 Kakhonak mainly to see -- with any of the residents to see
26 areas that might have been in use or.....

27

28 MR. CLARK: We've had difficulty in terms of weather
29 and arrangements. The three times that we had scheduled to do
30 that, unfortunately weather prevented that from happening, but
31 we still have a commitment to do so and our letting those
32 people know, you know, as to what dates it may work out and
33 hopefully we'll get that done this spring.

34

35 CHAIRMAN O'HARA: Get Tommy, Tommy to fly you, he'll
36 take you.

37

38 MR. CLARK: Yeah, I'm sure he will.

39

40 CHAIRMAN O'HARA: I won't make any other comment on
41 that. Any questions you might have, Council members on the ATV
42 use in the Preserve? Yes.

43

44 MR. HEYANO: Yes, Mr. Chairman, could you expound a
45 little further on your second component? I guess I'm
46 interested in -- you say you're going to have advisors within
47 and outside the agency. Can you give us an idea of what kind
48 of people you're looking at?

49

50 MR. CLARK: Sure.

00239

1 MR. HEYANO: Have you made any contacts?

2

3 MR. CLARK: Sure. We don't want to overextend in terms
4 of having too big of a team that won't be able to come up with
5 a consensus but we certainly want to get expertise on that
6 team. We feel appropriate expertise would be historians that
7 are familiar with some of the ethnographic history, certainly
8 familiar with some of the cultural traditions and heritage as
9 well as some planner types that can take that information,
10 assemble it and put it together in such a way that this Council
11 and others with a vested interest can review it and see what
12 our decision process has been. So we envision probably a team
13 of between five and six individuals. Largely National Park
14 Service at this point, but certainly they'll be reaching out to
15 other individuals, as I mentioned, in the communities and this
16 Council if need be to bring them in at appropriate times as
17 we're going through that decision process.

18

19 CHAIRMAN O'HARA: Any other comments -- yes.

20

21 MR. HEYANO: Yes. At this time are you planning to put
22 maybe some of the more knowledgeable older folks that reside in
23 these communities on this committee? I'm saying that because
24 in looking through the one through seven items, it appears to
25 me that this team is going to play a pretty critical role in
26 making the appropriate finding decisions. I think a lot of
27 these other actions are going to hinge on whatever that finding
28 is. And I think if you're looking at -- I guess it would be my
29 preference and hope, Mr. Chairman, that they do include, when
30 they're looking for historians and subsistence resource
31 specialists and stuff like that, that you do consider maybe
32 some of the older folks who actually reside in that community
33 to sit on this team to help make this decision. Was that part
34 of your thinking?

35

36 MR. CLARK: Yeah, absolutely. We concur with that
37 wholeheartedly. We feel our first step though is to get out to
38 the community and let them know what's being contemplated and
39 not being too forceful initially, and let them know that that's
40 certainly an option. And if there is interest for them to sit
41 on that team, certainly we would make that opportunity
42 available to them.

43

44 CHAIRMAN O'HARA: Yes. Then would you have the meeting
45 in that community or would you be meeting at King Salmon or is
46 that too far away?

47

48 MR. CLARK: It will probably vary. We will probably
49 have some internal meetings, certainly, you know, in the Park
50 headquarters area there in King Salmon, but we'll also be

00240

1 bringing that information to the communities at appropriate
2 intervals, likely as part of their village council meetings as
3 we proceed along.

4
5 CHAIRMAN O'HARA: Good, appreciate that. I think
6 that's really, really important if you do that. We appreciate
7 you doing that a lot. Any other comments, Council members?
8 Donald, did you have anymore to offer on that?

9
10 MR. MIKE: Basically, Rick Clark gave a good overview of
11 our game plan of the ORVs in Kakhonak in the Preserve.

12
13 CHAIRMAN O'HARA: All right, good.

14
15 MR. MIKE: And we'd welcome any type of help from the
16 elders of Kakhonak and Igiugig.

17
18 CHAIRMAN O'HARA: Thank you very much, appreciate it a
19 lot.

20
21 MR. CLARK: Thank you.

22
23 CHAIRMAN O'HARA: Number three.

24
25 MS. EAKON: Another high priority issue on the Regional
26 Council annual report has been the Alagnak, otherwise known as
27 Branch River. Since its organization in 1993, the Regional
28 Council has been concerned that the Alagnak River is being
29 overused and misused. The Regional Council is pleased that
30 Katmai National Park has funds to begin the Alagnak River
31 Corridor Management Plan. And at this time Rick Clark will
32 tell you how you could be involved in this planning effort.

33
34 CHAIRMAN O'HARA: All right, you're on.

35
36 MR. CLARK: All right, round two, here we go. Again,
37 this is another area that we know the Council has a vested
38 interest and certainly would like to see additional planning
39 occur in terms of what has occurred on that river over time.

40
41 Over the course of the last 10 years, use on the
42 Alagnak/Branch, Alagnak River has increased expeditiously.
43 Where we had relatively low interest back in 1988, that
44 increase in terms of visitation has gone up 15 fold. So with
45 that has come some conflicting uses and different issues that
46 have developed. Basically those issues have been reported
47 conflicts between large capacity lodges, those that would have
48 between 25 and 80 guests per night with between six and 50
49 support staff and independent river rafters has certainly been
50 an issue that has come to our attention, jet boat traffic

00241

1 traveling at high rates of speed, streaking too close to
2 rafters and fishermen. Boat wakes caused by high horsepower
3 motors contributing potentially to accelerate stream bank
4 erosion. Alleged reports from anglers with a history of use on
5 the Alagnak that fish stocks are degraded because of over
6 fishing. I emphasize alleged there, that is not substantiated,
7 however, we're addressing that as part of an overall rainbow
8 trout abundance study in cooperation with ADF&G and the U.S.
9 Geological Survey, Biological Resources Division. Other issues
10 that have come to our attention that we feel need additional
11 correction or need to be addressed include, unmanaged camp site
12 establishment, which has resulted in some repairing of
13 vegetation damage. Uninformed campers contributing to improper
14 human waste disposal. Bears habituated to improperly stored
15 fish and camp food have been killed by visitors defending their
16 camps with an average of two per year, which overall has been
17 12 percent of the allowable harvest for this area. Subsistence
18 hunters seem to be increasingly resenting the number of sport
19 hunters that are going up in that area, which may be displacing
20 them from traditional hunting areas on the Alagnak. Inholders
21 are complaining more frequently about visitor trespass. Water
22 quality is threatened by fuel storage use along river banks.
23 Premium aquatic resource habitat is being degraded by visitor
24 activities, primarily trampling along the riparian zone. And
25 some sensitive cultural sites are coming to our attention that
26 we would like to further inventory so that we don't have
27 degradation of those areas over time.

28
29 So these issues have developed largely in the last 10
30 years. Certainly, I think many of those are -- you're familiar
31 with and you may be hearing from some of your constituents. So
32 approximately three years ago the National Park Service,
33 through discretionary of funding channels that are available to
34 us made this a high priority within the Park and presented that
35 to the different review boards that evaluate these proposals
36 and it, in fact, was funded to begin in 1998, October 1998.
37 That project will largely be a comprehensive river corridor
38 planning effort for the 56 miles of the Alagnak that the
39 National Park Service co-manages in cooperation with ADF&G, the
40 different corporations and associations as well as the Bureau
41 of Land Management. So there are several different parties,
42 again, that have a vested interest in the Alagnak Corridor and
43 we hope to begin a collaborative planning process officially
44 beginning this October.

45
46 In advance of that, we are identifying potential
47 cooperators and are looking for different representation from
48 interest groups and others that probably should be serving on
49 that team with us in addressing these issues and hopefully
50 coming up with a mutual agreeable plan that we can implement

00242

1 that will offset some of the degradation that's been occurring
2 over time. So that, in a nutshell, is the project as we see
3 it, as it's developed and where we hope to head over the course
4 of the next three and a half years.

5
6 CHAIRMAN O'HARA: And that's it?

7
8 MR. CLARK: That's it.

9
10 CHAIRMAN O'HARA: Okay. We have one more we'd like to
11 add to that list of complaints or things that are happening.
12 And one that we have received from our constituents, those are
13 the subsistence users in the Igiugig and Levelock area and I've
14 had, at least, perhaps a dozen people, and I'm in those two
15 communities every week, the harassment by the sports
16 department, those who participate on the Branch. When the
17 people go up there to do subsistence, it's so competitive that
18 harassment takes place of them dealing with the subsistence
19 issue. Also I believe that there's a total ignoring of law
20 enforcement or any efforts that might take place. I don't know
21 if there's ever been a citation given on that river by anyone,
22 whether the Federal side or the State side. And I think it's
23 been something that's just been -- I think it comes to the
24 place, Rick, where it's just pretty much out of control and
25 it's a gorgeous area.

26
27 MR. CLARK: Absolutely.

28
29 CHAIRMAN O'HARA: It needs to be taken care of very
30 carefully.

31
32 MR. CLARK: We certainly, you know, share in those
33 sentiments.

34
35 CHAIRMAN O'HARA: Yeah.

36
37 MR. CLARK: Beginning 1993, the Park Service began to
38 have more of an active presence on that river and then, again,
39 in the last couple of years we've actually had some of our
40 biotechnicians beginning to do more inventory work. Largely
41 our emphasis has been educational right now. We've tried to
42 avoid going in there with a heavy hand, but the information is
43 out there, we feel we've got a good foundation to operate off
44 of, and as need be we will escalate that intervention
45 accordingly.

46
47 CHAIRMAN O'HARA: Good.

48
49 MR. CLARK: But certainly we're well aware of some of
50 those complaints that you've just indicated. Also one thing I

00243

1 wanted to share is as part of the project, as part of the funds
2 that have been provided in support of the effort, we will
3 likely be bringing on a term employee of a multiple
4 disciplinary type background, outdoor rec plan or resource
5 management specialist type to actually focus on the planning
6 process, working in concert with myself and others in the Park
7 to adequately represent all interests and needs. So we will
8 probably be selecting that individual sometime later this
9 summer and the planning process will begin in earnest in
10 October.

11
12 CHAIRMAN O'HARA: I would -- just so the Council
13 understands there's a portion of the river which the Federal
14 people have no control over and that's State waters and on up
15 to the Kijik, it's all State waters. But we certainly are a
16 player in two-thirds of the river, I believe, which is under
17 Federal control or some influence anyway?

18
19 MR. CLARK: Yeah. Actually there's many jurisdictions
20 that have interest and that's one thing that we're very
21 sensitive to and want to work closely with those other
22 entities, both at the State level and Federal level to make
23 sure that those interests are represented and that those people
24 are part of the planning team.

25
26 CHAIRMAN O'HARA: State of Alaska has just as much
27 interest in this as we have, and you know, we have no
28 jurisdiction whatsoever over these waters until such time as
29 this Council, under the Federal Board would do navigable
30 waters. So about all we can do is listen and make suggestions
31 and that's the extent of our participation. Any other
32 questions -- yeah, Robin.

33
34 MR. SAMUELSEN: Yeah, come January 1, if we do takeover
35 navigable waters, you mentioned 56 miles of -- within the
36 Alagnak River, do you know roughly how many miles we'll be
37 taking over of that river?

38
39 MR. CLARK: In terms of?

40
41 CHAIRMAN O'HARA: Federal control?

42
43 MR. CLARK: Well, right now the Park Service, it is a
44 unit area included within the National Park Service system, so
45 we already have some management concerns. But right there,
46 every step of the way with us, with equal types of
47 jurisdictional interests are the State and to some extent the
48 BLM, which has adjacent lands to the Alagnak River Corridor and
49 the Native corporation have different allotments within that
50 area. So those right off the bat are very key players that we

00244

1 will be working very closely with.

2

3 MR. SAMUELSEN: How many miles of that river system, if
4 we don't resolve the subsistence issue, would fall under the
5 purview of this Regional Council?

6

7 MR. CLARK: Fifty-six miles.

8

9 MR. SAMUELSEN: The full river?

10

11 MR. CLARK: Right.

12

13 CHAIRMAN O'HARA: No. About two-thirds of the river,
14 yeah.

15

16 MR. CLARK: it's a very narrow corridor but those lands
17 right now that would be included within National Park Service
18 purview would be potentially considered as part of that
19 scenario that you just identified.

20

21 CHAIRMAN O'HARA: Lower section regardless of what
22 happens with the subsistence issue is going to be under State
23 control?

24

25 MR. CLARK: Correct.

26

27 CHAIRMAN O'HARA: Two-thirds of it will be under the
28 Federal control should they not resolve the subsistence issue.

29

30 MR. CLARK: I hesitate to say Federal control because
31 it is a multi-jurisdictional interest, but we do have
32 management responsibility for the adjacent lands to the Alagnak
33 River. Certainly the submerged lands the State has a vested
34 interest in management responsibility there.

35

36 CHAIRMAN O'HARA: Well, that's an interesting question,
37 Rick, because according to ANILCA, Title VIII, if the State of
38 Alaska does not comply with the rural preference, navigable
39 waters on Federal lands will be managed by this Council and the
40 Federal Board. However, that waters apparently is not Federal
41 waters, it's Park waters?

42

43 MR. CLARK: Actually the waters, as I understand it is
44 the ordinary high water mark. If this continues to go forward
45 and it becomes an issue, that will be something that will need
46 additional clarification from legal counsels and solicitors. I
47 would be hedging to say what the overall interpretation would
48 be with my familiarity of the issue.

49

50 CHAIRMAN O'HARA: Because I asked Tom Boyd in Togiak

00245

1 this very issue and he did not make a commitment on those
2 waters. And I think that's something that needs to be looked
3 at very carefully. I guess no one or maybe the Park Service --
4 I guess we'll have to get a legal opinion on that.

5
6 MR. CLARK: Yes. It's a grey area and that might be
7 something that the Council would want to entertain is getting
8 further clarification as to how those applications would be
9 made.

10
11 CHAIRMAN O'HARA: On other Federal lands it's not that
12 way, but on that one, I think, since I've asked the question
13 several times and never gotten an answer and still don't have
14 an answer we'll look at that.

15
16 MR. CLARK: Yes, it's very grey.

17
18 CHAIRMAN O'HARA: Good, that's important to know.

19
20 MR. SAMUELSEN: You say you're embarking on a three
21 year study of the.....

22
23 MR. CLARK: Right. The project that was funded was a
24 three year study beginning October 1998. so we probably would
25 be looking at some type of a preliminary draft of a corridor
26 management plan sometime in late '99 early 2000, and certainly
27 will advise the Council as to how we're progressing and you
28 know, whether the issues that we've identified at this point
29 are, in fact, the overall issues or if there is others that
30 come to our attention. We're really in a preliminary mode of
31 just compiling the information and finding out just exactly
32 what's going on in that river so we can better characterize it.

33
34 MR. SAMUELSEN: And if I may, Mr. Chairman.

35
36 CHAIRMAN O'HARA: Sure.

37
38 MR. SAMUELSEN: In conjunction with the study, if the
39 subsistence issue doesn't get resolved and we take over
40 management, that doesn't preclude proposals being submitted
41 during this three year study period to curtail the activities
42 within that river system?

43
44 MR. CLARK: I would think not. I would hope it'd be a
45 tandem effort.

46
47 MR. SAMUELSEN: Okay.

48
49 MR. CLARK: But those initiatives could be taken at any
50 time, I believe.

00246

1 MR. SAMUELSEN: Okay.

2

3 CHAIRMAN O'HARA: Okay. So you will be the main
4 individual that this Council will be dealing with as far as
5 this issue goes on the ATVs and the Branch and these types of
6 things?

7

8 MR. CLARK: One of the primary contacts, yes.

9

10 CHAIRMAN O'HARA: You are?

11

12 MR. CLARK: Yes, certainly as it relates to ATVs.
13 Donald Mike, our subsistence resource specialists will be
14 working very closely with me. We'll also probably be
15 soliciting support from some within our regional office in
16 Anchorage who have expertise in different areas, but yes, we
17 would be the two primary contacts for you to.....

18

19 CHAIRMAN O'HARA: Well, to put a picture on the dart
20 board, we've got you there.

21

22 MR. CLARK: I'm in your sights.

23

24 CHAIRMAN O'HARA: All right. Any other comments,
25 questions. Thank you very much, appreciate it.

26

27 MR. CLARK: Thank you for the opportunity.

28

29 CHAIRMAN O'HARA: Yeah.

30

31 MS. EAKON: Mr. Chair, we're going to go back to Item 1
32 under the annual report, wanton waste of caribou used by sport
33 hunters. At the last meeting you had tasked Staff to work on a
34 definition of edible, and our staff anthropologist, Pat
35 McClenahan, maybe she could come up and tell you how she's
36 doing on this.

37

38 MS. McCLENAHAN: Pat McClenahan, Staff anthropologist.
39 Thank you, Helga. Mr. Chair, I'd like to report that a draft
40 paper, first draft has been written and undergoing internal
41 review. I have yet to get to the refuge managers to talk to
42 them about the issue. In particular, I want to talk to Darryl
43 Lons and to the Togiak National Wildlife Refuge Manager, Aaron
44 Archebeck, for their input, talk to law enforcement people and
45 people in our own office, to several of you here on the Council
46 and in putting together what I'd hoped what you had in mind.
47 At that point, when it concludes internal review, I'd like to
48 have you have a look at it and see if it's going in the
49 direction that you had intended and get further input from you.

50

00247

1 CHAIRMAN O'HARA: Well, what do you mean by internal
2 review?

3
4 MS. McCLENAHAN: In our office, Subsistence Management.

5
6 CHAIRMAN O'HARA: So you write something and then you
7 pass it around to the different.....

8
9 MS. McCLENAHAN: To my boss and.....

10
11 CHAIRMAN O'HARA:to your constituents?

12
13 MS. McCLENAHAN:to my co-workers.

14
15 CHAIRMAN O'HARA: Um-hum. (Affirmative)

16
17 MS. McCLENAHAN: And they give me recommendations.

18
19 CHAIRMAN O'HARA: Do you recognize it when it comes
20 back?

21
22 MS. McCLENAHAN: Yeah, so far so good. I've had some
23 good input.

