

BRISTOL BAY SUBSISTENCE REGIONAL ADVISORY COUNCIL
PUBLIC MEETING

November 13, 1996
Dillingham, Alaska

VOLUME II

COUNCIL MEMBERS PRESENT:

Daniel J. O'Hara, Chairman
Peter M. Abraham
Andrew Balluta
Alvin Boskofsky
Robert A. Christensen
Robert Heyano
Harold R. Samuelson

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CHAIRMAN O'HARA: Okay. We'll call the meeting to order, it's about 8:33 or so. And I was wondering if the Advisory Panel felt like you were satisfied with Andy Booth's (sic) presentation yesterday, was there any more questions on the conservation issues on the refuge? Okay. The next agenda item this morning then, before we go into that though, if there's anyone in the audience who wants to testify, certainly if you would like to fill one of these papers and pass it in, that'd be fine. We would like to have you give public testimony any time you'd like during the meeting. So at this time we'll go to an agenda item, National Park Service. And in the absence of Bill Pierce, is Sandy here this morning? Oh, Sue are you going to have this?

MR. RABINOWICH: We're both going to come up and move things along.

CHAIRMAN O'HARA: All right, great. Introduce yourselves if you would, please and then we'll go.

MS. SAVAGE: I'm Susan Savage with Katmai National Park, Aniakchak National Monument and the Alagnak Wild River.

MR. RABINOWICH: And I'm Sandy Rabinowich with the National Park Service. I work for the Federal Subsistence Board and I'll be giving some reports today for the National Park Service in general and also for Lake Clark National Park.

CHAIRMAN O'HARA: Thank you.

MS. SAVAGE: I believe the first agenda item is the Aniakchak Subsistence Resource Commission. I handed out two reports. The first one has the October 21st date and looks like a memo on it. If you turn to the next page on that report there's a very short report about the Aniakchak Subsistence Resource Commission. We have not met since the last Regional Advisory Council meeting. Currently I have asked for Alaska systems report which was our former regional office assistance to help schedule a meeting for this winter for the Aniakchak Subsistence Resource Commission. I have suggested that that meeting be down in the Chignik area.

Robert Christensen, one of your members, attended a one-day chairman's meeting and I put that in quotes because technically we don't have a chairman. The last time we had a meeting, Orville Lind was the chairman and he is no longer a member of the commission and we have not had a meeting with a quorum since his resignation to vote in a new chairman. So Robert was the only person who could attend at the very unfortunate time of late May, right before fishing season, early June and he attended the one day meeting in Anchorage to discuss the National Park Service subsistence policy paper and other commission business. And actually if he would like to report at this time, I invite him to do so or defer to another time, whatever you choose.

MS. SAVAGE: I was also unable to attend that meeting because of the timing with seasonals and personal business that I had. Currently four positions are up for renewal and apparently that's an agenda item later and we can do that later. Three of these are for appointment by your Council and one position is up for reappointment by the Governor. When you consider appointing people to the commission, they are required to fit two criteria according to ANILCA. One is that the member should engage in subsistence uses within Aniakchak National Monument, which is the area pretty much surrounding the Aniakchak National, the crater, the Culdara (ph) and not the preserve area necessarily. And the member should also be a member of either this Regional Advisory Council or a local Fish & Game advisory council. And unfortunately I don't have the most recent membership list for that council, I was unable to get it. I have an old list and perhaps the people, Alvin and Robert, could help with remembering who folks are on those local advisory committees, the Chignik one especially and perhaps Lower Bristol Bay. That's my report for Aniakchak. Any questions?

CHAIRMAN O'HARA: Any questions, Council members? Anybody? Give us that requirement again for being appointed to that committee?

MS. SAVAGE: The people should actively be engaging in subsistence uses within Aniakchak National Monument and they should be a member of either your Council here, so either Robert or Alvin would be good candidates. Sam Stepanoff filled that role before because he was a member of your Council or they need to be a member of a local advisory committee, the Chignik Fish & Game Advisory Committee or the Lower Bristol Bay.

CHAIRMAN O'HARA: That's a suggestion?

MS. SAVAGE: Actually those are stated in ANILCA.

CHAIRMAN O'HARA: Oh, they are?

MS. SAVAGE: Yes.

CHAIRMAN O'HARA: And then your meeting in Chignik is going to take place at what time?

MS. SAVAGE: We have not scheduled that yet.

CHAIRMAN O'HARA: Okay.

MS. SAVAGE: But sometime.....

MR. RABINOWICH: The dates will be called for, we're working on it.

MS. SAVAGE: Have I called for dates, I don't remember.

MR. RABINOWICH: Well, the time period.

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MS. SAVAGE: Oh, sometime this winter.

CHAIRMAN O'HARA: Okay. As long as it's before May or April.

MS. SAVAGE: And even hopefully before the next Regional Advisory Council meeting we'll try to do that.

CHAIRMAN O'HARA: Robert has a -- Bob.

MR. CHRISTENSEN: On our meeting in Anchorage we discussed revising new Council members because Aniakchak is important to us, we use that, you know, as one of our -- and on our Council meeting I think it's -- I'm not one of the members, I just sat in on this chair meeting. I think it's Sam Stepanoff, Orville Lind, John Christensen, (indiscernible) Orloff and Al Anderson right now.

MS. SAVAGE: Those are your local.....

MR. CHRISTENSEN: Those are Aniakchak members.

MS. SAVAGE: Okay.

MR. CHRISTENSEN: I was supposed to get a hold of these guys to see if they're still interested in being on there.

MS. SAVAGE: You actually are a member.

MR. CHRISTENSEN: I am a member.

MS. SAVAGE: You were appointed by the Secretary of Interior.

MR. CHRISTENSEN: I am a member?

MS. SAVAGE: Yes, you are.

CHAIRMAN O'HARA: That takes care of that.

MR. CHRISTENSEN: I didn't know I was a member.

MR. RABINOWICH: Until February of '98 according to our paperwork.

MR. CHRISTENSEN: And was that happening this spring or this summer?

MS. SAVAGE: You've been a member since '95. Remember I called you for a meeting in April but you couldn't make it - April two years ago because you had a conflict. So you haven't actually attended a meeting.

MR. CHRISTENSEN: Um, so I am a member?

MS. SAVAGE: Yes, you are.

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MR. CHRISTENSEN: Okay. And BF is a member also, right, from Port Heiden.

MS. SAVAGE: What we can do is we can make you a list of who are the members of the Aniakchak Subsistence Resource Commission and who we think some of the members of the local Fish & Game Advisory Council are and you can discuss that in the meantime on a break or something and when we come to that agenda item for appointment, then you can have the information at hand.

CHAIRMAN O'HARA: Okay.

MS. SAVAGE: Okay.

CHAIRMAN O'HARA: Excuse me, Helga, could you.....