24
25 CHAIRMAN O'HARA: All right. Anything else?

26
27 MS. McCLENAHAN: That's about it. So I apologize it's
28 not ready for this meeting, but it.....

29
30 CHAIRMAN O'HARA: Any questions? Oh, that's okay.

31
32 MS. McCLENAHAN:will be for the next meeting.

33
34 CHAIRMAN O'HARA: Not a problem. When our voices start
35 getting higher and higher you'll know we're getting impatient
36 on what's being done.

37
38 MS. McCLENAHAN: Let's hope that it's ready for next
39 time, thank you.

40
41 CHAIRMAN O'HARA: Thank you.

42
43 MS. McCLENAHAN: Thank you.

44
45 MS. EAKON: Next, I threw in -- if you look at the
46 draft annual report, I threw in this continuing interagency
47 cooperation because that is what you like. And I threw that
48 example in of the moose management committee over there in
49 17(A). I will also include the committee on the Unit 9(E),
50 caribou and moose, as examples of this.

00248

1 CHAIRMAN O'HARA: Fine.

2

3 MS. EAKON: Okay.

4

5 CHAIRMAN O'HARA: All right.

6

7 MS. EAKON: And continuing on the annual report, as a
8 follow-up, I had asked Mac Minard of ADF&G to tell you what
9 happened at the Board of Fish meeting regarding proposed
10 regulations on the rainbow trout fishery.

11

12 MR. MINARD: Mr. Chairman, RAC members, Mac Minard,
13 Alaska Department of Fish and Game, Division of Sport Fish. I'm
14 the area management biologist for Bristol Bay and the lower
15 Kuskokwim area. What I passed around is a news release type
16 summary of the regulation changes that followed up the Alaska
17 Board of Fisheries meeting in Naknek/King Salmon in November.
18 And then I would like to touch on a few of them that effect
19 Bristol Bay first and then the Alagnak, specifically.

20

21 Bay wide, the Board adopted some restrictions on
22 guides, the activities that guides can engage in. And
23 particularly they adopted a regulation that prohibits sport
24 fishing guides from possessing or retaining sport caught fish
25 while guiding clients. That will have some bearing on the
26 Alagnak. The Board intent was to address a problem with party
27 limits and respond to the demand in terms of an ethical issue
28 on this one. And in addition it was a step to spread the
29 opportunity to harvest among a growing number of anglers.

30

31 With respect to king salmon, Bay wide, the Board
32 established a Bristol Bay seasonal limit. This was the first
33 place in the state outside of Cook Inlet that adopted a five
34 fish, king salmon limit. That limit applies to all anglers,
35 resident and non-resident. Upon harvesting a king salmon with
36 sport gear in Bristol Bay, sport fishermen must no record the
37 date and location that that king salmon was taken. A seasonal
38 limit of five chinook salmon may be taken from any waters in
39 Bristol Bay in combination. I should point out that there's a
40 -- of that five, only five can come out of the Nushagak,
41 there's a special regulation put in there for Nushagak.

42

43 They established a sport fishing season for king
44 salmon, Bay wide and that season extends from May 1 through
45 July 31st. The intent there was to take a large geographic
46 approach to providing protection of spawning king salmon. All
47 of those regulations will effect how the Alagnak fishery's
48 prosecuted.

49

50 MR. SAMUELSEN: Mac,

00249

1 MR. MINARD: Yes, sir.

2

3 MR. SAMUELSEN: When you said that only five could come
4 out of the Nushagak.....

5

6 MR. MINARD: Four.

7

8 MR. SAMUELSEN: Four.

9

10 MR. MINARD: The way it would read, Robin, is the
11 annual limit for Bristol Bay is five king salmon, of which only
12 four may come from the Nushagak River.

13

14 MR. SAMUELSEN: Okay. So I could go over -- I could
15 fish in Naknek and catch.....

16

17 MR. MINARD: Five.

18

19 MR. SAMUELSEN:five or I could catch one over
20 there and come over here and take four?

21

22 MR. MINARD: That's correct.

23

24 MR. SAMUELSEN: Or I could take four here and go over
25 there and take one?

26

27 MR. MINARD: That's correct.

28

29 MR. SAMUELSEN: Either way?

30

31 MR. MINARD: That's correct.

32

33 CHAIRMAN O'HARA: Oh, I see, it's not five over there
34 and then.....

35

36 MR. MINARD: And Robin, as you recall, the substantive
37 parts of that is it provides the residents and non-residents
38 and it's not size specific, a king salmon's a king salmon.

39

40 MR. SAMUELSEN: Yeah.

41

42 MR. MINARD: Additionally, Bay wide and things that
43 were, in part, intended to address Alagnak type concerns,
44 general bag and possession limits for Arctic char and grayling
45 were reduced. Char were dropped from 10 per day to three per
46 day and in possession. And grayling were reduced from five per
47 day down to two per day and in possession. And those were
48 generally taken to accommodate an interest in just a general
49 overall reduction in sport harvest protection, it wasn't in
50 response to any particular conservation concern. Those

00250

1 particular proposals received significant public support and
2 advisory committee support so it was an action that was
3 demanded, generally, by the angling public.

4
5 Specific to Alagnak River, the Board created a special
6 management catch and release area in the Alagnak and Nonvianuk
7 Rivers from June 8th to October 31st. During the remainder of
8 -- and during that period, June 8th to October 31st, rainbow
9 trout may not be possessed and retained. During the remaining
10 part of the season which is November 1 to April 9th, bag and
11 possession limits were increased to five per day and in
12 possession in an effort to accommodate some local harvest
13 opportunity. And in that additional harvest, you're only
14 allowed fish less than 18 inches in length. And that was an
15 attempt to preserve spawning stocks.

16
17 With respect to king salmon on the Alagnak, the bag and
18 possession -- the daily bag and possession limits were reduced
19 from three per day -- two over 28 to three per day one over 28.
20 And as I mentioned before, the annual limit of five would
21 apply. In terms -- for coho salmon on the Alagnak, the bag and
22 possession limits were reduced to three per day from five.

23
24 So Mr. Chairman, those were the significant actions
25 that the Board of Fisheries took relative to regulations that
26 will effect the Alagnak River.

27
28 CHAIRMAN O'HARA: Okay. Any questions Council members.
29 Mac, you can take five king salmon out of the Bristol Bay
30 drainage period?

31
32 MR. MINARD: That's correct.

33
34 CHAIRMAN O'HARA: Not five per day?

35
36 MR. MINARD: No. It's an annual limit of five, Mr.
37 Chairman.

38
39 CHAIRMAN O'HARA: Okay.

40
41 MR. MINARD: And the annual limit of five will be
42 subject to whatever appropriate daily and bag and possession
43 limit exists for the fishery.

44
45 CHAIRMAN O'HARA: Um-hum.

46
47 MR. MINARD: For example, you can go to the Alagnak
48 right now and take three a day only one of which can be over 28
49 inches.

50

00251

1 CHAIRMAN O'HARA: Um-hum.

2

3 MR. MINARD: But if you took all three, then that's
4 three of your five that you could potentially take.

5

6 CHAIRMAN O'HARA: Total.

7

8 MR. MINARD: You could return on another day and take
9 your additional two, but you're going to be limited. We're
10 also in the process of developing a harvest card that would be
11 used. This would be written on the back of a normal fishing
12 license, there's adequate space for that. It's going to help
13 us in dealing with the multiple daily bag limit issue.

14

15 CHAIRMAN O'HARA: Um-hum.

16

17 MR. MINARD: And as part of our enforcement program,
18 that's an area we've had difficulty with. It's actually a very
19 difficult thing to do. But with a record like that, we're
20 confident that, at least, in the field we'll be able to contact
21 a group of anglers and if there's a fish on board, someone's
22 supposed to have it written down. And under the new
23 regulations, it can't be the guide.

24

25 CHAIRMAN O'HARA: What kind of enforcement do you have
26 on the Branch?

27

28 MR. MINARD: We made three trips over there last
29 season.

30

31 CHAIRMAN O'HARA: We, Department of Public Safety or
32 the biologists?

33

34 MR. MINARD: Any combination. I work very closely with
35 the Department of Public Safety on an enforcement program. And
36 of those trips, I think it resulted in five or six citations.
37 So we had a bit of a presence down there, Mr. Chairman.

38

39 CHAIRMAN O'HARA: Um-hum.

40

41 MR. MINARD: The kinds of things that we're writing
42 tickets for are generally guide registration type activities
43 and boat registrations and occasionally an over limit or no
44 license in possession, that kind of stuff.

45

46 CHAIRMAN O'HARA: And this new regulation by the Fish
47 Board, says that June 8th to the end of September, first of
48 October there will be no taking of rainbow trout in the Branch
49 or the Kijik?

50

00252

1 MR. MINARD: Well, the Kijik River was treated as
2 separate proposal.

3
4 CHAIRMAN O'HARA: But it's the same?

5
6 MR. MINARD: But in the Kijik River they also created a
7 special management area, a catch and release area during those
8 same dates down to Yellowcreek, which is just upstream of
9 Levelock.

10
11 CHAIRMAN O'HARA: Yeah, okay. You're not going to
12 catch too many rainbows below that anyway?

13
14 MR. MINARD: No. They just needed a lower boundary.

15
16 CHAIRMAN O'HARA: Yeah. What kind of support did this
17 receive?

18
19 MR. MINARD: It received quite a bit of support. The
20 Kijik proposal was sponsored by Igiugig Native Corporation, the
21 Iliamna Advisory Committee, two lodge owners and if they hadn't
22 written it based on all the public interest we had had, the
23 Department would have submitted one for them for the Board to
24 hear. But basically that was that proposal.

25
26 The one for the Alagnak package basically came out of
27 the Naknek/Kijik Advisory Committee process but also was
28 reviewed pretty closely by the Iliamna Advisory Committee. And
29 I don't believe there was any dissention on any of it among the
30 advisory committee members.

31
32 CHAIRMAN O'HARA: No provision made to use rainbow
33 trout for subsistence during that period of time?

34
35 MR. MINARD: Well, Mr. Chairman, these are sport
36 fishing regulations.

37
38 CHAIRMAN O'HARA: You still can't eat the fish whether
39 it's sport regulation or not?

40
41 MR. MINARD: Well, that was the intent of the
42 regulation.....

43
44 CHAIRMAN O'HARA: yeah.

45
46 MR. MINARD:was to remove that opportunity and
47 treat it as a special management area.

48
49 CHAIRMAN O'HARA: I find that incredible that I can't
50 go up to the Kijik between June and the end of September and

00253

1 not take a fish out and eat it. I guess I should have showed
2 up for the meeting.

3

4 MR. MINARD: Yeah, there are eight of those areas,
5 Mr. Chairman, and the Board, in 1990, approved a Bristol Bay
6 rainbow trout management plan. And one of the things we were
7 constantly faced with was this barrage of, oh, I want my
8 special stream all catch and release. And the Department was
9 finding itself in a very difficult position on how to navigate
10 with the Board through those types of requests, so they
11 developed a 10-point criteria system in which any candidate
12 water in Southwest Alaska could be put through and left it to
13 the public process to bring candidate waters to the Board and
14 then they would push them through the 10-point criteria and if
15 they met those criteria the Board would, you know, consider
16 them for adoption as a special management area. You have eight
17 of those special management areas in an area roughly the size
18 of the State of Washington, and the Kijik and the Alagnak now
19 are a couple of them.

20

21 CHAIRMAN O'HARA: Are other parts of Bristol Bay part
22 of them also?

23

24 MR. MINARD: Yeah. The Brooks River is a catch and
25 release area, Moraine Creek, catch and release, Lower Talarik,
26 catch and release.

27

28 CHAIRMAN O'HARA: That's been that way a long time.

29

30 MR. MINARD: Excuse me?

31

32 CHAIRMAN O'HARA: Talarik's been that way a long, long
33 time.

34

35 MR. MINARD: Well, actually not by regulation. But by
36 practice, yes.

37

38 CHAIRMAN O'HARA: Yeah, I mean it was.....

39

40 MR. MINARD: And the Igulapak River over here. The
41 Board considers -- basically it's a reverse subsistence
42 finding, in parts, they want to make sure they're not
43 overlaying this on top of, you know, an ongoing subsistence
44 fishery and that's why dates are important as well as
45 geographic boundaries. And they also look for geographic
46 diversity, you know, spread them out.

47

48 CHAIRMAN O'HARA: Well, that's -- you know, we'll deal
49 with the Fish Board on that issue but, I'm really disappointed
50 in hearing that. But I guess that probably does come from your

00254

1 Department though or else it wouldn't have -- I mean it had to
2 come from the biologists.

3

4 MR. MINARD: Well, Mr. Chairman, I think that with
5 regard to a catch and release water on the Alagnak, we had
6 issued an emergency order the two seasons prior to make it
7 catch and release in response to what was perceived to be a
8 conservation concern, and I presented you that data last fall.

9

10 CHAIRMAN O'HARA: October.

11

12 MR. MINARD: And as you could see from the data, the
13 degree with which we're faced with a conservation problem is
14 pretty suspect. I mean it does not demonstrate the
15 characteristics of a significantly depressed stock.
16 Nevertheless, participants in the advisory committee process
17 and those people forwarding these kinds of proposals thought it
18 necessary to move in this direction.

19

20 CHAIRMAN O'HARA: Um-hum.

21

22 MR. MINARD: And you know, I guess, the beauty of these
23 special management waters are that you can define them
24 geographically and temporarily, you know, within dates, and you
25 do want to avoid the opportunity, the overlap if you can. So
26 we'll see how it works.

27

28 CHAIRMAN O'HARA: Well, I see no beauty in not being
29 able to eat a rainbow trout on the Kijik between June 8th and
30 the end of September, none whatsoever. Any questions? Sure do
31 appreciate the research that you've been doing on the rainbow
32 trout and I think that radio-collar -- no, I guess it's not a
33 collar, but it's an interesting system that you have worked
34 jointly with.

35

36 MR. MINARD: USGSBRD folks are tracking fish there,
37 right.

38

39 CHAIRMAN O'HARA: It's just too bad that more
40 information doesn't get out because I think that's really a
41 tremendous program. Along with the complaining we do, we want
42 to compliment you on the good things you do also. Robin.

43

44 MR. SAMUELSEN: Yeah, Mac, one of the questions Dan
45 asked you about enforcement. Can you elaborate a little bit
46 during the Nushagak chinook fishery last year, give us a
47 rundown of the activities, enforcement activities that your
48 Division as well as protection did up in that area?

49

50 MR. MINARD: Okay. A thumbnail sketch of how

00255

1 enforcement for sport fisheries looks like first. Prior to two
2 years ago, we basically had zero participation in the form of
3 uniformed fish and wildlife protection officers. And for the
4 three years -- up to five years ago our Division's direction
5 was that in the absence of their activities, we would we engage
6 in some of that activity. So we would target fisheries during
7 certain dates, times, and certain types of violations that we
8 were looking for in a fairly programmed manner and go afield.
9 Two years ago we were assigned a full-time protection officer
10 based out of Iliamna who was also a pilot. And during the
11 months of June and July, for sure, we worked very, very
12 closely, almost to the point where on a daily basis we would be
13 able to coordinate where he went and what he did. With respect
14 to Nushagak last year, I don't remember exactly how many times
15 we visited the thing, it was three or four. But our efforts in
16 the Nushagak -- in the lower Nushagak were directed toward
17 essentially the peak of the fishery. They were intended to
18 find violations that are, you know, consistent with the
19 registration process, the boat registration stuff, licenses,
20 and occasionally limits.

21
22 That's a fairly straightforward enforcement program.
23 And what you find, Robin, over the years, you find that you go
24 in the first time and you may find a fairly high degree of
25 paperwork non-compliance and sometimes significant over limit
26 type non-compliance. The second time you go in, you've seen a
27 high degree of compliance. So it's a good place to invest some
28 enforcement time and effort because you get a change in
29 behavior.

30
31 The second area that we were looking for we've been
32 frustrated with was the Ekwok area. We had significant
33 complaints over the years by local residents in Ekwok as well
34 as participants in the fishery that there was some ongoing
35 problems that were not going to be discovered by our normal
36 land, jump in a boat, interview angler type approach. So we
37 brought two officers over from -- one officer and one aide over
38 from Bethel with an unmarked 185. We put them in on a gravel
39 bar, we obtained a permit from Chog Young sort of in a
40 clandestine way. I just bought a permit and put these people on
41 a site and they basically fished and videotaped and interviewed
42 anglers there. And I think that one resulted in something on
43 the order of 13 citations and about \$3,000 worth of fines. And
44 the issues there were significant over limits, snagging,
45 fishing without licenses and king salmon stamps in possession.
46 It was actually a pretty good effort.

47
48 For next season, if things go as they are, Sport Fish
49 Division is providing some additional funds to fish and
50 wildlife protection, part of which will be spent here in

00256

1 Bristol Bay. And the current plan is to have up to four
2 officers dedicated to Bristol Bay sport fish. One in Iliamna
3 with a Super Cub, one in King Salmon with a 185, he would have
4 an aide. And there would be one other person here in
5 Dillingham. So on the horizon, I suspect -- I mean my guess is
6 that we'll get part of that. That's probably more than they
7 really will come up with.

8
9 But is that what you're looking for?

10
11 MR. SAMUELSEN: Yeah. Mr. Chairman, I just want to
12 state it was a welcome sight when I opened the Bristol Bay
13 Times and seen more sport fishermen getting citations than
14 commercial fishermen.

15
16 CHAIRMAN O'HARA: Of course, I'm sure some of those
17 commercial guys are well deserved in getting their citations.
18 Mac, the person you're going to have in King Salmon with the
19 185, I imagine he'll be doing the Branch also?

20
21 MR. MINARD: Yeah. We have.....

22
23 CHAIRMAN O'HARA: Well, how do you handle that, by
24 floating it or are you going to have.....

25
26 MR. MINARD: A combination of both. And we've had an
27 open door invitation with the Park Service that we've not yet
28 -- I mean we haven't completely capitalized. I mean Rick has
29 staff on the river that gives us a platform to operate from.

30
31 CHAIRMAN O'HARA: That's the question I was going to
32 ask Rick, too, is what kind of, you know, enforcement they're
33 going to have on that Branch this year as far as just somebody
34 observing what's going on or is it actually going to be -- can
35 you write a citation. Would you mind coming up and addressing
36 that, if the Council doesn't mind, very briefly? And give
37 David your name if you would please.

38
39 MR. CLARK: Rick Clark, National Park Service. Yes, we
40 will have one law enforcement commissioned ranger dedicated
41 to.....

42
43 CHAIRMAN O'HARA: Writing a citation?

44
45 MR. CLARK: Yes. That will have citation -- or have
46 enforcement credentials to write citations as need be.

47
48 CHAIRMAN O'HARA: I neglected to ask you that when you
49 were up here, so thank you for coming back up.

50

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1 MR. CLARK: You bet.

2
3 CHAIRMAN O'HARA: And thank you, Mac, we really
4 appreciate you talking to us today.

5
6 MR. MINARD: Thank you.

7
8 CHAIRMAN O'HARA: Helga.

9
10 CHAIRMAN O'HARA: Oh, we have -- I'm sorry, we have a
11 member of the public that would like to talk to us, John
12 "Smiley" Knudsen. And you are addressing the Branch issue?

13
14 MR. KNUDSEN: Yes. John Knudsen. Individual
15 subsistence user from the village of Naknek. You're going to
16 confuse them, you call me Smiley and I'm saying John.

17
18 CHAIRMAN O'HARA: I said, John Smiley Knudsen.

19
20 MR. KNUDSEN: Yeah, okay.

21
22 MR. SAMUELSEN: Okay, Smiley John.

23
24 MR. KNUDSEN: I've talked about this issue before, I
25 think the last time was over in Togiak. And then talking with
26 Mac Minard about the restrictions, I guess subsistence fishing,
27 you know, in the Bristol Bay area. And there is no allowance
28 like Dan said for subsistence fishing up the Kijik in the
29 summer time. You go up and you can't catch fish and you can't
30 keep it. But yet there is no limit on the numbers of sport
31 fishermen allowed, and there's no limit on the amount of fish
32 that they can catch and release. I brought this up at our last
33 Naknek/Kijik Advisory Committee meeting and we discussed it.
34 And yet we know that a minimum of, I believe, 10 percent of
35 fish that are caught and released and as high as 17 percent of
36 the fish that are caught and release die. We can't go out and
37 catch one fish and keep it but yet they have a license to kill
38 as many as they want, a certain percent of what they catch and
39 release. And I know of two people in Naknek on two days went
40 out and caught and released 251 fish on the Naknek River, that
41 means the minimum of 25 of those fish died, but yet we couldn't
42 go out to catch one to keep over that same period.

43
44 I mean where is the reasoning for all this. We say
45 we're a subsistence board, but we say, no, you can't
46 subsistence fish but you can go out and sport fish and kill
47 that many or as many as you want in any given day. So I think
48 that we need to start recording the numbers of fish caught and
49 released so we have an idea of the amount of fish that are
50 actually dying from this program that we think is conservative

00258

1 when it's not. We have no limit of how many fish are on the
2 Alagnak River in the summer time. And you know as well as I do
3 that a lot of the people that do fish have no idea how idea how
4 to treat a fish, pick them up by the gills, throw them back in
5 the water or rip the hook out of its mouth and the percent is
6 probably a lot higher there than it appears to be or what we
7 think it is.

8
9 So to me those are concerns that we need to look into
10 and start recognizing, otherwise at the rate it's going you
11 know as well as I do that there won't be any sport fish around
12 for years down the road. That's all I have.

13
14 CHAIRMAN O'HARA: Any questions Council members?
15 Smiley you said that the Subsistence Board does not have a say
16 on the fact that we can't eat a rainbow trout or what was your
17 point there?

18
19 MR. KNUDSEN: Okay.

20
21 CHAIRMAN O'HARA: Now, this is the Subsistence Board
22 hearing.

23
24 MR. KNUDSEN: You do not allow subsistence fishing
25 from, say the mouth of -- the boundary of Naknek Lake up into
26 the Laconbrooks, um?

27
28 CHAIRMAN O'HARA: We don't have any control over that,
29 that's State waters.

30
31 MR. KNUDSEN: Okay, that's understandable.

32
33 CHAIRMAN O'HARA: And then we don't have any control
34 over Branch either, if we did, I guarantee you there would be
35 proposals coming out of here that are.....

36
37 MR. KNUDSEN: Well, I guess this is something for the
38 future when we do -- when this Board does, in fact.....

39
40 CHAIRMAN O'HARA: Well, that's providing the State
41 doesn't do something about subsistence. Mac's group, the Fish
42 Board -- State Fish Board is the one that says the Branch, the
43 Kijik, other rivers that he named only have a hook and release
44 on rainbow trout, we have no say so whatsoever.

45
46 MR. KNUDSEN: Okay.

47
48 CHAIRMAN O'HARA: I guarantee you if we did, we'd -- I
49 just want to make sure that.....

50

00259

1 MR. KNUDSEN: Okay, I understand that.

2

3 CHAIRMAN O'HARA:we have no control.

4

5 MR. KNUDSEN: But we did bring it up at the
6 Naknek/Kijik Advisory and -- well, I did. And I talked to Gary
7 and a limit on catch and release is enforceable, it's just a
8 matter of intense.

9

10 CHAIRMAN O'HARA: The Naknek/Kijik Advisory Committee
11 supported the hook and release and no taking of rainbow between
12 that period of time.

13

14 MR. KNUDSEN: I was a minority.

15

16 CHAIRMAN O'HARA: All right. Okay, that's good. Mac,
17 did we say something that you need to -- when you come up here
18 I'd like to.....

19

20 MR. MINARD: Mr. Chairman, just a quick clarification.
21 The regulations that the Board adopted are germane to the sport
22 fishery. And to the extent that rainbow trout may be possessed
23 when taken in otherwise legal subsistence methods and means,
24 you can harvest rainbow trout.

25

26 CHAIRMAN O'HARA: From October to.....

27

28 MR. KNUDSEN: But.....

29

30 MR. MINARD: On the Alagnak River.

31

32 CHAIRMAN O'HARA: From October.....

33

34 MR. MINARD: But under current State regulations, rod
35 and reel is not legal subsistence methods and means. So it's a
36 question of what your methods and means are. If you are
37 gillnetting salmon in the Alagnak River and you take a rainbow
38 trout, underneath those current subsistence methods and means,
39 that rainbow trout can be retained for subsistence purposes.

40

41 And I'm not saying that -- I'm not suggesting that
42 that's entirely adequate or everything but just to clarify the
43 sport fishing regulations apply to the rod and reel sport
44 fishing activity. There are subsistence regulations that
45 provide for and State regulations, the retention of rainbow
46 trout taken by subsistence methods and means. So I don't want
47 to get in a debate whether that's adequate or not.

48

49 CHAIRMAN O'HARA: That's good clarification, I
50 appreciate that. One more thing was said by John's testimony

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1 and he gave a percentage on hook and release fish that die and
2 I don't know if we have a hard number. In fairness to you,
3 Mac, I don't know what 10 to 17 percent, I don't know where we
4 come with that or if you want to comment to that.

5
6 MR. MINARD: Mr. Chairman, there's been many, many,
7 many studies done on hook and release mortality primarily
8 associated to trout.

9
10 CHAIRMAN O'HARA: Um-hum.

11
12 MR. MINARD: And without going into the great details,
13 the general rule of thumb that management staff use and has
14 been born out in numerous studies is that, you know, zero to
15 three percent for the flies, six to 10 percent as Smiley said
16 for artificial lures, which is the type of gear that's
17 allowable on the Alagnak, and up to 30 percent mortality in
18 fisheries that allow the use of bait.

19
20 Now, one of the things the Board did in 1990 was went
21 around and found fisheries that were primarily trout fisheries,
22 rainbow trout fisheries and removed bait as an opportunity
23 where we have overla -- and the current situation in the
24 Alagnak, that's single hook artificial lures for the whole
25 drainage.

26
27 CHAIRMAN O'HARA: A subsistence user guide told me that
28 a silver hook and release dies immediately. Is there any -- do
29 you have any information that pertains to that?

30
31 MR. MINARD: Yeah. There was actually a pretty decent
32 study that was done, I think, during your tenure on the Board,
33 Robin, that showed that there was a very high degree of
34 mortality with coho salmon in a salt water estuary type
35 environment.

36
37 MR. SAMUELSEN: Where it getting climatized to fresh
38 water.

39
40 MR. MINARD: But when they get into fresh water, the
41 harden up and that mortality drops dramatically. So it depends
42 a lot on where you catch that fish relative to its migration.

43
44 CHAIRMAN O'HARA: All right. And further questions
45 Council members? We're going to take a 10 minute break and say
46 good-by to Pete, who's going to be going home.

47
48 MR. MINARD: Well, I think you guys will get a chance
49 to mess with it, it sounds like.

50

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1 MR KNUDSEN: Yeah, tell them I need a ride.

2

3 CHAIRMAN O'HARA: Hey, put in the minutes, this man
4 needs a ride.

5

6 (Off record)

7

8 (On record)

9

10 CHAIRMAN O'HARA: I'll call the meeting back to order.
11 Are we down to the Lake Clark?

12

13 MS. EAKON: We're still on annual report. We have one
14 more item that is report on c&t review of Igiugig and Kakhonak,
15 and John Branson.

16

17 CHAIRMAN O'HARA: All right. We'll call John Branson
18 to the podium.

19

20 MS. EAKON: At the last meeting you had asked that Lake
21 Park National Park report on c&t review of Igiugig and Kakhonak
22 and John Branson, historian for the Park will so report to you.

23

24 CHAIRMAN O'HARA: John, could you give your name to the
25 gentleman there.

26

27 MR. BRANSON: John Branson, Ranger Historian at Lake
28 Clark National Park and Preserve. The SRC on February 2nd
29 found that neither Kakhonak nor Igiugig had customarily or
30 traditionally hunted sheep in what's now Lake Clark National
31 Park and Preserve.

32

33 CHAIRMAN O'HARA: So what's step number two?

34

35 MR. BRANSON: We haven't heard anything from Kakhonak,
36 but Randy Alvarez from Igiugig expressed an interest to proceed
37 on to an individual finding of c&t.

38

39 CHAIRMAN O'HARA: And what does that involve, John?

40

41 MR. BRANSON: Well, I'd defer to Bruce Greenwood here
42 to elaborate on that if I might.

43

44 CHAIRMAN O'HARA: Okay, Bruce.

45

46 MR. GREENWOOD: Bruce Greenwood, National Park Service.
47 What John's referring to is that right now in order to use a
48 National Park, a person either must live in a resident zone
49 community and if he lives outside the resident zone community,
50 that person is required to get a 1344 subsistence use permit

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1 which would allow him the same privilege as though he was in a
2 resident zone community. So Randy Alvarez in this case would
3 have to apply or be interviewed by the Park Service and receive
4 a 1344 permit, and then after he did that or currently, he
5 would apply to the Federal Subsistence Board by a proposal for
6 himself to have individual c&t determination to utilize the
7 lands in Lake Clark National Park and Preserve in Unit 9(B).

8
9 CHAIRMAN O'HARA: Okay, I can understand the Park
10 Preserve. He lives in the Preserve -- Katmai National Park
11 does not go down as far as Igiugig, is that -- I mean Lake
12 Clark?

13
14 MR. BRANSON: We don't have reciprocity. He's in the
15 -- perhaps in the Katmai Preserve.

16
17 CHAIRMAN O'HARA: He's in the Katmai preserve, okay --
18 I stand corrected on that.

19
20 MR. BRANSON: No, in the Lake Clark.

21
22 CHAIRMAN O'HARA: Okay. Do you have more to say on
23 that, Bruce?

24
25 MR. GREENWOOD: Unless there's further questions
26 regarding individual c&t process or the 1344 subsistence use
27 permit process.

28
29 CHAIRMAN O'HARA: All right. I appreciate John doing
30 the research on that and I know that he followed through on
31 everything we asked him to do last year, and that's fine. On
32 this 1344, if Randy Alvarez were to write a proposal, would it
33 have to be for a specific animal or does it cover everything in
34 there that's in there, such as, sheep and moose or whatever
35 else might be in your Park and Preserve?

36
37 MR. GREENWOOD: Well, what he would do to get a 1344
38 permit, a person must show that they have either family or
39 personal history of use, customary and traditional use of
40 subsistence resources within the Park.

41
42 CHAIRMAN O'HARA: Um-hum.

43
44 MR. GREENWOOD: So that 1344 permit would allow him to
45 harvest berries or take -- or get wood, anything that does not
46 require a c&t determination, he could go ahead and use the Park
47 for those purposes. What he would have to do is he'd have to
48 submit a proposal to the Federal Subsistence Board for the
49 species that he wanted to utilize within the Park. So for
50 example in this case, sheep, he would submit a proposal to the

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1 Federal Subsistence Board for sheep in Unit 9(B) within the
2 Park and Preserve areas, that proposal would come in front of
3 this Council and the Council would then make a recommendation
4 to the Federal Subsistence Board either supporting or denying
5 that particular use.

6
7 CHAIRMAN O'HARA: So the point I asked then, it is site
8 specific on an animal, sheep only, that proposal would deal
9 with sheep only?

10
11 MR. GREENWOOD: Correct.

12
13 CHAIRMAN O'HARA: Okay, good, thank you. Yes, Robin.

14
15 MR. SAMUELSEN: Yes. Since the creation of the Federal
16 Subsistence Board, has there been any individual c&t findings
17 and has Section 1344 been implemented in the State of Alaska.

18
19 MR. GREENWOOD: That's a good question. The Section
20 1344 has been implemented since around 1981, there's probably
21 about 50 residents, rural residents, in Alaska who have 1344
22 permits, primarily in Wrangell/St. Elias National Park and
23 Preserve and Denali National Park and Preserve.

24
25 Regarding individual c&t, right now that -- to be
26 totally up front with you it is an issue right now of exactly
27 how to handle that. There's a fellow named Dan O'Conner from
28 Healy who -- Healy does not have c&t, but Dan O'Conner has a
29 1344 permit and he has submitted a proposal to the Federal
30 Subsistence Board. It has been reviewed by Eastern Interior
31 and Western Interior Regional Advisory Council, it'll be going
32 to the South Central Regional Advisory Council next week and on
33 to the Federal Subsistence Board. So at this point in time
34 there has not been one that has been approved, but there is one
35 in process at this time.

36
37 CHAIRMAN O'HARA: Why three different Subsistence
38 Boards?

39
40 MR. GREENWOOD: The reason why three is Denali National
41 Park has lands that lie within Western Interior Advisory
42 Council, Eastern Interior and also Southcentral, so we allow
43 all three Regional Councils to weigh in on that.

44
45 CHAIRMAN O'HARA: Oh, I see. Sure. Well, that's a
46 bunch of hoops to jump through I'll tell you. Good luck, huh?

47
48 Any other questions you might have? Yes.

49
50 MR. HEYANO: I've got a question for John. Did the

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1 communities of Kakhonak and Igiugig provide additional
2 information through the SRCs?

3

4 MR. BRANSON: No, not to my knowledge. Just
5 individual, Gary Nielson expressed an interest from Kakhonak
6 and we -- I drafted a letter at your direction to him to tell
7 him to apply for that to this Board. And whether Helga might
8 have received some communication, but I never heard that she
9 did, so I assumed he did not do that. And then Randy, I don't
10 know if the Igiugig Village Traditional Council did but Randy
11 has pursued it with more vigor than Gary has, he's -- Randy's
12 more determined to see if he can qualify for sheep. He has
13 sheep hunted up in what's now Lake Clark National Park and
14 Preserve in the past where Gary never has.

15

16 CHAIRMAN O'HARA: Go ahead, Robert, if you have any
17 more.

18

19 MR. HEYANO: No, I guess, Mr. Chairman, so I think it's
20 -- basically there's no new information that came from those
21 communities since the last time we discussed this issue.

22

23 MR. BRANSON: We sent them a letter to the traditional
24 councils of both Kakhonak and Igiugig and asked them to apply
25 to this Council for finding whether they were qualified or not
26 as a village for c&t and they, apparently, didn't proceed on
27 that.

28

29 MS. EAKON: Mr. Chair, the only contact I had was a
30 phone call from Randy Alvarez, maybe two, three months ago and
31 he got thought somebody from Igiugig was going to come here to
32 this meeting, but beyond that I haven't had any more contacts.

33

34 CHAIRMAN O'HARA: I know -- I'm glad John said
35 something about the fact that Randy and his Uncle George had
36 previously hunted and I know that I was in the Lake Clark area
37 at the time when they were up there hunting, so there's some
38 record of it. I'm just surprised that the Council did not
39 write and say, hey, we've had people from our area hunt in that
40 area and we want to be a part of it. But we appreciate you
41 following through on that because that was what we asked you to
42 do last fall. Thank you very much for it.

43

44 Anything else, Council members? Is that it, is that
45 all we have?

46

47 MS. EAKON: Um-hum.

48

49 CHAIRMAN O'HARA: All right.

50

00265

1 MR. BRANSON: We got something on the spotting of
2 sheep, don't we?

3
4 MS. EAKON: Yeah, you do.

5
6 CHAIRMAN O'HARA: That's down under B, isn't it?

7
8 MS. EAKON: That would conclude the Annual Report. And
9 I was going to ask you, do you have any other issues that you
10 want would like in your Annual Report or is that a full enough
11 plate?

12
13 CHAIRMAN O'HARA: Council members, do you want any more
14 on the Annual Report? If not, we need to make a motion on
15 this, don't we?

16
17 MS. EAKON: Yes, please.

18
19 CHAIRMAN O'HARA: Do you remember how far back we've
20 gone on Annual Report?

21
22 MS. EAKON: Well, okay. Your Annual Report, a draft is
23 in your books there, update of what's going on with ORVs, the
24 Alagnak Wild River, the wanton waste, interagency cooperation,
25 a paragraph on what Lake Clark National Park Subsistence
26 Recourse Commission said about Igiugig and Kakhonak. And
27 unless there are further issues, that will comprise your
28 report.