MS. EAKON: Yes, Mr. Chair, the appointments are included in your agenda as 9(D) and (E) later on today.

CHAIRMAN O'HARA: Okay.

MS. EAKON: Appointments to Aniakchak and also to Lake Clark.

MS. EAKON: Okay. Any other questions of Susan Savage today? Okay, thank you Susan, what's your next item then?

MS. SAVAGE: The next item is the report on Katmai National Park and Preserve. And Bill sends his regrets at not being able to be here, he had to attend a Federal Highways Administration meeting in Oregon. The next page in the memo that I put in front of you is review of this item.

As you may be aware, Dan, is probably well aware of it, but maybe some of the others are not, but Katmai and Lake Clark have gone through a significant reorganization and are now actually one National Park Service unit. Bill Pearce will continue to be the joint superintendent over Lake Clark and Katmai and he will continue to be duty stationed in Anchorage. We will have a small administrative office in Anchorage, which will include our concessions person and some administration people and Jeanne Schaaf is our cultural resource person, at least temporarily, she will continue to be in Anchorage.

We are filling some long term vacancies in the next six months, including a natural resource person for Katmai which has been vacant for over a year. This report actually says that we're going to fill the ranger pilot position which has been vacant for a while, but I think that is temporarily on hold until our budget is more in line. We are going to fill two unit managers, one to be on-site at Port Alsworth for Lake Clark and one to be on-site in King Salmon for Katmai.

CHAIRMAN O'HARA: What is that called, an on-site what?

MS. SAVAGE: An on-site unit manager. One in King Salmon and one in Lake Clark at Port Alsworth. So those positions have been advertised and the certs are out and I think that Bill has already selected a unit manager for Lake Clark. I can't remember the fellow's name, so -- but that's going to happen in the near future.

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Jim Hummel was going to be here in my absence -- I was supposed to be on annual leave and the meeting was rescheduled, but he had a meeting that he needed to be at today. I have been acting chief of natural resources as well as the Alagnak coordinator and also trying to keep track of my subsistence duties, which I admit, I have been remiss in trying to keep all those three things rolling at one time, so I'm sorry if I lack information, which I know that you require.

CHAIRMAN O'HARA: Um-hum.

MS. SAVAGE: Don Bill is continuing to be our fisheries biologist and he is actively working on a number of fisheries and aquatic projects. And Mark Wagner is continuing to head the interpretive program and the Brooks Camp Management. And I gave you a list of phone numbers if you have questions about specific things. We have direct dial at the Park now so you don't have to go through our cumbersome system of punching the buttons, so you can call us up directly.

As you are probably aware, the Congress passed a bill dealing with the redbird issue. I have not actually seen the whole bill yet, so I am a little bit in the dark on it, but as part of the Omnibus Bill and it does allow for the use by the descendants of Katmai of redbird resources within the Park subject to reasonable regulation which will be established by the Secretary of Interior. We don't really consider that technically a subsistence issue but a special use issue. And we were very supportive of that happening because redbird are not available anywhere else in the Naknek drainage except within the Park which is not open to other subsistence uses.

Did you want to ask a question on that?

CHAIRMAN O'HARA: No.

MS. SAVAGE: We still have a subsistence research project for the villages of Levelock, Igiugig, Kokhanok and South Naknek, it's supposed to be completed in December of '97. That is something I've been reporting on. We're starting to get the products in from that report, I haven't seen them all yet. This also includes an oral history project. They've already completed most of the project for the village of Igiugig, it's an interactive computer system where they went and interviewed several of the elders and put their stories into this interactive system which is supposed to be available in the school, but I'm not sure if the final project has been delivered yet. They're going to be doing additional surveys in Levelock, Kokhanok and South Naknek this winter, at least,

they're scheduled to do that. And Don Callaway who is in our system support office is the lead person on that project and his phone number is listed.

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The Alagnak, we did have a program this summer on the Alagnak, which I feel was pretty successful. I've attached a separate report, 10 pages or so about our activities on the Alagnak. We got extra money from the system support office to run that project this summer. We don't have base funding for that project and we're hoping that we will get some supplemental money to continue with the work that we've begun. We've worked with the Alaska Department of Fish & Game with Mac Minard. Is Mac here this morning, yes, right there. And I think we had a really successful rainbow trout study on the river. We did an extensive creel survey at the Nonvianuk Lake outlet this summer from June 8th to June 30th. And there are quite a few fly-in fishermen who come into that area to fish. And then our fisheries biotech who worked for me this summer, he also conducted a test fishery along the length of the Alagnak and the Fish & Game is in the process of analyzing the scale samples that he and his partners collected over the summer, so we have some length information that's in the report, but we don't have the age information finished to-date. And I think Mac's going to report a little bit more on that. I feel it's been a really successful project with the State and the Federal government working together and I hope we'll be able to continue that relationship on collecting more information on the fisheries in the future.

We also had some volunteers who manned the Nonvianuk cabin, not the entire summer, but part of the summer and they were very busy teaching rafters about camper etiquette and proper bear proof food storage and also about the land status on the Alagnak and the trespass issue that we're very concerned about. We also -- some of our staff, some of our seasonal staff and Jim Hummel and myself went to Levelock on June 4th to talk with the people in Levelock that have allotments up the Alagnak to hear their concerns.

I was able to compete for nationwide National Park Service funding in the natural resource protection and preservation program and we will be getting money starting in fiscal year '98, which starts next September for a three year planning project for the Alagnak. We will be hiring a term appointment, most likely, a person who is skilled in planning and some other fields that deal with visitor values and assessment, what's important on the river to preserve. And he will work with -- this person will work with all the different land managing agencies, all the different land owners, the boroughs, councils, like yourself, to try to get input to what the best possible management for that river will be. And if I left off the State, I'm sorry, the State is probably one of the most important, if the most important partner in this planning effort because there's many decisions that Park Service cannot make by themselves. This is a navigable waterway and we have to have agreement in many of the decisions with the State of Alaska before we can get a plan that will work.

Some of the issues that a plan might address, but necessarily will address are things like visitor use limits, mandatory permits for floaters or fishermen, possibly horsepower limits, although this is a very contentious issue, designating camp sites and resource issues, fishing limits, hunting limits, so forth. So this planning effort will be very comprehensive, we hope it will come up with a solution to some of the major issues that we know we have on the Alagnak.

I'm not going to go point by point through this report. I hope you'll have time to read it. And about half of it is about the fishery study that we did and about half of it is about the visitor use activities that we observed. And we did have a law enforcement officer on the river this summer. No tickets were issued. We did a lot of verbal warnings, a lot of verbal reminders. And the law enforcement officer felt that we had good compliance once the people were informed of the regulation, they were usually ignorant of the regulation that they were breaking. So I feel that we had a real successful summer.