29
30 CHAIRMAN O'HARA: And that doesn't necessarily mean
31 that we're bound by -- in these report that that would become
32 regulation or anything?

33
34 MS. EAKON: No, no, no.

35
36 CHAIRMAN O'HARA: Okay, all right.

37
38 MS. EAKON: These reports.....

39
40 CHAIRMAN O'HARA: Except in the Management Report, huh?

41
42 MS. EAKON:are looked at by the Board every
43 August, okay?

44
45 CHAIRMAN O'HARA: All right. Um-hum. Let's have a
46 motion to approve the Management Report.

47
48 MR. SAMUELSEN: So moved.

49
50 CHAIRMAN O'HARA: Second?

00266

1 MR. BALLUTA: Second.

2
3 MR. BOSKOFISKY: Second.

4
5 CHAIRMAN O'HARA: Andy. Robin and Andy. Any further
6 discussion? All those in favor say aye.

7
8 IN UNISON: Aye.

9
10 CHAIRMAN O'HARA: Opposed?

11
12 (No opposing responses)

13
14 CHAIRMAN O'HARA: Okay.

15
16 MR. SAMUELSEN: Didn't I hear Helga say that we can get
17 out of here by 3:00 o'clock?

18
19 CHAIRMAN O'HARA: Yeah

20
21 MS. EAKON: Huh?

22
23 MR. SAMUELSEN: Let's boogie.

24
25 CHAIRMAN O'HARA: Sheep.

26
27 MS. EAKON: Okay. Agenda Item 10B.....

28
29 CHAIRMAN O'HARA: Oh, I'm sorry.

30
31 MS. EAKON:as is Boyd, Regional Council new
32 member training. You do have a copy of the gray book, it is
33 final. That's all we have on that, that's just to tell you
34 it's final. Okay?

35
36 CHAIRMAN O'HARA: How about C?

37
38 MS. EAKON: C, coordination with ADF&G. At your last
39 meeting you had passed a motion to approve the Memorandum of
40 Agreement with the Alaska Department of Fish and Game. Our
41 office has -- there is no such memorandum. We have been asked
42 to used the terms coordinations with ADF&G instead and Rosa
43 Meehan has something to say about this.

44
45 CHAIRMAN O'HARA: Okay, Rosa.

46
47 MS. MEEHAN: Thank you, Mr. Chairman. Rosa Meehan,
48 Subsistence Office. Underneath Tab H in your book there's a
49 couple of items that pertain to coordination with Fish and
50 Game. This Council, as Helga mentioned, I believe, at the last

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1 meeting passed a motion in support of increased coordination
2 between the Subsistence Program and the Department of Fish and
3 Game. And one of the steps that was proposed to do this year
4 was to have Fish and Game attend the Staff Committee meeting
5 and that would be the meeting where the Staff Committee reviews
6 all of these proposal analysis just prior to the Board meeting.
7

8 And the purpose of Fish and Game attending the Staff
9 Committee is to clarify any technical information that's
10 included in the analyses, provide additional new technical
11 information that may have come to light since the Regional
12 Council meetings. And that is their role at the meetings, they
13 specifically are not -- would not be involved in any policy
14 discussions or in any of the discussions whereby
15 recommendations are developed to go from the Staff Committee to
16 the Board, so it's very much a technical role within the Staff
17 Committee.
18

19 This was proposed as a coordination item and some
20 people had a tremendous amount of concern about it and and in
21 other Councils we've heard quite a lot of comments about --
22 just concerned being expressed about Fish and Game being
23 involved with the decision-making process and so because of the
24 concern Mitch signed that a letter that was prepared for him
25 that addresses this issue, kinds of lines out what some of the
26 concerns are and basically asks for specific feed back from the
27 Councils on the involvement of Fish and Game in the Staff
28 Committee meeting.
29

30 It's basically seeking a comfort level that people feel
31 okay with this type of coordination continuing, or being
32 instituted actually.
33

34 CHAIRMAN O'HARA: Is that the extent of your report?
35

36 MS. MEEHAN: That's the extent of it, I'm happy to
37 answer questions.
38

39 CHAIRMAN O'HARA: All right, well, let's do that now.
40 Any Council member questions? Yes, Robert.
41

42 (Off record comments - moving microphone)
43

44 MR. HEYANO: Did I understand you correctly to say that
45 the staff just looks at the technical information and does not
46 make a recommendation?
47

48 MS. MEEHAN: No, the -- I might have said that, that
49 wasn't what I intended. What the Staff Committee does is
50 that's the -- you know, we got the key representative from each

00268

1 of the agencies, okay. They sit down and go through all of
2 these proposal in very much the same fashion as we're doing
3 here. And then they draft their recommendation that goes to
4 the Board.

5
6 Okay, in that meeting where they sit and go through all
7 of this, up until now, that has been a closed meeting limited
8 to staff from the Subsistence Office and the a specific Federal
9 agency, okay? What the proposal is, is to include the
10 Department of Fish and Game in that Staff Committee meeting and
11 their -- which raises the question of, well, what would be
12 their role in that meeting? And so their role is to primarily
13 to, as I mentioned, clarify technical information, provide new
14 technical information, but it stops there, it is not to be
15 involved in the development of the Staff Committee
16 recommendation or any policy decisions that occur.

17
18 CHAIRMAN O'HARA: Any other questions, Robert?

19
20 MR. HEYANO: I guess who's decision was it to limit the
21 role of ADF&G to just providing technical?

22
23 CHAIRMAN O'HARA: This letter, primarily. That was
24 written for Mitch.

25
26 MS. MEEHAN: Yeah, it's -- that's a policy call within
27 the program and I honestly couldn't give you a name, but there
28 is a tremendous amount of concern, I'll share with you, that
29 we've heard from several quarters about the State had -- and
30 I'm just trying to remember, you know, phrases, but the State
31 has -- is perceived as having a particular agenda that is
32 anti-subsistence, you know, by some and, therefore, having that
33 perspective brought into a decision-making process for this
34 program is inappropriate. I mean, that's the general concern
35 and so that's why there was quite an interest in having the
36 roles very clear.

37
38 CHAIRMAN O'HARA: Any other questions that you might
39 have, Council members?

40
41 MR. HEYANO: I don't have any questions, Mr. Chairman,
42 I have some comments.

43
44 CHAIRMAN O'HARA: Certainly, that's what we're here
45 for.

46
47 MS. MEEHAN: That's what we're hear for, go ahead.

48
49 CHAIRMAN O'HARA: Yeah.

50

1 MR. HEYANO: Mr. Chairman, it doesn't bother me at all
2 to have the State involved in these -- participate in the Staff
3 Committee meetings. I think they provide a very important
4 function. I think that -- you know, they're an agency that
5 has quite a bit of information on the resource and quite a bit
6 of history on the management of those resources, I guess, and,
7 you know, it -- and it doesn't bother me that they have a vote
8 in the process. I think there would be one out of six or one
9 out of seven, they definitely and clearly in a minority type
10 role, but I -- you know, I think in light of the cooperation
11 that we've always done between State and Federal, and maybe
12 this region more so than other regions because of our land
13 structure. Maybe we're more forced to do that. It sure
14 wouldn't both me to recommend that, maybe. And then if we
15 could just isolate it to Bristol Bay as to have ADF&G staff
16 participate. I mean it's one vote out of, what, six or seven
17 other agencies?

18
19 MS. MEEHAN: Six.

20
21 MR. HEYANO: Six.

22
23 CHAIRMAN O'HARA: Is that the extent of your comments?

24
25 MR. HEYANO: For now.

26
27 CHAIRMAN O'HARA: Any other comments of Council
28 members? Go ahead. Do you have any more?

29
30 MR. HEYANO: No.

31 CHAIRMAN O'HARA: Okay. Anything else? Robin.

32
33 MR. SAMUELSEN: Thank you, Mr. Chairman. I don't know,
34 we're in this quandary right now on the State given up
35 subsistence management. On a State level I hear from the
36 Alaska Legislature, you know, that they're going to prevent
37 ADF&G officers from enforcing any State regulations, the
38 rhetoric that's been going around. And I'd like to see this
39 kind of put on hold. I think that our staff, as well as State
40 staff in the field work excellent together, it when you get
41 into mid-level, upper level of management, policy decisions
42 that things seem to break down. And the law makers that make
43 the laws in Juneau have got a real anti, hostile -- have taken
44 a real anti, hostile subsistence stance.

45
46 And, you know, people say the Feds are moving in
47 December 1 and taking over the fisheries. I completely
48 disagree with that. The State is voluntarily given it to the
49 Feds with not coming into compliance with ANILCA and putting
50 cockamamie proposals up, such as Representative Ogan did, so I

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1 think for the time being, I'd like to see, until after the
2 Federal takeover or the State gives up the management of
3 navigable waters then develop an MOU between the State of
4 Alaska and the Federal subsistence policy regime. I think we
5 could work together with our counterparts and we should out
6 here in the field but I'm kind of unwilling at this time to
7 give a broad brush, I mean, first damn thing I'll see is Ron
8 Summerville sitting at the table representing the State of
9 Alaska with Dick Bishop sitting behind him.

10
11 CHAIRMAN O'HARA: Now we have names.

12
13 MR. SAMUELSEN: That's exactly how this is going to
14 come out and it'll just put -- it'll be another form of cancer
15 laying in here as far as I'm concerned.

16
17 CHAIRMAN O'HARA: Interesting comments from the
18 Council. Any other comments from the Council members? You're
19 not a Council member, sorry. We'll call on you though. If
20 you'd like to come to the table you can, but we'll ask for you
21 -- you know, we'll call on you when we finish here with our
22 business.

23
24 MR. HEYANO: I guess I got, you know, in addressing
25 Robin's comments, is it his recommendation that ADF&G doesn't
26 participate?

27
28 CHAIRMAN O'HARA: What's that?

29
30 MR. HEYANO: Is that his recommendation, that ADF&G
31 staff does not participate?

32
33 MR. SAMUELSEN: My recommendation is that they
34 participate at the level they're participating now, which I see
35 pretty much fully. I've been up to U.S. Fish and Wildlife
36 Office here in dealing with a number of issues and Larry's been
37 there, they work well, hand and hand, I don't see any problems
38 out here in the field, but I see it when we get into the upper
39 level management of the Department of Fish and Game and their
40 philosophies and direction that has filtered down to their
41 managers in trying to implement, you know, I just feel that we
42 have a good relationship out here in the field and if we elect
43 the Ron Summervilles that are hired by the Legislature for a
44 complete anti-subsistence stance and to devise ways to limit
45 subsistence users in every, way, shape of form that that's
46 who'd be sitting across in upper level management meeting at
47 the Federal level dealing with subsistence.

48
49 CHAIRMAN O'HARA: Robert, I think the long answer is,
50 no. Seems to me that.....

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1 MR. HEYANO: Well, my understanding, this is a
2 recommendation for the Staff Committee.....

3
4 CHAIRMAN O'HARA: Yeah.

5
6 MR. HEYANO:that looks over these proposals and
7 it doesn't address what happens at this meetings or other type
8 of meetings in more local level. Irregardless of whichever way
9 this thing flies, it doesn't preclude Larry from working with
10 Mike Hinkes at all, this is just staff.

11
12 MS. MEEHAN: Oh, absolutely. Let me back up and just
13 put a little bit of framework around it. There was a
14 subcommittee of the Staff Committee over the past year, got
15 together with representatives from the State, and it's the
16 liaison team with subsistence. With Elizabeth Andrews and then
17 the other folks that are involved in sort of coordinating the
18 Fish and Game coordination with the Subsistence Program. And
19 they developed this issue paper, which is the second -- starts
20 on the second page in here. And it identifies different ways
21 that coordination can be improved throughout the whole process.
22 And several of these recommendations, we've gone ahead and
23 instituted this year.

24
25 Now, I'll just put in a personal comment. This Council
26 is way ahead of many Councils in the amount of participation
27 between Fish and Game and this program, both at the Council
28 level and out at the field level, so it's -- so much of the
29 stuff that's in here, I'm sure you'd read though it, oh, yeah,
30 we do that, we do that.

31
32 The thing that's different this year that came out of
33 this particular exercise is we've made a much greater effort
34 from the Subsistence Office to involve Fish and Game in earlier
35 review of the proposal analyses and involvement at the Council
36 meetings. Now, again, that's not something you see at this
37 Council, but at other Council meetings there's been a change in
38 the participation by Fish and Game.

39
40 What came into question was one of the next steps in
41 coordination is, as you move down the process is in the Staff
42 Committee meeting. And that's the one that, you know, when the
43 coordination hit that far that, for various people, red flags
44 went up. And, again, the intent of this is to strengthen the
45 recommendations that go to the Board. We want to strengthen
46 the information that gets to them to improve -- improve the
47 information in front of the Board for them to go through the
48 decision-making process and, of course, he'd be sitting at the
49 table too.

50

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1 That's the intent of it. But, again, I do not want to
2 downplay the fact that we have heard concerns from a number of
3 quarters and it does relate to the difference in philosophies
4 and perspectives that are, you know, between the State and
5 Federal Programs. And so -- and it for that reason that Mitch
6 said, wait a minute, you know, before we go any farther with
7 this -- and he said it this way, it was, I want to hear from
8 the Councils what they think about this. And so he's very
9 sincere in his solicitation of your input.

10
11 CHAIRMAN O'HARA: Robert, you still have the floor.

12
13 MR. HEYANO: No, I don't have anything else at this
14 time.

15
16 CHAIRMAN O'HARA: Okay. Robin, did you have any other
17 comment?

18
19 MR. SAMUELSEN: Yeah. Well, if it's on local level I
20 have no problems with it.

21
22 CHAIRMAN O'HARA: Okay. All right. I want to have a
23 little say about that, too. Now you said there was a great
24 deal of concern. And I guess you mean a great deal of concern
25 on the Federal side on a higher level than what we're dealing
26 with here.

27
28 MS. MEEHAN: Um-hum.

29
30 CHAIRMAN O'HARA: All right, so it's the next level up.

31
32 MS. MEEHAN: Um-hum.

33
34 CHAIRMAN O'HARA: And the concern is that you give to
35 us your absolute most accurate information you can give to us
36 on subsistence, that's what we deal with. All right?

37
38 MS. MEEHAN: Um-hum.

39
40 CHAIRMAN O'HARA: Okay. So if the State of Alaska
41 comes in, that may not be the end result and that's not a bad
42 concern, if I understand correctly. All right. Okay, because
43 they do have a difference and State Constitution on the people
44 for the State of Alaska are bound by their Constitution versus
45 ANILCA and Title VIII. So this is a concern I have.

46
47 One of the reason that we ask for this cooperation is
48 mainly for my time, and maybe that's a selfish way of putting
49 it, but we get here and then Fisher comes up and Larry comes up
50 and granted they have the information and then we have to work

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1 through all this process, one more time, to get down to the
2 level of a decision that this Board will make on subsistence.

3
4 And I guess the reason I wanted some more cooperation
5 is maybe some of those steps could be eliminated prior to
6 getting here, but then again, if at that level it cannot be
7 done, then that's okay. It's going to work out one way or
8 another in December anyway. Either we'll be working with the
9 State of Alaska or they're going to be working with us. And if
10 they're going to be working with us, it's going to be then the
11 ball will be in our court and -- but this Council goes on
12 record of very carefully working with the State of Alaska and
13 everything that can possibly be done. And granted there's --
14 the line's drawn for them where they cannot go beyond those
15 because of what the State Constitution says regardless of how
16 bad we beat up the Legislatures in Juneau. They are bound by
17 the State Constitution till such time it's changed.

18
19 So I appreciate you bringing that information, that's
20 something that I didn't know until you mentioned that today.
21 But we still would like to go on record as working quite
22 cooperatively, maybe there'll come a time when we'll be
23 comfortable at that mid-level to work and, you know, eliminate
24 some of these long hard drawn out things that we deal with here
25 for two days, when maybe it could be sped up a little bit.

26
27 Any other Council member comments?

28
29 (No audible responses)

30
31 CHAIRMAN O'HARA: Thank you very much, Rosa, we
32 appreciate it.

33
34 MS. MEEHAN: Okay.

35
36 MR. SAMUELSEN: Oh, one more, Mr. Chairman.

37
38 CHAIRMAN O'HARA: Okay, here we go.

39
40 MR. SAMUELSEN: I don't think State should have the
41 right to vote in the Committee. They won't let me vote on my
42 subsistence issue. South Africa's voted on their issues, but
43 they won't let me vote on my subsistence issue, so I want the
44 record to reflect that State shouldn't vote.

45
46 MS. MEEHAN: I understand.

47
48 MR. HEYANO: Mr. Chairman, I think maybe you better
49 take some time and draft a motion that this Committee can
50 endorse, vote on, one way or the other, concerning these

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1 recommendations because I, obviously, don't share some of the
2 opinions that have been expressed, so I think it's important to
3 put it to a vote.

4
5 CHAIRMAN O'HARA: Yeah, and I don't want to do that
6 today. Maybe, unless the Council members want to go head and --
7 this is a big issue that'll take us the rest -- you know, a
8 whole couple of afternoons.

9
10 MR. HEYANO: I guess, Mr. Chairman, the only thing I --
11 when is the Federal Subsistence Board looking at taking action
12 on this?

13
14 MS. MEEHAN: They're going to have to take action -- I
15 believe they're going to take action in three weeks. We've got
16 one more Council meeting.....

17
18 CHAIRMAN O'HARA: In May.

19
20 MS. MEEHAN: Yeah, and then -- because they've got to
21 take action before the Staff Committee meets which is April.
22 I'm really lost dates here.

23
24 CHAIRMAN O'HARA: Helga, when does the Federal Board
25 meet again, 3rd of May?

26
27 MS. EAKON: May 4.

28
29 CHAIRMAN O'HARA: May 4, okay.

30
31 MS. MEEHAN: But they would need to act before the
32 Staff Committee meeting, which is in April.

33
34 CHAIRMAN O'HARA: Oh, so the Federal Board is going to
35 meet again before -- they're going to meet with the Councils?

36
37 MS. MEEHAN: They'll telephone poll it?

38
39 CHAIRMAN O'HARA: Huh?

40
41 MS. MEEHAN: They were going to get together by
42 teleconference, so it's not a.....

43
44 CHAIRMAN O'HARA: Oh, okay. Well, I think I'm going to
45 have to vote with Robin on this because maybe the State of
46 Alaska is only one of six but I think maybe I'd be more
47 comfortable dealing with this local level then perhaps. So if
48 you want to make a motion it certainly is -- we have an agenda
49 item here now that we deal with, if you'd like to.

50

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1 MR. HEYANO: What I think, Mr. Chairman, we're going to
2 have to give a recommendation to the Federal Subsistence Board,
3 since we won't be meeting again when they take this issue up,
4 so I think that -- you know, I heard from you and I heard from
5 Robin, I haven't heard from the other Committee, but it sounds
6 like what you people are advocating is that the State isn't
7 allowed to participation at the staff level and may not be
8 allowed -- well, I guess if they're not allowed to participate,
9 they wouldn't be allowed to vote either.

10
11 But I think if that's the recommendation of this
12 Committee, then that should be in the form of a motion, voted
13 on, so that could be a recommendation to the Federal
14 Subsistence Board is all I'm saying. Because whether we take
15 action or not they are going to act on this.

16
17 CHAIRMAN O'HARA: I have no problem with the State of
18 Alaska participating at your Committee level as -- you know, as
19 your Committee gets together and then I guess you decide within
20 the six agencies or six, what do you call them?

21
22 MS. MEEHAN: It's the Staff Committee, so it the
23 representative from the Federal land managing bureaus plus the
24 Bureau of Indian Affairs.

25
26 CHAIRMAN O'HARA: Okay. And then the seventh one would
27 be State of Alaska sitting in on those meetings?

28
29 MS. MEEHAN: Yes. I'd like to clarify something. In
30 actuality, the Staff Committee, it's not exactly a voting body,
31 they do try to come to consensus and put forward a
32 recommendation, and it's a recommendation up to the Board.
33 They don't make any decisions. If the Department of Fish and
34 Game was involved they would not be part of that Committee and,
35 therefore, a vote or a direct contributor to the decision on
36 that. They can't do that. And that recommendation by
37 regulation has to come from those Federal representatives.

38
39 CHAIRMAN O'HARA: Could they be technical support at
40 that level?

41
42 MS. MEEHAN: That's the recommendation that we've got
43 here, is to be strictly technical support.

44
45 CHAIRMAN O'HARA: Okay, I could live with that.

46
47 MS. MEEHAN: And as such -- and the conversations that
48 we've had, just sort of preliminary conversations of, well,
49 just exactly who from Fish and Game would be there? What
50 they're talking about doing is bringing in the appropriate,

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1 either on telephone or in person, appropriate area biologist or
2 anthropologist, whatever appropriate to the issue at hand. But
3 that certainly has not been run to the ground, it is somewhat
4 open as to how that would be handled.

5
6 CHAIRMAN O'HARA: Well, actually what I would vote on
7 then would be just what we have here from Mitch. Or this paper
8 here presented by -- after Mitch's letter. In other words, I
9 would support that level of participation if the State of
10 Alaska came in as technical support to you. All right?

11
12 MR. SAMUELSEN: Yeah.

13
14 MS. MEEHAN: A motion to that effect would be similar
15 to what some other Councils have taken. Some of the other
16 Councils have also added a qualifying statement on it,
17 clarifying concern about involvement in policy aspects of
18 discussions. So it's up to you, but that's just to share with
19 you what some of the other Councils have done.

20
21 CHAIRMAN O'HARA: What's the wishes of the Council at
22 time?

23
24 MR. SAMUELSEN: Mr. Chairman, I move that ADF&G be
25 allowed to participate in the meetings in the advisory capacity
26 as technical support with no voting recommendations.

27
28 CHAIRMAN O'HARA: Is there a second to Robin's motion?

29
30 MR. BOSKOFKY: I'll second it.

31
32 CHAIRMAN O'HARA: Alvin seconded it. Would you like to
33 address the motion?

34
35 MR. SAMUELSEN: I think we did.

36
37 CHAIRMAN O'HARA: We did address it. Council members
38 would you like to address the motion, anyone?

39
40 (No audible responses)

41
42 CHAIRMAN O'HARA: Call for the question. All those in
43 favor say aye.

44
45 IN UNISON: Aye.

46
47 CHAIRMAN O'HARA: Opposed?

48
49 MR. HEYANO: Aye.

50

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1 CHAIRMAN O'HARA: One opposition, five for it. Thank
2 you, Rosa. It's nice to be awakened in the afternoon.

3
4 MS. MEEHAN: Always a pleasure to deal with.

5
6 CHAIRMAN O'HARA: Yeah, I'm sure. Any other old
7 business to come before this body?

8
9 (No audible responses)

10
11 CHAIRMAN O'HARA: New business. Helga.

12
13 MS. EAKON: Use of airplanes to spot sheep at Lake
14 Clark, and this was requested by Andrew Balluta at the last
15 meeting. And Bruce Greenwood will report on behalf of Lee
16 Fink.

17
18 MR. GREENWOOD: Mr. Chair, Council, Bruce Greenwood,
19 National Park Service.

20
21 CHAIRMAN O'HARA: Thank you.

22
23 MR. GREENWOOD: I'm going to have John Branson provide
24 a little background on the information, then I will talk about
25 the regulatory aspects of this.

26
27 CHAIRMAN O'HARA: All right. John.

28
29 MR. BRANSON: Since Lake Clark National Park and
30 Preserve was created in 1978 or the Monument in '78 and the
31 Park in '80, there seems to have been a blending, at times, at
32 Port Alsworth of inability of some to distinguish between a
33 sport hunt and a subsistence hunt, and it manifests itself,
34 most particularly, with using aircraft to spot big trophy rams
35 and then going back up where they found them and so there was
36 some concern that real subsistence was not being practiced, it
37 was being -- subsistence was being used rather than -- or as a
38 guise for a sport hunt.

39
40 CHAIRMAN O'HARA: Is that the extent of your comments?

41
42 MR. BRANSON: That's the background of the issue.

43
44 CHAIRMAN O'HARA: Okay. All right. Did you have more
45 on that?

46
47 MR. GREENWOOD: Yes, what I was asked to cover by Helga
48 is the regulatory aspects of this and there is no regulation
49 that would prohibit flying a day or two before the hunt. The
50 only regulations that we have are the ones that I handed out to

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1 you and they regard prohibit aircraft use regarding access into
2 a National Park.

3
4 The other regulatory aspect regarding aircraft is the
5 same-day-airborne hunting regulation. What I would refer you
6 to is the second page of the handout. It discusses a few
7 aspects and this is the -- from the preamble to the 36 CFR
8 regulations. And the points that -- places that I have aligned
9 an asterisk are the ones that kind of shows the intent that --
10 the intent is that subsistence users would not be using
11 aircraft except in very limited ways.

12
13 The first asterisk is the local residents who have
14 customarily and traditionally engaged in subsistence use of
15 park and monument resources do not, in most cases, use aircraft
16 for accessing subsistence hunting, trapping and fishing. What
17 cash these local residents acquire is to purchase necessities,
18 not otherwise supplied by subsistence uses. Certainly as a
19 general rule, expensive aircraft use greatly exceeds the
20 ability of local rural residents to pay for it. On the other
21 hand, aircraft is commonly used by sport hunters who are now
22 prohibited from hunting in park and monument areas. In this
23 respect the prohibition of aircraft use for subsistence
24 activities reenforces the ban on sport hunting in park and
25 monument areas and assists National Park Service in
26 distinguishing sport from subsistence hunters.

27
28 So that is the only kind of language that I could find
29 that would cover the situation that John as addressed.

30
31 What Lee Fink has proposed to do is to talk to people,
32 let them know some of this information and also he was planning
33 on adding the regulatory aspect regarding using -- prohibiting
34 of aircraft use for access into National Park.

35
36 Are there any questions?

37
38 CHAIRMAN O'HARA: Any comments, Council members?

39
40 (No audible responses)

41
42 CHAIRMAN O'HARA: So if you go get a sheep in Katmai
43 National Park, you have -- I mean Lake Clark, you've got to go
44 walk and get it?

45
46 MR. GREENWOOD: Or use boat.

47
48 CHAIRMAN O'HARA: Or use a boat?

49
50 MR. GREENWOOD: Yes.

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1 CHAIRMAN O'HARA: Right now you can go out and rent an
2 airplane, go get a sheep the next day?

3
4 MR. GREENWOOD: No, you cannot. You cannot use an
5 aircraft, you cannot land an aircraft in a National Park.

6
7 CHAIRMAN O'HARA: Oh, period. To hunt?

8
9 MR. GREENWOOD: Period. You can't.....

10
11 CHAIRMAN O'HARA: For any reason, subsistence or
12 otherwise?

13
14 MR. GREENWOOD: Right.

15
16 CHAIRMAN O'HARA: Okay, so what's the issue then?

17
18 MR. GREENWOOD: Apparently what the issue -- I
19 understand the issue is, is that, as John mentioned, that
20 certain users are using an aircraft to fly a couple of days
21 before to spot large sheep. They come back, they land the
22 aircraft, then they go in using boat or other means and harvest
23 a sheep. And they're generally targeting large rams. And
24 there's a thought this is happening and it's not really
25 subsistence use, it's really sports use and there's a confusion
26 between sport and subsistence use.

27
28 CHAIRMAN O'HARA: This is a live one for us.

29
30 MR. GREENWOOD: But, as I said, there is not a
31 regulation that prohibits flying an aircraft over the ground a
32 day before you harvest.

33
34 CHAIRMAN O'HARA: I think you'd have more success in
35 turning a blizzard with a flyswatter than you would enforcing
36 this piece of legislation, I really do.

37
38 MR. GREENWOOD: Well, I think that's the point, is that
39 there isn't any legislation that -- there is no regulation that
40 prohibits you from flying an aircraft over an area the day
41 before you harvest an animal. The only regulation regarding
42 aircraft use primarily concern access and same-day-airborne
43 hunting.

44
45 CHAIRMAN O'HARA: Robert, do you have a comment?

46
47 MR. HEYANO: I think I do. If I understand it right,
48 park regulations prohibit you from using an aircraft for
49 hunting and that means you can't fly in anyplace in the park
50 and take an animal. Park regulations further restrict only

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1 subsistence hunting and they further restrict it to just those
2 resident zone community -- members of those resident zone
3 communities. Correct? Nothing in regulations prohibits
4 somebody from flying in the park, nothing prohibited from
5 flying the day before and the next day taking an animal as long
6 as he's not using that aircraft for access. Correct?

7
8 MR. GREENWOOD: That's correct.

9
10 MR. HEYANO: What's the problem, Mr. Chairman?

11
12 CHAIRMAN O'HARA: Well, the problem is, is whoever
13 brought this before use does not want aircraft used for
14 spotting an animal for hunting the next day, and I don't see
15 how you can even address the issue really.

16
17 MR. HEYANO: Well, I think, Mr. Chairman, it goes back
18 to the other issue that we discussed earlier today where we
19 have Federal agencies trying to determine what subsistence
20 activity is, putting prejudice and bias opinions into the
21 regulation. And I think that's what we're hear for, to make
22 sure that that kind of stuff does not happen.

23
24 You know, I'd like to hear from what those -- I assume
25 this is primarily targeted at residents who live in Port
26 Alsworth?

27
28 MR. GREENWOOD: My understanding that's what it is, but
29 maybe Andrew could speak to this.

30
31 CHAIRMAN O'HARA: Andrew, are you the one that proposed
32 this or made it an agenda item?

33
34 MR. BALLUTA: Well, it's really that I was talking
35 about the community of Nondalton and Iliamna and -- well, some
36 of Iliamna uses aircraft to spot but that's only here, but
37 Nondalton, Pedro Bay, they don't have an aircraft to spot their
38 animals and then go after it. To me Port Alsworth they're not
39 using a method of subsistence use or traditional use, they're
40 using the aircraft to spot the animal and then go get it and
41 say that's a subsistence use. I don't believe in that kind of
42 a.....

43
44 CHAIRMAN O'HARA: All right, thank you very much. Any
45 other Council member comments? Yeah, Robin.

46
47 MR. SAMUELSEN: Yeah, but I think to get where Andrew
48 wants to get this is totally unenforceable. Wouldn't you
49 agree?

50

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1 MR. GREENWOOD: That's correct. It'd be very difficult
2 to enforce.

3
4 CHAIRMAN O'HARA: Yeah, that's a problem. Yeah, I
5 think that's.....

6
7 MR. SAMUELSEN: So I guess this is a no action item.

8
9 CHAIRMAN O'HARA: Yeah, I don't think it is. Thank you
10 very much, Bruce and John, we appreciate you.

11
12 MR. GREENWOOD: You're welcome.

13
14 CHAIRMAN O'HARA: And I mean you followed through on
15 what was asked to do and we thank you very much for helping us
16 out on that.

17
18 MR. BRANSON: You're welcome.

19
20 CHAIRMAN O'HARA: All right.

21
22 MS. EAKON: Agenda Item 11B, Regional Council
23 nominations update. There are two seats coming vacant this
24 fall, those currently held by Dan O'Hara and Pete Abraham.
25 Just to remind you that the nominations period closes March
26 20th. And that's all.

27
28 CHAIRMAN O'HARA: Agency reports.

29
30 MS. EAKON: Okay. Agency reports, for U.S. Fish and
31 Wildlife Service Subsistence Management, Rosa is going to
32 present three items, followed by the migratory birds,
33 implementation of amendments. After which Donald Mike is going
34 to come up and present two hunting plan recommendations by the
35 Aniakchak Commission. After which Jim Browning is going to
36 give you a fisheries forecast and that will end. Ted will give
37 a brief BBNA report and then we'll be done with that portion.

38
39 CHAIRMAN O'HARA: Okay, Rosa.

40
41 MS. MEEHAN: I have three items that are in your book
42 and so what I'll -- with your indulgence, I'd like to cover
43 them briefly. They're informational items and if you want to
44 peruse them, you've got the written part there. It's under Tab
45 J.

46 And before I get into this, I just like to share with
47 you some face changes happening in the office. Terri Edwards
48 who did a lot of our publications stuff has left, that position
49 has not been filled yet, but the intent is to replace the
50 position. And also Rod Kuhn who works for the Forest Service

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1 is transferring to a new job and his position will not be
2 refilled. However, Ken Thompson who is the Forest Service
3 Staff Committee member will move from Juneau up to Anchorage.
4 So those are just a few changes in the program.

5
6 Speaking to the specific issues, the first one is the
7 Federal Subsistence Board restructuring and last year at the
8 joint Chair and Board session, prior to the May Board meeting
9 last year it was -- the group agreed that it was time to look
10 at how the Federal Board was structured and there was another
11 one of those subcommittees put together that had Dave Allen
12 from the Fish and Wildlife Service on it, Tom Allen from the
13 Bureau of Land Management and Bill Thomas the Chair of the
14 Southeast Council and they looked at various options for
15 Federal Board structure.

16
17 They had sort of boiled it down to three different
18 options. One being the existing Board, the second being the
19 existing Board plus one Regional Council Chair, nominated by
20 the Council Chairs. And the third would be the existing Board
21 plus one subsistence user and one State representative,
22 nominated by the Governor. Other options that were considered
23 include having the Federal Board made up entirely of the Chairs
24 of the Regional Advisory Councils.

25
26 For reasons that are explained in the status report,
27 that latter one is not a legal option at this time and so those
28 first three were looked at in a fair bit of detail.

29
30 The final outcome of this scrutiny of the Federal Board
31 was a recommendation to maintain the Board as it is and Bill
32 Thomas wrote out the reasons for going with that option and how
33 actually staying with that option addressed the concerns that
34 were raised initially and initiated the process we're look at
35 Board structure. Basically the concerns being that people were
36 making decisions about subsistence lifestyle who themselves
37 were not subsistence users and, in fact, had background very
38 far from a subsistence use. And so that was the concern that
39 sparked it. This was, you know, a detailed look at different
40 options, the recommendation was to stay with it, with an
41 important change in process.

42
43 And as explained, Bill Thomas wrote it out, and
44 basically the way -- the Board works on a process at the Board
45 meeting similar to the procedure that we have written down
46 here. That there's a presentation of information, then the
47 various other interest groups, if you will, have a chance to
48 speak to the proposal and then it moves into Board discussion
49 and then the Board votes on the proposals.

50

00283

1 CHAIRMAN O'HARA: Before they vote on the proposal
2 though, the Council Chairs get to have their say.

3
4 MS. MEEHAN: That's the change.

5
6 CHAIRMAN O'HARA: No, we've always done that.

7
8 MS. MEEHAN: There's always been an opportunity for the
9 Council to have the last word before the Board say, okay,
10 thanks for the input and then they do their discussion and make
11 a vote. And the change is that now the Board will do their
12 discussion and then turn and give the Regional Council Chairs
13 another opportunity to have input just prior to the vote.

14
15 CHAIRMAN O'HARA: Oh, so two times?

16
17 MS. MEEHAN: Two times.

18
19 CHAIRMAN O'HARA: Okay. All right.

20
21 MS. MEEHAN: Any questions?

22
23 CHAIRMAN O'HARA: No.

24
25 MS. MEEHAN: The second item was the Request for
26 Reconsideration and Special Action policy clarification and we
27 covered that pretty much yesterday in the discussion about the
28 Special Action 97-12, so moose in 17(A). If there's any
29 question about it? I was going to breeze by that one.

30
31 CHAIRMAN O'HARA: Okay.

32
33 MS. MEEHAN: No question -- no motions? Okay. And
34 then the final one, just briefly the Board's agenda has gotten
35 full, beyond belief, and we've got over 100 proposals this year
36 and so there's very much a desire to increase the efficiency of
37 the Board in handling issues. And one of the procedural
38 techniques for doing that is to adopt a consent agenda. And
39 this is the proposal to do that, they'd like to try that
40 process this year.