Did anyone want to ask a question about that before I go on or should I just continue?

CHAIRMAN O'HARA: Where are you at in your report?

MS. SAVAGE: I'm going to the ATV access issue.

CHAIRMAN O'HARA: Okay. Before you go to that, let's look at the Alagnak for a little while. When did you put this report out here on the Branch River, how long has that been out.

MS. SAVAGE: This is a summary that I just put together specifically for this meeting.

CHAIRMAN O'HARA: I see.

MS. SAVAGE: So you are the first people to see it.

CHAIRMAN O'HARA: It's a pretty big report to try to thumb through, you know, to hand it to us at the time of the meeting.

MS. SAVAGE: I know. And if I had been -- if the meeting had been as scheduled, I was going to try to get it out to you and then I was gone for three weeks, so I really intended to have it out to you before the meeting. And unfortunately because of the rescheduling and the timing and my absence, that didn't happen.

CHAIRMAN O'HARA: I think, Council members, that the Branch or the Alagnak River, you know, I've been dealing with Tony Tallekpalek up at Levelock and the village council up there, traditional council and they got a Catch-22 situation where they lease land out to Tony Sharp is -- I see you have a certain number of boats there, but he has a lot of boats.

When you fly over the Branch in the summertime there's boats up and down everywhere, they're just everywhere and now they're beginning to be sorry that they have so much pressure on the river. In fact, they've even come out with a lease requirement for people to hunt up there this year, on the Branch, you got to get a contract with the village corporation to do that and they sent me a copy of the contract.

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And the other problem is, of course, deals with the State of Alaska, navigable waters, although I don't think we have any jurisdictions over navigable waters as far as this Council goes; is that right?

MS. SAVAGE: I think that's correct.

CHAIRMAN O'HARA: Yeah. So.....

MS. SAVAGE: Although, you would, over the uplands, the river banks within the Alagnak Wild River Corridor.

CHAIRMAN O'HARA: Once you get to the main land and then, yes -- Sandy.

MR. RABINOWICH: I would just add that in the future, as the Federal government may move into an expanded management of fisheries, subject to, I believe Rosa Meehan will talk about a little later today. And what I'm referring to is the result of the Katie John case that probably many of you are familiar with by that name. The Federal Subsistence Board and thus you, may well move into a more significant role, but not as of yet.

CHAIRMAN O'HARA: Not today?

MR. RABINOWICH: Not today.

CHAIRMAN O'HARA: But I have a feeling that that will probably come in time.

MR. RABINOWICH: I just wanted to make that connection for you because it seems like an issue you're probably going to be dealing with for a while here.

CHAIRMAN O'HARA: When the lawyers finally figure that out, we'll know at that time how to handle that issue. And that's going to be a difficult one to deal with because it does really encroach upon subsistence in a big time way.

So we appreciate the information that you've given to us on that and I think that's about all we can do right now. Do any of the other Council members have anything for Susan on the Branch, the Alagnak River? Okay. How about the next item there which deals with the all terrain vehicles on the reserve.

MS. SAVAGE: Yes. As you probably remember this has been a brewing issue for a while. And we have been, I would say remiss, have lacked a lot of staff to deal with such a

complex issue on an in-depth basis. Jim Hummel and I are very interested in working with the local villages on ATV access. Currently ATV access is not allowed within Katmai or Aniakchak National Preserve or the Aniakchak National Monument or the Alagnak Wild River Corridor by National Park Service regulation which is based in ANILCA. Jim Hummel and I visited the villages Igiugig on October 17 and we discussed this issue with Dan Salmon and with Mary Olympic. We took them on an overflight of the area, especially the western end of Kulukak Lake and around the Alagnak, the upper part of it. This was an initial visit that we made to open up discussions with the village on exploring whether it's allowing ATV access is possible from a regulatory perspective and desirable from a subsistence and a resource perspective. We're not quite sure where the regulatory process will lead us on that, so we want to take this slowly and carefully.

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The National Park Service is required by ANILCA to allow reasonable access to subsistence resources and to inholdings. And on the other hand, we are also required to examine any access methods that we -- a new one that we allow to make sure that it meets customary and traditional patterns of use and also that it doesn't affect the conservation of wildlife populations and wildlife habitat. Any kind of change that we do work on will take a lengthy public review process. So we are entering into something that undoubtedly will take a long time to explore and a long time to change the legal requirements if that's what you decide is the best for the subsistence users and for the resources. And so we've only just begun.

CHAIRMAN O'HARA: Can we ask you some questions at this time?

MS. SAVAGE: Sure.

CHAIRMAN O'HARA: In spending some time, I think you guys spent a good bit of time in Levelock, Igiugig and we'll be going to Kokhanok on this issue with some of these other people, I think we're going to have to do a flyover again with some other people. Some of the people at Igiugig didn't feel like Mary Olympic or Dan Salmon had very thorough knowledge of where they hunt and fish or where they do the ATV type travel. And so they're going to request that another flight take place and it's going to be probably with Georgie -- George Wilson and probably Randy Albratas or some of the Andrew boys, people who spend a lot of time in those areas.

MS. SAVAGE: Absolutely no problem.

CHAIRMAN O'HARA: I realize that we were on time constraints and schedules were such that we could not, you know, go up there with you and do that flight. What's the difference between Igiugig seems to be not too much of a problem with ATVs, but I notice in your information on the parks that you might have a conflict with Kokhanok; do you know anything about that?

MS. SAVAGE: I believe that some folks in Kokhanok have come down into the Marine Creek area with ATVs, which, you know, according to our regulations is not allowed. I think that Park Service staff has never actually seen that happen, it's been reported to us through some of the guides. We have not got a good contact to work with in Kokhanok, so I would be very receptive to the Council suggesting someone for us to begin with our dialogue in Kokhanok. And that's about all I know where Kokhanok is concerned.

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CHAIRMAN O'HARA: They come to where?

MS. SAVAGE: The Marine Creek area, I believe, the mouth of Marine Creek which is on the eastern end of Kulukak Lake.

CHAIRMAN O'HARA: That's a no-no?

MS. SAVAGE: That's within the Preserve boundary, so it's probably violating regulation, yes.

CHAIRMAN O'HARA: Okay. Well, I think you're opened still on some things that can be done in a Preserve, according to the information that we have in our packet here. And we're certainly going to come back and visit this, but we do need to go to Kokhanok and figure that. We do have contacts up there available to work on that issue.

Any questions on the ATV situation? Preserve, it's called the Preserve?

MS. SAVAGE: Yeah. The Preserve. The boundary between the Park and the Preserve is along the southern edge of Nonvianuk Lake. So pretty much Nonvianuk Lake and Kulukak Lake are within Katmai National Preserve.

CHAIRMAN O'HARA: Okay. Did you have anything else today, Susan?