41
42 And it basically would work that proposals where the
43 Staff Committee recommendation and the Regional Council
44 recommendation line up, you know, everybody is sort of saying
45 the same thing, that they would take those proposals out within
46 each region as a block and just vote on those as a block, you
47 know, basically adopt them. And then spend the time that they
48 have discussing the proposal where there's either controversy
49 or the complex proposals that merit more detailed discussion.

50

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1 And so by way of example, the proposals, Robert, you
2 were identifying them as housekeeping proposals, you know,
3 that's the type of proposals that are envisioned to be put into
4 the consent agenda.

5
6 There would be an opportunity for anyone to identify a
7 proposal that's put into the consent agenda as one, wait a
8 minute, there's more going on here, please take it out, I want
9 to see that one discussed. That opportunity will be there.

10
11 CHAIRMAN O'HARA: All right, Helga, how long did it
12 take to Bristol Bay last year? Not very many minutes, you
13 know, and so I think that's a good.....

14
15 MS. EAKON: Forty-seven minutes.

16
17 CHAIRMAN O'HARA: Huh?

18
19 MS. EAKON: Forty-seven minutes.

20
21 CHAIRMAN O'HARA: Yeah, 47 minutes and of all the
22 Councils that come through that area we were on our way and
23 done. And that's because of the work of this Council, we
24 appreciate that a lot.

25
26 MS. EAKON: Yes.

27
28 CHAIRMAN O'HARA: And so I commend our Council for
29 that.

30
31 Any more?

32
33 MS. MEEHAN: That's it on those three items.

34
35 CHAIRMAN O'HARA: Okay.

36
37 MS. MEEHAN: Was migratory birds next, Helga?

38
39 MS. EAKON: Yes.

40
41 CHAIRMAN O'HARA: Well, let's see, we have some
42 questions on this before we go on to the next agenda item. I
43 mean to the next report.

44
45 MS. MEEHAN: I'm sorry.

46
47 CHAIRMAN O'HARA: Go ahead, Robert.

48
49 MR. HEYANO: The idea that if the staff and the
50 Regional Council adopts a proposal, it gets put over here in

00285

1 this green light box? You mentioned a provision to take that
2 out of the green light box. How does -- can you expand that a
3 little bit. I guess what I'm concerned about is what you say
4 is all fine and dandy, I'm concerned about what happens to
5 minority opinions or minority positions in light a fair hearing
6 before the Federal Subsistence Board?

7
8 MS. MEEHAN: It's this -- the specific guidelines for
9 doing that are on the -- it's on the back page, it's just a
10 front and back page, it has Federal Subsistence Board review of
11 regulatory proposal and on the back of it is specified the
12 guidelines. And basically the process is that the proposals
13 that would be included on a consent agenda would be identified
14 prior to the Board meeting and published, I mean they'd be
15 written up. Anybody who has a concern a specific proposal in
16 there, that's in this consent agenda, could identify it and
17 say, I have a specific concern about this, I have some specific
18 testimony that I want to provide, please take it out of the
19 consent agenda.

20
21 Now, the Board is going to make the final decision on
22 whether something does or doesn't come out of the consent
23 agenda. The guidance that we've been given is that if there is
24 -- if somebody comes forward with a request to pull something
25 out of the consent agenda, they will do it. It truly is meant
26 as a technique to move quickly through the non-controversial
27 ones, but it's not intended, by any means, to hide something
28 that needs to be discussed. So they're going to be -- listen
29 very carefully to any -- for any requests to pull something
30 out.

31
32 CHAIRMAN O'HARA: Okay, any other questions?

33
34 MR. HEYANO: No.

35
36 CHAIRMAN O'HARA: Okay, would you like to go on to
37 migratory birds, if that the next issue.

38
39 MS. MEEHAN: Sure.

40
41 On migratory birds, I'm the messenger on this one and
42 it's -- we realize there's an awful lot of government programs
43 that effect subsistence users and they're run through different
44 programs and yet, the people who are effected by them are the
45 same people and migratory birds is one of these areas.
46 Migratory birds are specifically excluded from Title VIII,
47 however, there are some very important things that have
48 happened recently having to do with migratory birds.

49
50 Most notably that finally after many years of effort,

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1 both the Migratory Bird Treaty with Canada and the Migratory
2 Bird Treaty with Mexico have been amended to allow for spring
3 migratory waterfowl harvest. And this has been an issue that's
4 been obviously a very controversial one for years and years.
5 The treaty was amended in 1995 with Canada, it was in '97 with
6 Mexico and the Senate ratified both the protocols and the
7 amendments in the fall of last year. And there were several
8 people involved in the negotiations with Canada and Mexico, and
9 that included Native representation from different parts of
10 Alaska. Specifically, Myron Naneng, Charlie Brower from
11 Barrow, and Jonathan Solomon. Once we got the treaty
12 amendments ratified by the Senate, it meant the Fish and
13 Wildlife Service, which has responsibility for migratory birds
14 is in a position to now develop a management structure to deal
15 with this and regulations to implement it.

16
17 Something that we want to be clear on this is that
18 ratification of the protocols, you know, since the Senate
19 signed it and it -- what they've done is they've opened the
20 door for a process to start to get regulations developed. It
21 does not mean that spring waterfowl hunting will be legal this
22 year. It's going to -- it will not be legal until there are
23 regulations in place. The process is that the first thing that
24 needs to happen is that the migratory bird folks need to
25 identify what they're calling management bodies. And which I
26 understand, I think it's either in Inupiaq or Yup'ik translates
27 into something very strange, but at any rate, they're trying to
28 identify some sort of management groups that would function
29 similarly to how this Council functions.

30
31 It's not going to be -- that group will not be the same
32 as this Council, because by the amendments require that there
33 be representation within those groups of the Department of Fish
34 and Game and of the Fly-Away Councils. And because it's got
35 those other representation requirements, it can't be this
36 group. It doesn't mean that you won't be involved in it, but
37 it's going to be a different group. Once the management
38 structure is identified, then they will pursue preparing
39 regulations. It's anticipated that this will be a two year
40 process. It will require preparation of an environmental
41 assessment.

42
43 And one of the -- and as usual, one of the first things
44 that will happen in starting a process like this will be an
45 explanation of, okay, how did we get here and a request from
46 information to help identify those -- that management structure
47 and also start pulling together the basis of information for
48 preparing regulations. It is different than how this program
49 has gotten off the ground. And sitting on the outside of this
50 migratory bird thing, I was hearing, yeah, it's going to take

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1 them two years and I frankly was -- I was going, well, why is
2 it going to take two years, here we're talking about fish which
3 is a huge issue and we're going to do it, you know, within the
4 space of a year, you know, once we finally get going on it.

5
6 And I just didn't understand why it was going to take
7 these guys so long until I got to see the details of it and the
8 important thing is they don't have any regulations to start
9 from. They've got to write the regulations from scratch. We
10 have had the luxury in this program of taking the State
11 regulations and adopting them and then moving on from there.
12 These guys have to start from the very beginning.

13
14 So they're facing a somewhat different set of
15 circumstances, but the intent of the -- the overall intent is
16 to provide for spring harvest and the regulations are intended
17 to address customary and traditional practices. So it would
18 not have the same restrictions that sport harvest have, for
19 instance, in terms of, you know, gage of gun and things like
20 that. It's meant to accommodate traditional methods and means.

21
22 CHAIRMAN O'HARA: Any questions.

23
24 MR. SAMUELSEN: You say that waterfowl hunting during
25 the spring in Alaska will remain illegal, however, Fish and
26 Wildlife Service has adopted a policy to basically look the
27 other direction in the last few years and for quite a while
28 while these negotiations have been going on. They do not
29 enforce the current regulations prohibiting spring hunting. In
30 situations where they believe has been a longstanding
31 subsistence use of the resource, does that include all Bristol
32 Bay or specific villages in Bristol Bay?

33
34 MS. MEEHAN: It's meant to be all inclusive. And --
35 yes.

36
37 MR. SAMUELSEN: Okay, thank you. That's all I had.

38
39 CHAIRMAN O'HARA: Any other questions? Do you have any
40 other comments, Rosa?

41
42 MS. MEEHAN: I was going to say a better way to phrase
43 it is that -- I mean, yes, it is illegal, everything is going
44 to stay status quo until the regulations are in place.

45
46 CHAIRMAN O'HARA: Okay.

47
48 MR. SAMUELSEN: Because I know like in the Naknek River
49 -- well, a number of villages take more waterfowl in the spring
50 than they do in the fall time.

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1 MS. MEEHAN: Um-hum.

2

3 MR. SAMUELSEN: And along the Naknek drainage over
4 there, there was some concern about the historical harvesting
5 the waterfowl in the spring. And based on the information, I
6 think that Ted has collected and comments that I've heard from
7 them people over there, they are taking waterfowl in the spring
8 and Naknek River is included.

9

10 MS. MEEHAN: Um-hum.

11

12 MR. SAMUELSEN: I even heard from the people over there
13 that the U.S. Fish and Wildlife Service told them well, we
14 don't want you to do it in front of our place, can you go down
15 here or up there and they gladly accommodated.

16

17 CHAIRMAN O'HARA: Well, I think there's one more issue
18 on that that's pretty important, if I might add to what Robin
19 said to Rosa. And that is, you have thousands, maybe millions
20 of waterfowl migrate through the area and they sit down and
21 they rest and the eat there. And Fish and Wildlife did not
22 want them disturbed, which they should not be. In other words,
23 that's just a supply way and they come in there and they're not
24 staying there very long. And then on the outer fringes, this
25 subsistence thing continues to take place.

26

27 MS. MEEHAN: Um-hum.

28

29 CHAIRMAN O'HARA: Which I think is fairly reasonable.
30 I kind of like the idea. We're running out of time, however.

31

32 MR. SAMUELSEN: Yeah, done -- I'm done.

33

34 CHAIRMAN O'HARA: Do you have anymore?

35

36 MS. MEEHAN: One more comment. There will be an
37 informational mailing put together that will be mailed out to
38 all Bush addresses. And so that's something to look for. If
39 you do not get it within the next couple of months or have any
40 questions, please give me a call and I'll direct you on to
41 migratory birds.

42

43 CHAIRMAN O'HARA: 1-800-478-1456.

44

45 MS. MEEHAN: Um?

46

47 CHAIRMAN O'HARA: The 1-800 number?

48

49 MS. MEEHAN: It's the 1-800 for this office, right.

50

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1 CHAIRMAN O'HARA: Thank you. Helga, what's the next --
2 we need Togiak Refuge, Aaron.

3
4 MS. EAKON: Donald.

5
6 CHAIRMAN O'HARA: Oh, Donald are you next, okay.
7 Donald, where are you at here on the, Aniakchak?

8
9 MR. MIKE: I believe it's 5(A), Mr. Chairman.

10
11 CHAIRMAN O'HARA: What's that?

12
13 MR. MIKE: Donald Mike, with Katmai National Park and
14 I'd like to bring up for the Council two -- two hunting
15 recommendations developed by the Aniakchak National Monument
16 Subsistence Resource Commission. We held a meeting back in
17 November, this past fall and they developed two hunting plan
18 recommendations. Hunting Plan Recommendation 97-01, it deals
19 with to establish a one year, minimum residency requirement for
20 designated resident zone communities of Aniakchak National
21 Monument. And Hunting Plan Recommendation Number 97-02 deals
22 with to develop a registration permit requirement for sport and
23 non-subsistence fish and wildlife taking activities within
24 Aniakchak National Monument.

25
26 So if I can refer your attention to Hunting Plan
27 Recommendation Number 97-01, it's a recommendation to require
28 -- or establish a one year minimum residency requirement for
29 the resident zone communities. Those of you that aren't aware
30 of the National Monument, Chignik Lakes, Port Heiden, Mesik and
31 Chignik Lagoon are considered resident zone communities of
32 Aniakchak National Monument.

33
34 CHAIRMAN O'HARA: Pilot Point?

35
36 MR. MIKE: Pilot Point.

37
38 CHAIRMAN O'HARA: Ugashik, Port Heiden, Three Bays
39 Lagoon, Perryville and Ivanof?

40
41 MR. MIKE: Chignik Lagoon, Chignik Lake, Mesik and Port
42 Heiden.

43
44 CHAIRMAN O'HARA: All the communities from Pilot Point
45 on south, all right, good.

46
47 MR. MIKE: So under discussion, the Commission supports
48 the establishment of additional subsistence eligibility
49 requirements for residents of the Monuments designated resident
50 zone communities. Current NPS regulations do not identify a

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1 minimum residency requirement in order to qualify for
2 subsistence eligibility within the Monument. The Commission's
3 draft recommendation of one year, minimum, would prevent
4 individuals who do not intend to reside in one of those
5 resident zone communities from acquiring instant NPS
6 eligibility within the Monument. In other words, that would
7 stop instant eligibility for people that move into Chignik
8 Lake, since it is one of the resident zone communities to --
9 that's instant eligible to hunt in the Monument. In other
10 words, they can go to the Monument and get a caribou.

11
12 Number two, it would further ensure the persons who
13 qualify for subsistence in the Monument qualify by virtue of
14 residents in resident zone community have the intention of
15 maintaining their primary permanent home within the resident
16 zone community. And to protect the opportunity for qualified
17 local rural residents to continue traditional subsistence
18 activities within the Monument. Park Service regulations
19 provide for two methods of determining subsistence eligibility
20 within the Monument. Resident zone designations allows for all
21 permanent residents within the community to participate in
22 subsistence activities on NPS lands within the Monument. Local
23 rural residents who reside outside established resident zones
24 can apply for an individual permit from the Park to participate
25 in subsistence activities.

26
27 And that's the end of the proposed recommendations, 97-
28 01 and the Aniakchak is soliciting comments from the Regional
29 Council.

30
31 CHAIRMAN O'HARA: Do they require us to do an action on
32 this?

33
34 MR. MIKE: They're just soliciting comments.

35
36 CHAIRMAN O'HARA: Okay.

37
38 MR. MIKE: They're interested in your comments and I'll
39 send these same recommendations to the effective local advisory
40 committees, Bristol Bay.

41
42 CHAIRMAN O'HARA: Okay. Are there any comments on 97-
43 01, Aniakchak Preserve?

44
45 MR. MIKE: Monument.

46
47 CHAIRMAN O'HARA: Monument, thank you. Yeah, Robert,
48 did you have one?

49
50 MR. HEYANO: Did I hear you correctly, Mr. Chairman,

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1 that Pilot Point and Ugashik is also resident zone communities?

2

3 MR. MIKE: No, Pilot Point is not a resident zone
4 community at the time.

5

6 CHAIRMAN O'HARA: How about Ugashik?

7

8 MR. MIKE: Ugashik, no.

9

10 CHAIRMAN O'HARA: No, I mean they're just as close as
11 Port Heiden, Aniakchak?

12

13 MR. MIKE: Right.

14

15 CHAIRMAN O'HARA: Why aren't they part of it?

16

17 MR. MIKE: Well, when they proposed rules first started
18 coming out, I think -- and maybe Bruce can add to it.

19

20 CHAIRMAN O'HARA: Who?

21

22 MR. MIKE: Bruce Greenwood.

23

24 CHAIRMAN O'HARA: Okay, Bruce, can you come up to the
25 microphone.

26

27 MR. MIKE: When the first Park Service regulations
28 started coming out, I don't think anybody from those
29 communities voiced their opinion about having subsistence use
30 in the Park. And I mean there's other avenues to qualify for
31 subsistence in the Par through the 1344 permit process. I'm
32 pretty certain that those individuals from Pilot Point or
33 Ugashik or Ivanof Bay and Perryville, they have customary and
34 traditionally used resource in the Monument. And since they're
35 related to these folks in Chignik Lakes, it's pretty much
36 undisputable.

37

38 CHAIRMAN O'HARA: I would rather see them named in
39 there. Did you have a comment on that Bruce?

40

41 MR. GREENWOOD: Bruce Greenwood, National Park Service.
42 If I understand correctly, the question is, how come these
43 other communities are not be considered as resident zone
44 communities?

45

46 CHAIRMAN O'HARA: Yes, that's right.

47

48 MR. GREENWOOD: I think the reason why is that
49 Aniakchak Subsistence Resource Commission did not recommend
50 those communities or consider those communities in their

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1 recommendation. Nothing is to say that they could not, in the
2 future, make a recommendation regarding those two communities,
3 which would also be considered in the same process that Donald
4 described to you.

5
6 CHAIRMAN O'HARA: And I guess our concern would be,
7 Bruce, is it's harder to get something back once you give it
8 away than to put it in there to start with, and I guess that
9 was our only main concern. You know, I like the three steps
10 you have there, they're really good. I read it over and one on
11 the next page is good also, but I -- and that's fine, I commend
12 you for that, I think that looks really good.

13
14 And I had a question, Donald, on do you have to live
15 there year-round to be eligible to participate in this
16 subsistence hunt?

17
18 MR. MIKE: Not right now.

19
20 CHAIRMAN O'HARA: Oh, I see.

21
22 MR. MIKE: As it stands right now, anybody can -- if
23 someone was to move into Chignik Lake today from Alaska, they'd
24 be instant eligible to hunt in the Monument.

25
26 CHAIRMAN O'HARA: What about the people who come there
27 in the summertime and they're there for 90 days and they leave,
28 are they eligible also to hunt in the Park?

29
30 MR. BOSKOFISKY: Right now they are.

31
32 CHAIRMAN O'HARA: They are?

33
34 MR. BOSKOFISKY: Um-hum.

35
36 CHAIRMAN O'HARA: Okay, all right.

37
38 MR. MIKE: Just as long as they're an Alaska resident.

39
40 CHAIRMAN O'HARA: Okay.

41
42 MR. BOSKOFISKY: We're trying to, you know, get away
43 from that.

44
45 CHAIRMAN O'HARA: Yes, Alaska -- you're trying to get
46 away from that?

47
48 MR. BOSKOFISKY: Um-hum.

49
50 CHAIRMAN O'HARA: Okay. Are you on the SRA, is that

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1 what's it called?

2
3 MR. BOSKOFISKY: Yeah, SRC.