MS. SAVAGE: I have a couple of other short items. I plan to work with Dick Sellers on scheduling some moose surveys and they will be contingent on snow. So we do plan to do some biological data collection. And there's several things that Brooks Camp that I'd like local -- this is a good avenue to get information out to local people. We have been working with the Council of Katmai descendants and the State Department of Environmental Conservation and technical experts for mediating the contaminated oil at Brooks -- the contaminated soil and water due to an oil spill at Brooks Camp. And Don Bill is head of that project. We hope that the project will move forward physically with something happening within the next year. There's been a lot of contention on the method that should be used.

An Environmental Impact Statement for the Brooks River Development Concept Plan is in the final stages of approval. And when I wrote this report it was supposed to have been signed on November 8th and I've only been back to the Park one

day and I don't think it has been signed, but it's anticipating that the record of decision, the final approval for that plan is supposed to come this month. That is the plan that the Park Service has recommended that the development at Brooks Camp be moved from Brooks Camp to the Beaver Pond Terrace which is about a half mile to a mile away from the Brooks River. So getting the main development off the sensitive cultural resources and the area of high bear concentration.

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In conjunction with that development concept plan, the Park is working on another environmental document, environmental assessment for the Brooks River bear viewing platform, that action will replace and upgrade the bear viewing platform that's currently at Brooks Falls.

The National Park Service advertized to extend the current concession contract that is held by Katmai Land and Sonny Peterson for two to three more years in anticipation of an interim measure. As far as I know, nobody else -- Sonny was the only one who put in a bid on that and I'm not exactly sure what's going on. We have a new concessions manager who's going to be picking up the ball on those concessions issues. A new concessions prospectus will be developed when the final move is made to redevelop the concessions at the new location.

The Park Service is working with Destinet, which is the National Park Service's contractor for centralized reservations systems to implement a reservations system for day use at Brooks Camp. They will probably go into the system this year without requiring the day use limits. But more will be known about that later this wintertime. So we are, as part of the development concept plan, going to be limiting use at Brooks Camp. And Mark Wagner and Bill Pierce are the people who are experts on Brooks Camp and the concessions issues.

CHAIRMAN O'HARA: Okay. This on-site manager that you're hiring or advertising for for the -- is it the Katmai Preserve Area, what are the qualifications for that?

MS. SAVAGE: That's a very good question. I didn't read the application to be able to answer that. I could have our personnel person send you a list of those qualifications that were asked for.

CHAIRMAN O'HARA: Yeah, see the Bristol Bay Native Corporation, you know, is developing a talent bank. And we're very interested in seeing our shareholders become more involved in the jobs in Bristol Bay. And you'll probably be hearing from Trefon Angeston on that issue. And either he'll write to you or contact you on that for sure, because we're very interested in it. You know, I'm glad to see Orville working in the lower Peninsula and that contact with the local people is very important. So we would like to see more and more of this take place as time goes on. I think we'll be pushing for that and I think that's an important issue for this Council to deal with, too, to see our own people in there working on some of these issues a little more closer to the

grassroots type situation. Any questions for Susan? That's
it. 13

MS. SAVAGE: Okay.

CHAIRMAN O'HARA: We appreciate the fact that you took the interest to go up to Igiugig and fly with those people and look at those areas. And Jim Hummel has been a very, very good person to go to the villages and he's just beginning to go out and I think if he doesn't get moose somewhere soon, you'll find that he'll be a very good advocate for the villages to bring together some of these conflicts and maybe be able to solve some of them. And we really appreciate your work on that, thanks.

MS. SAVAGE: It's been a challenge for me because as a biologist you need that regulatory balance inside to work with on these issues. You cannot do it just from the one prospective, you need both of those parts working together to do that.

CHAIRMAN O'HARA: Okay. Does that conclude your report, Susan?

MS. SAVAGE: Yes, it does.

CHAIRMAN O'HARA: Okay. Sandy, are you next?

MR. RABINOWICH: Yes. I will now act as if I'm Lee Fink for a few minutes and give a report on Lake Clark. This is considerably shorter, probably less by the fact that Lee had to write it all down and I had to read it and figure it out, so it will go very quickly.

There are two parts to Lee's report. One is about the Lake Clark Subsistence Resource Commission and I'll start with that. The two items are that first, since your last meeting last winter, Lake Clark Subsistence Resource Commission has not met, so very simply, there's no new news on that front. There is a meeting scheduled to occur either in December or January, so it will be before your next meeting. And the primary purpose of that meeting in December/January will be to deal with a Park Service policy paper or we're now kind of starting to call it, the white paper, and I'll get to that just a moment. So that's on your agenda also. So the Lake Clark SRC will be dealing with that at their next meeting and may well have some recommendations that they could share with you at your winter meeting.

The second part of Lee's report deals with information about -- well, let me stop, any questions about Lake Clark SRC before I move on?

CHAIRMAN O'HARA: SRC, are you talking about.....

MR. RABINOWICH: Subsistence Resource Commission.

CHAIRMAN O'HARA: We have new people on the Council

and I don't know if all of us understand the initials when you give them out. 14

MR. RABINOWICH: Yeah. Please stop me if I start to talk in government speak.

CHAIRMAN O'HARA: Yes, I will.

MR. RABINOWICH: I'll move on to information about permits. In the past few years as the old members know and for the benefit of the new members, there's been several proposals that Lake Clark has worked with you on, various hunts and setting up basically various sort of permits for different hunts. And what I'll do here is simply give you some current results or information. And these deal primarily with Unit 9(B) in Lake Clark National Park. It's kind of at the northern end of your region here and we can point on the maps if we need to.

In terms of brown bear permits, Lee indicates that of the possible 10 permits that are allowable as you recommended, I believe at your last meeting, so far four have been issued. So there's still six more permits available to anybody who would request them. For sheep there have been four permits issued and one harvest reported so far. And for potlatch moose permits, no permits have been requested so far. That's a very quick and short summary of the activity. So it seems - and I offer this as an observer who is not familiar with the details or the information, it seems as if the numbers that you all came up with appear to be working and that there's still opportunity to make requests. So it seems like the numbers, maybe for starters, have come out pretty good, time will tell.

CHAIRMAN O'HARA: Yeah.

MR. RABINOWICH: You all can judge that.

CHAIRMAN O'HARA: Okay.

MR. RABINOWICH: That's the end of that part. I have one other comment on another matter.

CHAIRMAN O'HARA: Sure.

MR. RABINOWICH: I'll see if you have any questions before I move on.

CHAIRMAN O'HARA: Any questions on the permitting system for moose and bear?

MR. BALLUTA: Is that issue for subsistence or commercial hunting?

MR. RABINOWICH: Subsistence.

MR. BALLUTA: Subsistence?

MR. RABINOWICH: Yes.