4
5 MR. GREENWOOD: SRC.

6
7 CHAIRMAN O'HARA: SRC. Is there any reason why Pilot
8 and Ugashik wasn't put into it or were you there at that time
9 when that happened?

10
11 MR. BOSKOFISKY: I didn't catch the whole meeting.

12
13 CHAIRMAN O'HARA: Um-hum.

14
15 MR. BOSKOFISKY: It's more or less, you know, you want
16 to make comments anyway and they can be put into.

17
18 CHAIRMAN O'HARA: Helga.

19
20 MS. EAKON: When Roy Montsuno sat on this Council in
21 '93/94, that was one of his pet projects, to try to get Pilot
22 Point and Ugashik into the resident zone community status but
23 then he moved to Anchorage and it kind of laid dormant since.

24
25 MR. MIKE: Yes. It's the same way with Perryville and
26 Ivanof Bay, we're in the process right now to try and include
27 Perryville and Ivanof Bay as a resident zone community for the
28 Monument.

29
30 CHAIRMAN O'HARA: Well, I'll tell you right now, Pilot
31 Point and Ugashik is closer than Chigniks. Maybe or is it?
32 One says, yes and one says no, all right. Well, is there a
33 possibility of coming back and visiting us again in October or
34 is there a time frame we have to deal with?

35
36 MR. MIKE: As it stands right now, we're getting --
37 we're soliciting comments from everybody.

38
39 CHAIRMAN O'HARA: Okay, all right, good.

40
41 MR. BOSKOFISKY: I think you could go at their board
42 meeting.

43
44 CHAIRMAN O'HARA: What time's that going to be?

45
46 MR. BOSKOFISKY: And that's the 25th.

47
48 MR. MIKE: We're having another meeting March 25th and
49 26th in Chignik Lake.

50

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1 CHAIRMAN O'HARA: Yeah. Well, I wouldn't want to stop
2 your process and I like your one, two, three, with the concern
3 about the other two communities. Council members, yes, Robert.

4
5 MR. HEYANO: Yes, Mr. Chairman, what was the -- if I
6 understand if this new recommendation is adopted, then does the
7 option for local rural residents who reside outside the
8 established resident zone, will not be able to apply for
9 individual permits anymore; is that the intent of this
10 language?

11
12 MR. BOSKOFSKY: What was that again?

13
14 MR. HEYANO: If this language is adopted, will you have
15 to reside in the community for one year? Is the option for
16 local rural residents who outside the established resident
17 zones to apply for an individual permit, is that still in
18 regulation? Does that still apply or does that go away?

19
20 MR. MIKE: There's no current regulations to that
21 effect. This is a hunting plan recommendation that the SRC
22 developed. It's main purpose was to protect the subsistence
23 users of the Chignik Lakes and Port Heiden and Mesik. You
24 know, their intent was to -- you don't want somebody from
25 Anchorage coming into Chignik Lake, live there for six months
26 and then leave. I don't think that's the intent of ANILCA, to
27 provide instant eligibility for subsistence purposes.

28
29 MR. HEYANO: Well, I guess Mr. Chairman, somebody needs
30 to explain to me what this last paragraph says on this sheet of
31 paper. NPS regulations provide for two methods of determining
32 subsistence eligibility within the Monument. Resident zone
33 designation allows all permanent residents within the community
34 to participate in subsistence activities on NPS lands within
35 the Monument, period. Local rural residents who reside outside
36 established resident zones can apply for an individual permit
37 from the NPS to participate in subsistence activities on NPS
38 lands within the Monument. My question is, does that second
39 paragraph go away if we adopt this?

40
41 MR. SAMUELSEN: I think it's in addition to.

42
43 CHAIRMAN O'HARA: I don't think it goes away. I think
44 it would be the same thing as Randy Alvarez applying to go
45 sheep hunting; am I wrong on that Bruce?

46
47 MR. GREENWOOD: To answer Robert's question, no, that
48 would not go away with the implementation of this regulation.

49
50 CHAIRMAN O'HARA: Yeah.

00295

1 MR. MIKE: This last sentence was for, you know, for
2 people that live outside Chignik, for instance, maybe someone
3 from Ivanof Bay or Perryville wanted to hunt in the Monument,
4 and they're not part of the resident zone community. This last
5 sentence is an avenue for those local folks in Chignik or
6 Perryville to get subsistence eligibility in the Monument.

7
8 CHAIRMAN O'HARA: Is that a 1344 you're talking about?

9
10 MR. MIKE: Yes.

11
12 CHAIRMAN O'HARA: Okay, we've gone through that
13 already. Okay, does that clarify it? Any other questions?

14
15 MR. HEYANO: I would move for support of proposed
16 recommendation 97-01, Mr. Chairman.

17
18 CHAIRMAN O'HARA: Is there a second?

19
20 MR. SAMUELSEN: Second.

21
22 CHAIRMAN O'HARA: Okay, Robin second. Anymore
23 discussion, Robert do you want to speak to your motion?

24
25 MR. HEYANO: No. I think -- you know, I agree with the
26 presentation on behalf of the Aniakchak Resource Commission.

27
28 CHAIRMAN O'HARA: We can always come back and look at
29 the other communities, too.

30
31 MR. HEYANO: Well, I think, Mr. Chairman, that's a
32 different issue.

33
34 CHAIRMAN O'HARA: Okay.

35
36 MR. HEYANO: And I think that, yeah, you know,
37 obviously if some of those other communities indicate some
38 interest to be a part of it, I think we should look at that
39 very seriously, yes.

40
41 CHAIRMAN O'HARA: Any other discussion.

42
43 MR. ENRIGHT: Question.

44
45 CHAIRMAN O'HARA: Question. All those in favor say
46 aye.

47
48 IN UNISON: Aye.

49
50 CHAIRMAN O'HARA: 97-02, could you summarize quite

00296

1 quickly.

2

3 MR. MIKE: Okay. Proposed our recommendation of 97-02
4 is basically just a registration requirement for taking of
5 subsistence activities by non-subsistence hunters.

6

7 CHAIRMAN O'HARA: Pardon me?

8

9 MR. MIKE: The way the SRC wrote the -- made this
10 recommendation, is the Park Service would establish a
11 registration permit requirement within the National Preserve
12 for sport fish and wildlife taking activities, such as,
13 fishing, trapping and hunting. This registration permit
14 requirement would be the Monument's designated resident
15 communities.

16

17 CHAIRMAN O'HARA: Okay, that's a non-resident type
18 person who would have to do a permitting with you?

19

20 MR. MIKE: Non-residents of Unit 9(E).

21

22 CHAIRMAN O'HARA: Yeah, okay.

23

24 MR. MIKE: In the intention of this hunting plan
25 recommendation would help further prevent wanton waste of fish
26 and wildlife resources, ensure that sport users harvest fish
27 and wildlife resources responsibly, and ensure that management
28 of Monument resources is consistent with the conservation of
29 healthy populations of fish and wildlife, provide Park Service
30 managers with the much needed fish and wildlife user's data and
31 promote a mutual understanding of the mutual understanding of
32 the importance of the Monument's Subsistence Resource
33 Community, Park Service, sport users and local rural residents.

34

35 CHAIRMAN O'HARA: Okay. Donald, how do you figure this
36 permitting system is going to prevent a wanton waste? Is it
37 because when you issue the permit, they're going to have to
38 come back and say, yes, we took all the meat out or you'll have
39 a better control of it?

40

41 MR. MIKE: Better control of it.

42

43 CHAIRMAN O'HARA: Okay.

44

45 MR. MIKE: And the main reason this hunting plan
46 recommendation came out was the local communities of Aniakchak
47 National Monument have observed in the past an increase of
48 wanton waste.

49

50 CHAIRMAN O'HARA: Okay, thank you. Robert.

00297

1 MR. HEYANO: I guess, Mr. Chairman, I would like to
2 propose a recommendation that 97-02 be handled in that 9(E)
3 committee that's going to be formed. I think some of these
4 very issues, one through five, at least, some of them I hope to
5 -- recommendations to come out of that committee.

6
7 CHAIRMAN O'HARA: What are the wishes of the Council?
8 Alvin, this is your baby, and Tim. Do you want Council action
9 on it or -- Robin.

10
11 MR. SAMUELSEN: Mr. Chairman, I thought this was going
12 before the Council in three weeks, the committee of the -- or
13 the Board -- the Board's going to act on it, and the committee
14 will be meeting after that.

15
16 CHAIRMAN O'HARA: You mean it's going before the
17 Federal Board?

18
19 MS. EAKON: It's going to go before the Aniakchak
20 Subsistence Resource Commission.

21
22 CHAIRMAN O'HARA: Yeah, it's going to go before them.

23
24 MR. BOSKOFISKY: The Aniakchak Board.

25
26 CHAIRMAN O'HARA: And they just wanted our input on it.

27
28 MR. SAMUELSEN: Okay.

29
30 CHAIRMAN O'HARA: I could agree on that. Although,
31 there's nothing wrong with like it is.

32
33 MR. HEYANO: Well, what I think, Mr. Chairman, is I
34 think without -- to me, this should be part of discussion of
35 that 9(E) committee.

36
37 CHAIRMAN O'HARA: Okay.

38
39 MR. HEYANO: I think if you have a regulation and then
40 they come up with a different set of recommendations, I don't
41 know.

42
43 CHAIRMAN O'HARA: Alvin, what do you think? Did you
44 want to comment or not, you don't have to?

45
46 MR. BOSKOFISKY: A lot of it was mostly just to control
47 the subsistence hunt down there and the wanton waste which was
48 a big concern.

49
50 CHAIRMAN O'HARA: Any other issues? I mean any other

00298

1 concerns by the Council members on this matter? If we don't
2 have a direction, we're going to just leave it like it is.
3 Okay.

4
5 MR. HEYANO: Well, Mr. Chairman, I'd like to give them
6 a direction.

7
8 CHAIRMAN O'HARA: Well, then let's do a motion or
9 else.....

10
11 MR. HEYANO: Thank you, Mr. Chairman. I would move
12 that we recommend to the Aniakchak Subsistence Resource Council
13 that 97-02 be an item discussed within the working group
14 they're going to form.

15
16 CHAIRMAN O'HARA: All right. Is there a second to that
17 motion?

18
19 MR. SAMUELSEN: Second.

20
21 CHAIRMAN O'HARA: Okay. Would you like to speak to --
22 have you addressed that motion adequately?

23
24 MR. HEYANO: I think so, Mr. Chairman. I think one
25 through five is what I hope that this working group is going to
26 come out and address. You know, it's -- what 97-02 is
27 requiring is a permitting process for sport hunting, trapping
28 and fishing. You know, I don't -- and hopefully maybe some of
29 these answers -- some of these problems that arise can be
30 handled in a little different manner, more efficient or
31 something, and if not, maybe this will be a recommendation
32 coming out of that committee. But it seems like if we formed
33 the committee to address these problems, it's only appropriate
34 that they be allowed to look at the full spoke of the issues.

35
36 CHAIRMAN O'HARA: That's an interesting thought. Any
37 other comments, Council members?

38
39 MR. SAMUELSEN: Question.

40
41 CHAIRMAN O'HARA: All those in favor say aye.

42
43 IN UNISON: Aye.

44
45 CHAIRMAN O'HARA: Opposed.

46
47 (No opposing responses)

48
49 CHAIRMAN O'HARA: Ayes have it. Okay, anything else,
50 Donald?

00299

1 MR. MIKE: No, that's it, Mr. Chairman.

2
3 CHAIRMAN O'HARA: Thank you.

4
5 MR. MIKE: I'd like to thank the Council for making
6 comments on these hunting plan recommendations developed by the
7 Aniakchak National Monument.

8
9 CHAIRMAN O'HARA: Thank you for coming before us today,
10 we appreciate it. Thank you, Bruce.

11
12 MR. GREENWOOD: Thank you.

13
14 CHAIRMAN O'HARA: Helga, what else do we have left to
15 do?

16
17 MS. EAKON: Okay. We have fisheries forecast by Jim
18 Browning, followed by a three minute report from Jim Fall.

19
20 CHAIRMAN O'HARA: Okay.

21
22 MS. EAKON: That's what he told me, three minute
23 report.

24
25 MR. BROWNING: I'd like to thank the Advisory Council
26 for the opportunity to come before this body and give
27 information. I'll cover, first of all, very quickly, the
28 herring fishery for '98, Togiak herring fishery.

29
30 REPORTER: Pardon me, could you state your name for the
31 record, please.

32
33 MR. BROWNING: Yes, sir, James Browning. Assistant --
34 or actually area biologist for Nushagak.

35
36 REPORTER: Thank you.

37
38 MR. BROWNING: Togiak herring, we have a forecasted
39 biomass of approximately 121,000 tons. The fishery is governed
40 by the Bristol Bay Herring Management Plan, which specifies a
41 maximum of 20 percent exploitation rate on that biomass. This
42 provides harvest guidelines then for the fisheries that fish on
43 those stocks, and those fisheries break down this way. Spawn
44 Kelp Fishery has an allocation of 1,500 tons. Dutch Harbor
45 Food and Bait Fishery has an allocation from that stock of
46 approximately 1,600 tons. Leaving 2,100 tons for the sac roe
47 -- Togiak Sac Roe Fishery and that is further divided, 75
48 percent of purse seines, 25 percent for gillnets, and that
49 calculates out to be about 15,800 tons for purse seines and
50 5,300 tons for gillnets.

00300

1 The only other comment concerning the herring fishery,
2 a couple of them actually, we have a regulatory change for the
3 gillnet fishery, restricting gillnets to 50 fathom maximum
4 operated by a vessel, whereas, in the past it's been 100 and by
5 emergency order we restricted it to 50 fathoms for the last
6 several years. Now, it's in regulation.

7
8 The other thing I would point out for '98 is that the
9 outlook -- we didn't have a spawn on kelp fishery in '97 due to
10 unmarketable product, actually, a shortage of marketable
11 product. The outlook in '98, we're not encountering any
12 companies that are interested in buying kelp at this point so
13 there is a possibility of not having a kelp fishery in '98 at
14 this point.

15
16 That pretty much sums up the herring fishery. Market
17 conditions for the sac roe fishery are certainly less than rosy
18 this year. But most of the major companies are participating
19 and the processing capacity will be, although, probably reduced
20 from last year, certainly, adequate to process the herring from
21 that fishery.

22
23 Salmon outlook for '98 for Bristol Bay, we have a total
24 endshore run forecasted at 32 million in round numbers with
25 escapement goals totalling 9.6 million, leaving an endshore
26 harvest of approximately 20.6 million. Going through that by
27 district, the forecasted Naknek/Kijik first, forecasted return
28 to the Naknek/Kijik District is approximately 6.8 million.
29 Sockeye salmon, 4.5 million of that to the Kijik system, 2.3
30 million to the Naknek system. The Kijik River, minimum
31 biological escapement goal will be two million, the present
32 point goal for the Kijik River is 4.5 million which is based on
33 a 50 percent exploitation rate of the total expected return.
34 And if the return is greater or less than forecast the end
35 season point goal would be changed to reflect the end season
36 total run number. The Naknek River escapement goal is a range
37 of 800,00 to 1.4 million with a midpoint of 1.1 million.

38
39 Regulatory changes this year, I'm going to go through
40 them district by district, in that, I'm not going to cover them
41 all but there was sweeping change made by the Board of
42 Fisheries this year effecting four of the five districts in
43 Bristol Bay. They implemented an allocation plan by gear type
44 based on the last 20 years of catch data by gear type. And so
45 four Naknek/Kijik, we have an allocation plan dictating 16
46 percent of the sockeye harvest to gillnets, set gillnets and 84
47 percent of the sockeye harvest to drift gillnets. Of the 16
48 percent of set gillnets, eight percent of that goes to the
49 Naknek set gillnets and eight percent to the Kijik set
50 gillnets.

00301

1 Moving on to the Egegik district. You have a
2 forecasted endshore return of approximately 8.6 million sockeye
3 salmon, which is 11th largest return, it's a good forecast for
4 Egegik. Escapement goal ranges from 800,000 to 1.4 million
5 with a midpoint of 1.1 million. Leaving an expected surplus of
6 approximately 7.5 million fish for Egegik. The regulatory
7 change or allocation plan implemented for Egegik allocated 14
8 percent of the sockeye harvest to set gillnets and 86 percent
9 of the sockeye harvest to drift gillnets.

10
11 Ugashik district has a forecasted endshore return for
12 1998 of 3.2 million. Escapement goal range of 500,000 to 1.2
13 million with a mid range of 850,000. This would leave
14 approximately 2.4 million sockeye available for harvest. The
15 allocation plan passed for Ugashik district assigns 10 percent
16 of the sockeye harvest to set gillnet and 90 percent of the
17 sockeye harvest to drift gillnets.

18
19 The Nushagak district, we have a preseason forecast for
20 an endshore return of sockeye salmon of 5.3 million. This
21 includes projected returns of 3.1 million to the Wood River. A
22 million to the Ugashik River and 1.2 million to the Nushagak
23 River. Providing escapement goals for each of those rivers
24 would leave a projected harvest of 3.5 million, which is five
25 percent less than the 20 year average. The allocation plan for
26 the Nushagak district was implemented at 74 percent of the
27 sockeye harvest for drift gillnets and 26 percent allocated to
28 set gillnets, of which six percent of that was allocated to
29 Ugashik section and 20 percent of that was allocated to
30 Nushagak.

31
32 There were several other regulatory changes that I
33 won't go into at this forum. They are available at the office
34 or will be soon in final form.

35
36 The Togiak district which was excluded from the bay
37 wide allocation plan so they were left with the Togiak District
38 Salmon Management Plan that was passed in 1996 still in effect.
39 They have a forecasted return of about 460,000 sockeye when you
40 subtract the escapement goal of 150,000 past the towers at the
41 lake, and an additional 25,000 in the cribs below that is what
42 we get on average. We're looking at a harvestable surplus of
43 about 290,000 sockeye which is one of the lowest in the last 15
44 years.

45
46 CHAIRMAN O'HARA: Could I ask you a question before you
47 go on?

48
49 MR. BROWNING: Yes, sir.