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MR. BALLUTA: Now, I understand that this permit is issued to the subsistence per family, that's their permit and he cannot get a bear for next four years, is that.....

MR. RABINOWICH: I'm not sure.

CHAIRMAN O'HARA: I think ever year.

MR. RABINOWICH: Let me look.....

MR. BALLUTA: I think that's the way it reads.

MR. RABINOWICH: You very well may be right. You're probably more familiar than I. And I'm looking in the Federal book here to see because I don't know from memory.

CHAIRMAN O'HARA: We can find that out before the meeting's over.

MR. RABINOWICH: I don't see that here.

MR. BALLUTA: Because it.....

MS. COILEY: It supersedes (indiscernible - away from mike) one bear every (indiscernible - away from mike)

MR. RABINOWICH: Right.

MS. COILEY: It's in addition.

MR. BALLUTA: So a family would get one bear and cannot get bear for four years, so to me a family would use one bear a year and this time they get one bear and he cannot get bear for four years. His traditional use of subsistence for the next four years for bear.

CHAIRMAN O'HARA: It's a long dry spell.

MR. BALLUTA: Yeah.

MS. SAVAGE: The way I read the regulations is that if you are on Federal land in Unit 9(B) within Lake Clark National Park and Preserve and you are a resident of certain rural communities you can take a bear by permit and I do not believe it's limited to every four years.

MS. COILEY: Right.

MS. SAVAGE: If you are on other Federal land in 9(B) and I'm not sure where that might be, you are limited to.....

MR. BALLUTA: Just a minute, I think it's in here someplace.

MS. SAVAGE:the four bear limit -- at one bear every four year limit, I believe.

CHAIRMAN O'HARA: So you can take -- like Nondalton falls within that -- well, let's see Nondalton.....

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MR. RABINOWICH: Yes. Nondalton, Iliamna.....

CHAIRMAN O'HARA:Pedro Bay, Iliamna, Newhalen.

MR. RABINOWICH:Newhalen, Pedro Bay and Port Alsworth.

CHAIRMAN O'HARA: Yeah. They can take a bear per year.

MS. SAVAGE: Within Lake Clark.

CHAIRMAN O'HARA: Yeah.

MS. SAVAGE: Under the permit.

MR. RABINOWICH: We're looking at Page 4 of the purple book.

CHAIRMAN O'HARA: So it's every year, apparently Andy.

MR. RABINOWICH: Right. And that change was just made last year per your recommendation working with the Park and then the Federal Board.

MR. BALLUTA: Oh.

CHAIRMAN O'HARA: Yes?

MS. COILEY: How does one go about getting one of those.....

COURT REPORTER: You've got to come to the mike.

CHAIRMAN O'HARA: Wait, we got to have you come up and give us your name for the.....

MS. COILEY: I just have a quick question, how does one go.....

MS. EAKON: She can't hear when you're.....

COURT REPORTER: Come to the mike please.

CHAIRMAN O'HARA: We still need your name.

MS. EAKON: We need it for the administrative record.

MS. COILEY: I retract my question then.

COURT REPORTER: I still need your name.

MS. COILEY: Pippa, P-i-p-p-a Coiley, C-o-l-i-e-y.

MR. RABINOWICH: The question that Pippa had was, how would one get such a permit. And the answer is to be in touch

with any of the Federal offices listed in the book here. I
can point them out.

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MS. COILEY: (Indiscernible - away from the mike)
closet one to (indiscernible - away from the mike)

MR. RABINOWICH: Port Alsworth.

MS. COILEY: The Park Service out there.

COURT REPORTER: Wait a second, wait a minute.
Really, if you're going to ask questions you're going to need
to come up to the mike.

MS. EAKON: Thank you.

MS. COILEY: Thank you, but I'm just.....

COURT REPORTER: We need it to be part of the record.

MS. COILEY: Well, I was just getting (indiscernible -
away from the mike)

MR. RABINOWICH: The question was how would one get
such a permit and the answer is through any of the Federal
offices. It's my understanding and I could be incorrect here,
but it's my understanding that Lee has also tried to visit
each of the communities at the appropriate time of year and
issue permits, if you will, right in the communities if anyone
was interested. I don't know if that's actually occurred this
year or not. I know last year he spoke about trying to do
that so that people wouldn't have to -- just so that it'd be
easier for them to get permits if they were interested in
them.

CHAIRMAN O'HARA: I think that's a really important
issue, Andy. Because I think it's a hardship for Nondalton to
have to fly up to Port Alsworth to get a permit. And it's a
hardship for people to do that. They just don't have the
money to go up there and get that permit. I think a provision
needs to be made some way, by wail -- the mail plane goes to
and from all the time, I'm sure something could be worked out
to make it a little easier for the people. Because when we
had our informational meetings in Nondalton in October, this
was one of the concerns that came up, the biggest concern that
we had when Bristol Bay Native Corporation had informational
meetings in Nondalton with subsistence. And access to
subsistence with an outboard motor is basically all they have.
And one of the concerns they had is that they did not -- they
were frustrated by trying to get a permit, you have to go
another 30 or 40 miles with an outboard motor to get a permit.
So I think that's something we need to work on. I'm sure Lee
can figure that out.

MR. RABINOWICH: Well we'll make sure that he's aware
of what you're bringing up.

CHAIRMAN O'HARA: Andy do you have any other

MR. BALLUTA: Yeah. About this subsistence use in the Park Service and Preserve. Subsistence users cannot fly from the village into the preserve or place for their subsistence hunting. But sport hunters and drop off and fly in there or meat hunters can fly into that preserve or park and get their meat and fly back out. But the residents of that area cannot fly into the preserve or park to hunt for subsistence, even in the park area there. You can go by boat, yet you cannot use motor vehicles, you cannot fly for your subsistence hunting. I think that's unfair to the subsistence user.

MR. RABINOWICH: Okay.

MS. SAVAGE: Perhaps for a little clarification. It is confusing. I don't know Lake Clark very well, but I do know the Park Service regulation. And sport hunters should not be hunting in what is called the park and I don't know the boundaries so I don't know -- and I don't know what it means to you on a local basis. But technically sport hunters are not allowed to hunt at all in the park, via airplane or motor boat or anything. Sport hunters are allowed to hunt in the preserve and they are allowed all various access, not just air. And technically, I believe, subsistence hunters are allowed the same access methods within the preserve. But you are absolutely correct that Park Service regulation does prevent the use of aircraft within the park. And subsistence hunters are allowed to use the park and sport hunters are not. So it is confusing set of access regulations and you have to know the land status to know which access methods you can use and which part of the unit. So it is confusing.

CHAIRMAN O'HARA: It's only the designated villages that can hunt and fish in a park though.

MS. SAVAGE: That's correct.

CHAIRMAN O'HARA: That's been named, Nondalton, Port Alsworth, Iliamna, Newhalen, Pedro Bay.

MS. SAVAGE: What we call resident zone villages.

CHAIRMAN O'HARA: Yeah.

MS. SAVAGE: Or people that acquire a 1344 permit.

MR. RABINOWICH: Individuals who.....

CHAIRMAN O'HARA: We're going to be having a proposal come before us today. If I don't have that in hand, I'll have it faxed down to me. But on the -- what was it four permits issued on bear?

MR. RABINOWICH: I believe that's.....

CHAIRMAN O'HARA: Did they take any animals?

MR. RABINOWICH: I believe.....

MS. SAVAGE: I think you said no.

MR. RABINOWICH: I think I said no on bear and one on sheep.

CHAIRMAN O'HARA: Well, anyway we can get that later. That's really not the issue. The issue is -- and I don't know if you would know the answer to this Sandy, but somewhere along the line, someone decided that when a subsistence bear was taken, that the head had to be cutoff and the paws had to be cutoff and given to the Alaska Department of Fish & Game. And that renders that hide useless as far as use goes and we're going to submit a proposal today to do away with that regulation. I haven't a clue where that came from. But I -- you know, when we hunted -- when we got bear in the '40s and '50s up in Lake Iliamna and Andy knows this, you know, nobody told us we had to cut the head and paws off in order to eat that animal. And one of the things that Title VIII does or is going to do, it's going to benefit the economy of the subsistence user. It is going to benefit the economy of the subsistence user and I think that's absolutely atrocious thing that someone in your department, Sandy, somewhere along the line decided in their wisdom that they would have to cut those heads off and paws off and give them to the State of Alaska. And I think that this Council has got to take this all the way to the Federal Subsistence Board and that's going to have to be changed.

MR. BOSKOFISKY: I've hunted bear for subsistence in Chignik and the majority of people there they take the paws, the eat and then that has to be turned into Fish & Game or Federal wildlife, you don't have your traditional use. We don't pack no bear heads out.

CHAIRMAN O'HARA: Sandy.

MR. RABINOWICH: If I may respond a little to that. I have no familiarity with the details of what you speak about. I would think that the root of what you are referring to may be connected to the fact that the Federal Subsistence Board and the whole program, if you will, when it came into existence, initially adopted almost in total, but there certainly was exceptions, State regulations. And then over the years, now over the six years have, through your efforts obviously, been making more and more changes to those. This regulation or this requirement that you speak of may well be a holdover from the Federal Board adopting State regulations.

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

MR. RABINOWICH: I have a little familiarity with this in the Seward Peninsula. And one thing that has occurred in Northwest Alaska in the Nana region, in particular, is what's called the Northwest area.....

MS. SAVAGE: Brown bear unit.

MR. RABINOWICH:brown bear management plan. I can't explain the details of all of that to you, but what they've done in a number of units in Northwest Alaska is they've come up with a set of changes to regulations like that and basically tried to make them more in-line with how local users want them to be. So that might be something that we can get some information together, get it to you, you can look it over and see if there's anything in there that might look useful to you here. Obviously you can recommend additional and other things too. And so my only point is to make you aware that there are other parts in the State where changes have been made on bear regulations. And I would speculate that the Federal Board is certainly open to discussion for proposals about that.

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CHAIRMAN O'HARA: Yeah.

MR. RABINOWICH: Witnessed by what they've done in some other parts of the State.

CHAIRMAN O'HARA: Yeah. We'll have a proposal in on that today.

MR. RABINOWICH: Okay, great.

CHAIRMAN O'HARA: And that way we can flush it out to where it needs to surface wherever it's come from. Any other questions of Sandy on this permit subsistence issue? Okay, Sandy, speeding right along.

MR. RABINOWICH: Okay. Item 5(D) on your agenda, let me shift my papers around here.

MR. HEYANO: Mr. Chairman.

CHAIRMAN O'HARA: Yes, Robert.

MR. HEYANO: Before we go into Item (D), can I ask Sandy a question?

CHAIRMAN O'HARA: You bet.

MR. HEYANO: What's your moose population doing in the park?

CHAIRMAN O'HARA: Good question.

MR. RABINOWICH: You've got the wrong guy, I don't have a clue. I'll look around and see if anyone can help me.

MS. SAVAGE: The only thing I can add is that I do know that Al Bennett has gotten some money and they are working on a moose study right now. They're out in the field doing that. I'm not sure what they're doing, but I know that they're radio tagging some moose. So I think that they are concerned about the population level and doing a study to address that question but I have no information on the details of that study.

CHAIRMAN O'HARA: Yes, Robert.

MR. HEYANO: Yes, Mr. Chairman, you know, I think the question was asked in our meeting in Naknek early last spring and there was no information provided. The last information I've seen about the moose population showed a real low number of calves per cows and a real high number of bulls per cows. And I think that's obvious, to me, a resource concern and I hate to go this long without any information and still allow harvest in there.

MS. SAVAGE: It's not unusual to have a high percentage of bulls to cows in a population that's not heavily hunted. But you may be correct that that may be an especially low calf to cow ratio, it's always a concern.

CHAIRMAN O'HARA: I think that population has dropped down so low that they're using a helicopter now to do some tagging studies up there?

MS. SAVAGE: Yes, they are.

CHAIRMAN O'HARA: I mean like it's almost, you know, they -- the horse is out of the barn and now they're locking the door. And your wolf and bear population is almost out of control in that area. And once again I would ask you as a lay person, you know, and you're the biologist, where perhaps sometimes the bear will take 80 percent of the moose in the area and Lake Clark path. I've flown that hundreds of times, Glenn Alvers flies it several times a day, Dave Wilder flies it several times a day, there's not a moose left in that route from Port Alsworth to the east end of Lake Clark pass, you can't hardly find a moose. When the snow is -- you know, I've seen 30 or 40 moose in there 10 years ago, there is nothing left in there now. Nothing but bears and wolves left in that area. And we go back to the situation where you cut off the paws and take off the head and the subsistence because he may want to use the animal and yet, they may be the problem that we're dealing with. So it's something we're going to have to come back and visit.

And I think that perhaps that this is an important enough issue -- enough of an important issue that we probably have some upper management people from your Department be at this meeting next time. I don't care what Dr. Bill Pearce has got to do, this is an important issue here. And if we have to write him a letter we'll do that, but I think that it's important for him to be here to get some answers on that.

MS. SAVAGE: I would add from the biologists perspective that, in many ways, the national parks are an interesting experiment and I may be cutting my head off by saying that. But the natural predation levels were not -- you know, we're told to manage for natural and healthy populations and we have very little information that indicates to us what those are. We haven't been studying these populations for very long or in very great depth. And it is difficult to

establish what that balance should be when we have so little information.