50

00302

1 CHAIRMAN O'HARA: What's the harvest level of Nushagak?
2 You gave us a breakdown of set gillnet, but what's the harvest
3 of Nushagak, all systems?

4
5 MR. BROWNING: 3.5 million.

6
7 CHAIRMAN O'HARA: 3.5 million harvest?

8
9 MR. BROWNING: Yes.

10
11 CHAIRMAN O'HARA: Thank you.

12
13 MR. BROWNING: You bet. And that does it. The Togiak
14 District Salmon Management Plan, I guess I would just remind
15 you that it prohibits boats that have fished in other districts
16 to fish in the Togiak district until the 24th of July and vice
17 versa, boats that have fished in Togiak can't go anywhere else
18 until the 24th of July.

19
20 And that is a quick summary of herring salmon for 1998.
21 Any questions?

22
23 CHAIRMAN O'HARA: That's a very good report.

24
25 MR. BROWNING: Thank you.

26
27 CHAIRMAN O'HARA: Right down to the fish, we'll name
28 them and number them after the meeting. Any comments, Council
29 members? Thank you very much, we really appreciate that.

30
31 MR. BROWNING: Thank you.

32
33 CHAIRMAN O'HARA: Helga, lead us along.

34
35 MS. EAKON: Jim Fall's three minute report.

36
37 CHAIRMAN O'HARA: Oh, yeah.

38
39 MR. FALL: Thank you, Mr. Chairman. This relates back
40 to the earlier item about ADF&G involvement in the Staff
41 Committee. And I just wanted to say that that request by ADF&G
42 in the context of the MOU is part of a larger initiative that
43 the Department began a couple years ago to basically develop a
44 more effective role for our staff in the Federal subsistence
45 process. And the commitment to that is shown by the formation
46 of a subsistence policy group which the commissioner formed two
47 years ago. That policy group is headed by Elizabeth Andrews
48 who is the acting assistant director for the Division of
49 Subsistence and there are two representatives from each
50 division within the Department on this working group and it's

00303

1 geographically balanced and it contains both regional staff, as
2 well as area biologists. Dick Sellers sits on that body, I
3 participate and Mac Minard is also a member of that group.
4 It's charge is to develop recommendations for Staff involvement
5 in the Regional Councils in the -- hopefully in the Staff
6 Committee and also at the Federal Subsistence Board.

7
8 We have already made a number of recommendations and I
9 think that the results are already evident. We now have an
10 earlier involvement in reviewing Office of Subsistence
11 Management reports which is preventing a lot of later work.
12 And as an aside, Rosa mentioned this to you -- this might not
13 seem like a big deal to this Regional Council since it has been
14 your practice to have ADF&G biologists here reporting on their
15 work and being part of the process.

16
17 CHAIRMAN O'HARA: We can't do our work without them
18 being here.

19
20 MR. FALL: Not every Regional Council has realized
21 that.

22
23 CHAIRMAN O'HARA: How are we going to deal with caribou
24 on the Peninsula without Dick Sellers.

25
26 MR. FALL: Right. That's exactly right.

27
28 CHAIRMAN O'HARA: It's impossible.

29
30 MR. FALL: It's obvious to you, it has not been obvious
31 state wide. It's been a source of frustration for many of our
32 staff and it's getting better because we haven't initiated
33 this. Also early on the Department seems to have made a
34 strategic decision to focus on the Federal Subsistence Board in
35 this process instead of the vital Regional Council portion of
36 the process. We've reversed that now and it really does show
37 the Department's recognition of the special role that Regional
38 Councils have under ANILCA. We acknowledge that and this shows
39 our commitment to providing you, to the best that we can, with
40 good information so that you can do your job.

41
42 The last thing that I will say is whether dual
43 management persists for the short-term or the long-term, the
44 Department will be faced with the added costs of this
45 commitment. It is something that we're doing in addition to
46 everything else in a time of reduced budgets. We've made a
47 commitment to do it, we're going to have to figure out how we
48 do that and that will be a topic of continuing discussion
49 between the Department and the Federal agencies.

50

00304

1 And that might have been a little bit more than three
2 minutes, but not a whole lot.

3
4 CHAIRMAN O'HARA: Not bad, any questions? No
5 questions. Thank you very much.

6
7 MR. FALL: Thanks.

8
9 CHAIRMAN O'HARA: We left out a couple of refuges here,
10 didn't we?

11
12 MS. EAKON: It was my understanding that.....

13
14 MR. SAMUELSEN: They're handing in written reports.

15
16 MS. EAKON:yesterday that -- I thought that those
17 who had been thoughtful enough to send in their reports were
18 included in the books would not repeat themselves, I thought.

19
20 CHAIRMAN O'HARA: Well, anyway, Darrell, it's nice to
21 have you here. You're the newest manager and then Aaron --
22 Aaron, is he here?

23
24 UNIDENTIFIED VOICE: Aaron is not here.

25
26 CHAIRMAN O'HARA: Okay. We did not just want to leave
27 you totally out. We do appreciate you writing your report and
28 we recognize all of your land and you've got lots of it. And
29 thank you very much for being here. Is there an issue that
30 you'd like to talk to if you feel necessary, Darrell?

31
32 MR. LONS: Well, just not to be left out, I'll grab a
33 little mic time.

34
35 CHAIRMAN O'HARA: Sure.

36
37 MR. LONS: Mr. Chairman, Council members, Darrell Lons,
38 Refuge Manager, Alaska Peninsula Becharof National Wildlife
39 Refuge Complex. In the interest of time I won't go over the
40 information that we provided in our bulletin that's in index J.
41 But I just would like to briefly address the caribou issue.
42 The Refuge does realize its importance and we have received
43 funding to receive the caribou issue. We'll be doing some
44 additional work this year. We'll be cooperating with the Fish
45 and Game, Dick Sellers on the post-calving survey. And we'll
46 make a real effort to do the Chignik Unit this year. That will
47 be high on our list. We have heard the people speak on that
48 and I'll do everything I can to get that done.

49
50 We're going to be cooperating with Dick Sellers on the

00305

1 radio collaring more young cows. We plan on putting 15 more
2 collars on this fall. We'll be looking at the range condition
3 of the caribou habitat. We've got a project to bring out some
4 botanists to look at the habitat. We'll be working on a
5 habitat map project. And we'll also be looking at monitoring
6 the caribou use in the mountain country of the specific
7 mountains. So I just wanted to make those points to make sure
8 that the Refuge is addressing the caribou issue.

9
10 CHAIRMAN O'HARA: The Alaska range?

11
12 MR. LONS: Alaska, Northern Alaska Peninsula.

13
14 CHAIRMAN O'HARA: Yeah. The mountain range is
15 called.....

16
17 MR. LONS: Pacific.

18
19 MR. SAMUELSEN: Aleutian Range.

20
21 MR. LONS: Well, the Aleutian Range of the Pacific.....

22
23 CHAIRMAN O'HARA: Okay. Anything else?

24
25 MR. LONS: No, that's all I wanted to mention. I've
26 learned a lot the last couple of days and really was impressed
27 with the Boards work, appreciate it.

28
29 CHAIRMAN O'HARA: Good. Thank you very much,
30 appreciate it. Helga, what do we have next, because we have a
31 definition coming up we have to act on and then what else do we
32 have?

33
34 MS. EAKON: We have a brief Bristol Bay Native
35 Association report on the mig birds by Ted Krieg, I believe.
36 And I don't know what definition you're talking about, excuse
37 me?

38
39 CHAIRMAN O'HARA: Pardon me? The rainbow trout.

40
41 MS. EAKON: Yes.

42
43 CHAIRMAN O'HARA: All right. Ted.

44
45 MR. KRIEG: Ted Krieg, Bristol Bay Native Association
46 Natural Resource Department. I just wanted to let you know
47 that during the 1997 season, spring, summer and fall, surveys
48 were conducted and we got funding from Fish and Wildlife
49 Service for migratory birds. And those surveys were conducted
50 in the Nushagak Bay, Nushagak River and Iliamna Lake villages

00306

1 which included 13 villages. And that's it.

2

3 CHAIRMAN O'HARA: You did a survey of.....

4

5 MR. KRIEG: Migratory birds.

6

7 CHAIRMAN O'HARA:on 13 villages?

8

9 MR. KRIEG: Thirteen villages, yes.

10

11 CHAIRMAN O'HARA: There's 29 villages.

12

13 MR. KRIEG: The Fish and Wildlife Service conducted
14 surveys in the other villages.

15

16 CHAIRMAN O'HARA: And who represents that here? Rosa,
17 that's okay, we don't need to talk to you, we just need to make
18 sure that that survey goes on with those people.

19

20 MS. MEEHAN: Yeah, it does.

21

22 CHAIRMAN O'HARA: Okay, thank you, that's what we
23 wanted. Thank you very much. Do you have any questions,
24 Council members? Okay. All right, we have two other items
25 that we need to take care of, one is going to be a definition
26 of fin fish, rainbow as subsistence use. Robert.

27

28 MR. HEYANO: Thank you, Mr. Chairman, after consulting
29 with the experts, I think Bristol Bay is taken care of as far
30 as allowing the taking of rainbow trout and steelhead trout.
31 There is no prohibition or regulation that applies only to
32 incidental catch. So from what everybody has told me, we're
33 taking care of in Bristol Bay.

34

35 The area we probably need to address is Chignik, and
36 now in the Federal Registration, 66-242, eight at the top of
37 the page, it says, the Chignik area, and I had Alvin over here
38 help me in the description of this area will take care of the
39 three Chigniks and the Ivanof and Perryville, they're
40 encompassed in that area. If you go down to one, the suggested
41 wording I would have, is fish including rainbow trout and
42 steelhead trout can be taken at any time unless prohibited on a
43 subsistence fishing permit. And I would delete all the other
44 language pertaining to that particular section which says,
45 rainbow trout and steelhead trout taken incidental to other
46 subsistence fish and that fisheries are lawfully taken and may
47 be retained for subsistence purposes.

48

49 CHAIRMAN O'HARA: Is that a motion?

50

00307

1 MR. HEYANO: Yes, that is.

2

3 MR. SAMUELSEN: Second.

4

5 CHAIRMAN O'HARA: All right, second. Anybody have any
6 other thoughts on that? David was -- Robert and Robin --
7 that's a singing group.

8

9 MR. SAMUELSEN: It's sure out of tune today.

10

11 CHAIRMAN O'HARA: Brooks & Dunn.

12

13 MR. HEYANO: Mr. Chairman.

14

15 CHAIRMAN O'HARA: Yes.

16

17 MR. HEYANO: He's going to have to learn how to follow.

18

19 CHAIRMAN O'HARA: Oh, it's time to go home. All those
20 in favor say aye.

21

22 IN UNISON: Aye.

23

24 MS. EAKON: Whoa, wait.

25

26 CHAIRMAN O'HARA: Opposed -- oh, wait a minute.

27

28 MS. EAKON: Time and date, your choosing of a date of
29 the next meeting.

30

31 CHAIRMAN O'HARA: Oh, no, no, we had a motion on the
32 floor.

33

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

35

36 CHAIRMAN O'HARA: You're way past us, she's on the
37 plan.

38

39 MS. EAKON: I thought you guys were going to go and
40 leave me.

41

42 CHAIRMAN O'HARA: No, no, we're not leaving you yet,
43 you're stuck with us. So everybody aye.

44

45 IN UNISON: Aye.

46

47 CHAIRMAN O'HARA: Opposed.

48

49 (No opposing responses)

50

00308

1 CHAIRMAN O'HARA: Okay, that motion passed. Okay, now,
2 we have one more issue to deal with under new business. I just
3 would like to have some direction from the Council on the
4 grouping -- the working group that we want to use in 9(E) to
5 deal with this emergency situation we had with caribou on the
6 Alaska Peninsula. We need the Alaska Department of Fish and
7 Game, we need the Refuge people, we need the Aniakchak, the
8 Preserve, The Naknek/Kijik Advisory Committee, Lower Peninsula
9 Committee, is there a Chignik Advisory Committee?

10
11 MR. HEYANO: Um-hum.

12
13 MR. SAMUELSEN: Um-hum.

14
15 CHAIRMAN O'HARA: SRCA, what would be the possibility
16 of me dealing with these different organizations and calling
17 each one of you Board members up and asking you if this looks
18 like an agreeable committee to you? It's really hard right now
19 to say these are the names and lets go, what do you think?

20
21 MR. SAMUELSEN: Mr. Chairman.

22
23 CHAIRMAN O'HARA: Yes.

24
25 MR. SAMUELSEN: I move to authorize you, Mr. Chairman,
26 to be our representative on this committee and form this
27 committee and steer this committee and report back to the
28 Council.

29
30 CHAIRMAN O'HARA: Second.

31
32 MR. HEYANO: Second.

33
34 CHAIRMAN O'HARA: Okay. Robert and Robin or Robin and
35 Robert. Okay, all in favor say aye.

36
37 IN UNISON: Aye.

38
39 CHAIRMAN O'HARA: Opposed.

40
41 (No opposing responses)

42
43 CHAIRMAN O'HARA: Is that okay, Rosa?

44
45 MS. MEEHAN: Yes, that will fit in. We've been doing
46 some planning ahead of time on this and I think what you've
47 come up with will fit in with that nicely.

48
49 CHAIRMAN O'HARA: Thank you very much for informing us
50 about that. That's quite all right. Anyway. Helga, talk to

00309

1 us?

2

3 MS. EAKON: One more item.

4

5 CHAIRMAN O'HARA: Rosa, you certainly take the lead,
6 don't you? You don't follow to well.

7

8 MS. MEEHAN: Well.....

9

10 CHAIRMAN O'HARA: You're doing good.

11

12 MS. MEEHAN:I knew it was important to you.

13

14 MS. EAKON: I'm handing out the calendar of the fall
15 meetings of the Regional Council's statewide with the exception
16 of Southcentral. And the reason it's important for you to pick
17 a time is because I'm going to meet with Southcentral next week
18 and we don't want to conflict with your time.

19

20 CHAIRMAN O'HARA: And it's really important. AFN is
21 the 12th -- when is AFN, does anybody know when AFN is?

22

23 MS. EAKON: AFN is right there, 15, 16 and 17.

24

25 CHAIRMAN O'HARA: Okay.

26

27 MS. EAKON: We don't want to conflict with YK, inasmuch
28 as our team also serves the YK Council.

29

30 MR. HEYANO: How about Eastern Interior?

31

32 MS. EAKON: No, we don't conflict with Eastern
33 Interior.

34

35 CHAIRMAN O'HARA: How about the September 30th through
36 October 2nd? Does anybody have a conflict with that?

37

38 MS. EAKON: Well, didn't you say your committee was
39 going to meet that week and it might be too much of a stretch.

40

41 MS. MEEHAN: Let me look.

42

43 CHAIRMAN O'HARA: Do you want to take a five minute
44 break and discuss it.

45

46 MR. HEYANO: Either that, Mr. Chairman, or what about
47 the last set of dates here in October?

48

49 CHAIRMAN O'HARA: Yeah, that looks good, too. The 20th
50 to the 23rd.

00310

1 MR. SAMUELSEN: Yeah, that's good.

2
3 CHAIRMAN O'HARA: Does that look good.

4
5 MS. EAKON: A two day meeting would suffice.

6
7 CHAIRMAN O'HARA: Two and a half days, we're really
8 pushing it to do it in two days.

9
10 MS. EAKON: Okay, you want two and a half?

11
12 CHAIRMAN O'HARA: Yes. We've got a moose management
13 plan that we know we're going to talk about. We've got the
14 emergency problem in the Alaska Peninsula, that's going to be a
15 big issue, that's going to be a half a day.

16
17 MS. EAKON: Okay.

18
19 CHAIRMAN O'HARA: So if we travel and meet that half a
20 day on the 20th and then, you know, as soon as we're finished
21 we can go home, right, that's not a problem. Is that a problem
22 with Council members, just tentatively? 20th to the 23rd.
23 Naknek, if we have the fisheries problem -- not fisheries, I
24 shouldn't say that. If the subsistence issue is not solved in
25 relation to ANILCA, Title VII, then we're going to be dealing
26 with fish.

27
28 MR. SAMUELSEN: Mr. Chairman, I think, we're going to
29 have to probably get reports back on 17(A) moose committee.

30
31 CHAIRMAN O'HARA: Um-hum.

32
33 MR. SAMUELSEN: And this major committee on dealing
34 with 9(E) and potential takeover of navigable waters, I think
35 we should have it in Naknek, and Iliamna as an alternate.

36
37 CHAIRMAN O'HARA: Okay.

38
39 MR. SAMUELSEN: Just switch them, I think.

40
41 CHAIRMAN O'HARA: If we don't have a fish issue, I
42 think we should shoot for Iliamna.

43
44 MR. SAMUELSEN: That would be fine.

45
46 CHAIRMAN O'HARA: Okay, does everybody agree? Any
47 other items to come before this Council today? I think that's
48 it then, let's have a motion.

49
50 MR. ENRIGHT: I make a motion we adjourn.

00311

1 CHAIRMAN O'HARA: You don't need a second to that,
2 we're out of here. We're done, 4:00 o'clock -- 4:05.

3
4 (END OF PROCEEDINGS)

5
6 * * * * *

00312

C E R T I F I C A T E

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6

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

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 178 through 311
12 contain a full, true and correct Transcript of the Bristol Bay
13 Federal Subsistence Regional Advisory Council, Volume II,
14 meeting taken electronically by David W. Haynes on the 13th day
15 of March, 1998, beginning at the hour of 9:00 o'clock a.m. at
16 the City Hall Chambers, Dillingham, Alaska;

17
18 THAT the transcript is a true and correct transcript
19 requested to be transcribed and thereafter transcribed by Mary
20 E. Miller am myself to the best of our knowledge and ability;

21
22 THAT I am not an employee, attorney, or party
23 interested in any way in this action.

24
25 DATED at Anchorage, Alaska, this 25th day of March,
26 1998.

27
28
29
30
31
32
33

JOSEPH P. KOLASINSKI
Notary Public in and for Alaska
My Commission Expires: 04/17/00