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CHAIRMAN O'HARA: Yeah. That doesn't help us with the issue of subsistence when we're dealing with it though, so we're going to have to get to the bottom of it one way or another and we will do that.

MS. SAVAGE: Well, human predation is part of the natural balance, so it is related to the subsistence issue.

CHAIRMAN O'HARA: Okay. Thank you. And I appreciate the fact that you're here today and some of these questions are upper management questions that need to be dealt with. And we're not beating up on you at all, but we want to talk to your boss.

MS. SAVAGE: Sure.

MR. RABINOWICH: A couple of points if I may. One, I will certainly make sure that the Park Service Board member, Paul Anderson is aware of your concerns. And actually one small administrative change that I didn't think to mention because I didn't think it mattered, but now it does. I've actually, administratively been brought to work underneath Paul Anderson, so he's my now immediate boss.

CHAIRMAN O'HARA: So we are talking to upper management today.

MR. RABINOWICH: Well, I don't mean to imply that. I'm just me. I'm the same guy I was at the last time I was at your meeting.

CHAIRMAN O'HARA: Yeah.

MR. RABINOWICH: But I will make sure that Paul Anderson is aware of your concerns directly. And Bill Pearce for that matter. Dave Fisher -- backing up for just a moment, Dave Fisher pointed something out that I want to point out to you and perhaps we can talk more about this later with bears but in the purple book again, on the very bottom of Page 15, there's some language that explains the regulation that several of you spoke about being unhappy with in terms of the bear sealing and so on. I'm just not familiar with, I guess what I would say is, when this language got into the book and so on and so forth. But that's part of what we can look into when we get into the discussion that you're going to talk about. But the very bottom bullet on Page 15, just to make sure you're aware of that.

CHAIRMAN O'HARA: Are you on the -- no further questions from the Council members? Are you on (D)?

MR. RABINOWICH: Yes. Okay, Item 5(D), which is titled Draft Review of Subsistence Law and National Park Service regulation is in your binder at Tab 8(A)S(C), mine is green and yours is probably green, too.

CHAIRMAN O'HARA: 8 (A) .

MR. RABINOWICH: 8 (A) S (C) .

CHAIRMAN O'HARA: Okay.

MS. EAKON: It's 5 (C) .

MR. RABINOWICH: I'm sorry, I couldn't read it very well. I'll give everybody a moment to find it.

CHAIRMAN O'HARA: 8 (A) 5 (C) .

MR. RABINOWICH: You've gotten to the right spot if it says, Draft Review of Subsistence Law and Park Service Regulation.

CHAIRMAN O'HARA: Yes.

MR. RABINOWICH: I put some copies of this last night at the back table. I've got some more in my hand here and I'll make sure these are on the back table for anybody that wants them.

This is a repeat item for you. It is really up to you if you want to treat this as information today or if you want to take any action. I will offer you a suggestion about that, but the choice is clearly yours. And as I said, this is really just a repeat. We presented this to you at your winter meeting from last year and at that time indicated that the close of comment period would be May 31st of 1996, that's been extended to February of 1997. So, in short, the gate's still open, the document's still on the table. Nothing's going to happen, you know, right away. And if you choose, you could take this up yet again at your winter meeting and ask questions, take action, it's really up to you. And the pattern that is starting to develop that I just want to share with you, that in my mind makes some sense, is that in some areas, I think most notably in the Denali National Park area, what seems to be emerging is that some of the Councils are looking to the Subsistence Resource Commissions because, you know, you've got two of those sort of within your geographical area, that one thing you might consider doing is wait and see what those Subsistence Resource Commissions have to say about this. They're all meeting to discuss it. Their comments come over to you and as Robert is a member of Aniakchak and a member of your Council, that's simply just one way for you to handle them. Again, your choice, but I share that with you as a kind of emerging pattern.

The high points, I'm going to touch on this only very, very briefly. It's kind of a complicated document, there's a lot of things that are talked about in here that are important. Some of issues are very important in part of the State and maybe not so important in another and vice versa. Park Service is particularly interested in your comments on the policy statement on Page 2, kind of the beginning point.

The Park Service wants to stress that, even though we're 16 years in to experience with ANILCA and Title VIII, as you all know one of the things that happens with the Federal government is a lot of people come and go from their jobs, in and out of the communities and so on and so forth, and one of the realities is that there's probably very few Park Service here today that were here 15 years ago. Just the opposite, of course, with all the residents, you were all here then and you're all here now. And so there's a recognition of that fact and a recognition of the fact that as new employees come in they have a lot to learn. So part of the Park Service effort here is to educate ourselves. I mean I just want to make sure that you understand that the lights come on and we get that. And so we're working to educate ourselves. And that will, hopefully, be one of the benefits.

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There are also a list of issues, by my count, about seven of them that this paper deals with. Things like eligibility, access, you've just been talking about some access related things a few minutes ago. In some parts of the State cabins are a pretty important topic, trapping, customary trade and then the whole Subsistence Resource Commission program itself. Each of those major topics and those are the major topics in the paper, have another whole list of things beneath them that are often issues.

The only other thing to point out is that throughout the paper, I think on pages three through nine, there's a list of action items. Sort of a what do we do now about these issues. Those are the Park Service's best guesses at the action items. They may be the right things, they may not be the right things. Your comments on those would be particularly helpful and if you have any prioritization issues that are important to you, that's also very helpful.

The last comment is that this paper is seen as something that's quite long term. If you think of this as the paper that's going to be in a loose-leaf binder, various issues will be worked on probably for many, many years, so it's not something to be written, discussed, decided and then put away. It's meant to be a long term document, come back to probably year after year and work on issues and hopefully make progress and then maybe move on to the next one.

That's a quick summary, I'll stop there. And I don't know if I've hopelessly confused you.

CHAIRMAN O'HARA: No, you haven't.

MR. RABINOWICH: I'll try to keep it short.

CHAIRMAN O'HARA: This is part of the agenda item right here, I read it and it's marked up in blue. There are some -- this is probably one of the most key issues that we're going to be dealing with, I would hope, at the next meeting. Because it deals with aircraft coming into a park area where private land exists. It talks about, you know, the all terrain vehicles that have been used on a traditional basis

about getting into the park areas for subsistence users long before this ever became law. We're going to have to look at this very closely. And I think, Sandy and Susan and Robert and Andy, I don't know what Togiak has as far as a commission dealing with the subsistence issue, but if these commissions that exist to give us advice don't get together and meet, you know, we're going to be making regulation without them. And so somewhere along the line these people have got to get together and deal with these that are -- this right here.

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You know, it's really interesting Sandy that Title VIII or whoever did ANILCA come over and talked to us and they made this park like this and all of a sudden we're on the outside trying to get in. You know, they should have started with us on the inside and made the park something we could live with instead of now trying to get back into the system, giving us all this information here that we got to wade through now to get back because somebody made a regulation that we're not able to live with to a point and that is unfortunate. We're trying to get back something, you know, that's kind of going away.

MR. SAMUELSEN: IT was planned that way, Dan.

CHAIRMAN O'HARA: It was planned that way, okay.

MR. RABINOWICH: I think one comment I would make and Robert Christensen may want to comment or may not. But the Park Service brought together the Subsistence Resource Commission chairmans, Robert said he represented Aniakchak at a day long meeting, I think it was June 1st. And he was at it, I was at that meeting, our Board member, Paul Anderson and Dan, I know you know Paul.

CHAIRMAN O'HARA: Yeah.

MR. RABINOWICH: I believe is trying to turn a new leaf over now. Don't take my word for it, you all be the judge. But I think he made a commitment to the chairman at that meeting, to try to do things better, to try to do things different, to try to listen more than talk and see if we could make some real progress. Real, defined by residents as opposed by people who work for the Park Service. It certainly doesn't mean that the Park Service is not going to do its job or fail to carryout its mission, if you will. But I think it means engage in a real dialogue and try to develop a real working relationship. Now, those are fine and fancy words that I just said and time will tell if any of it has meaning, but Robert was there and I was there and I think maybe there's a new breeze blowing, but we'll see.

CHAIRMAN O'HARA: Okay, Robert.

MR. CHRISTENSEN: Yeah. That was the issue that they want to work with us because we're tired of -- we've been here, like you said, you know, 30 years ago, however long and we're tired of seeing people come in and tell us how we got to go about to access. They were trying to explain they want to

start the way we want to get out there to access. And one of the issues that I brought up was the four wheeler, you know, that's how we -- I'm not going to go back to dog teams, you know, and they said they want to work with us. The whole discussion that day is they want to know how we want this to operate. 26

CHAIRMAN O'HARA: Robyn.

MR. SAMUELSEN: Thank you, Dan. I agree with you, I think this is probably the most important document to this Board. And I would strongly recommend that you, as Chairman, submit this to the AFN Subsistence Committee that deals intensively with provisions of ANILCA and see if this meets the intent of ANILCA and also get a legal opinion. I'm not, you know, sitting here today and look through mine and mark it up, I think there's some real legal questions and intent of Congress here that need to be answered. And just under the 1344 permitting system, you know, the eligibility. You've got to be a rural resident and you got to be local to park or monument. You've flown around here and hunted in a number of parks and monuments, I'd like to see how you'd qualify. I don't think Dan here would qualify because you know he is a local, he is a rural resident, but he isn't local in a park or monument but he could demonstrate a past history of participating in them areas. You know, it's not clear to me whether you got to meet both the rural criteria and local to the park criteria to be issued a 1344 permit.

And to me there's a lot of weasel words in this proposal also. You know, I think the subsistence users better get some real good legal advice before a Regional Council such as ours sits here and starts debating the merits of up or down. You know, we might think we're getting a good deal, but once we lift the hood there's no engine in the automobile.

CHAIRMAN O'HARA: I'm kind of like a man without a country. Because I come from the lake country, now, I can't hunt in the park up there when they passed the redfish bill. And I'm not a Katmai descendent and I can't even get a redfish for crying out loud. So I'm going to have to do something, I guess.

Anyway, Sandy was there some burning issue that you had to deal with?

MR. RABINOWICH: No. I was just going to say, in response to Robyn, one small comment. The Park Service, like all good Federal agencies has its regulations too, you know, that we're talking about. And what we're trying to do with this paper is, examine the regulations that we've got, for the most part, there are a few exceptions, but for the most part they've been in place since 1981, whether they're good or bad, that's just a fact that they've been on the book since then and the goal here is to examine those just as you point out and then with your sense of priorities, look and see which of those need to be changed, if any, and then if so, how might they be changed. So there is not a list of proposed changes.

You know, I literally don't have any list in my pocket, what we've got is on this piece of paper. My guess is that you will ultimately like to see some changes, but you may not and so the goal is to try to work together. 27

CHAIRMAN O'HARA: Robert, did you have a comment?

MR. HEYANO: Yes, Mr. Chairman. I agree with everything that's been said and I think Robyn brings up a real valid point, a legal review as to the contents of this document. I find several portions of it troublesome. But I think most importantly, we need to make sure is that us, as Regional Councils representing subsistence users, will always have a significant and meaningful position in this document. Because it's awful hard to sit here today and try to predict use patterns or public perception in the Lower 48 and impacts to the subsistence users in the park. So, you know, to me, most importantly for the future is that in this document it says where we will have a major role in how these are decided. And I'd like to see research or provisions made where if we have to make changes to reflect and protect subsistence users where it doesn't take an Act of Congress to enact them. There needs to be some mechanism that speeds that process up a lot quicker within the confines of -- pertaining particularly to subsistence use.

CHAIRMAN O'HARA: And I think, Sandy, you mentioned that you said it's a folder that's going to be opened every year and looked at and so if that's the case and we can revisit it, I think that's a very important issue. But Robert's and Andy's committees of the north and the south really better get together and look very carefully at this because there's a lot of -- there's an open door here for us, too, and that's important.

MR. HEYANO: One other comment, Mr. Chairman, I think it's an important enough issue that we need to actually set aside time as a Regional Council to just work on this document and maybe produce one that what we'd like to see in it.

CHAIRMAN O'HARA: Did you have a comment Robyn?

MR. SAMUELSEN: I've got a comment. Sandy, maybe you can enlighten me here, in order to qualify for a 1544 permit.....

CHAIRMAN O'HARA: What Page?

MR. SAMUELSEN: Page 4 -- subsistence eligibility, the applicant must demonstrate that at the time of ANILCA, 1980, an individual or member of a family, the applicant had and established historical pattern of subsistence use. What happens if I was born in 1985?

MS. SAVAGE: If your father or mother lived in the area and had -- that's what, if you are a member of a family means. So if you were born after 1980, but your family did, then you are covered.

CHAIRMAN O'HARA: You're doing better than I.

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MR. SAMUELSEN: But they got to reside within the park or monument, right? The kids need to reside there?

MS. SAVAGE: Well, one thing, I know for Aniakchak we have not defined the geographic areas. So those geographic areas for most of the park units are not defined.

CHAIRMAN O'HARA: Okay.

MR. SAMUELSEN: And on Page 5 under the 51 percent criteria, even though you have an identified subsistence population that may be 60 percent in a community, let's take Dillingham for example, and we have a park or monument right next to us, we have an identified subsistence population, but only 49 could demonstrate through the criteria that -- the eligibility criteria, that community will then not be deemed a subsistence, what do you call it here, resident zone.

MR. RABINOWICH: I would respond by saying that I think the Federal Subsistence Board's activities in the last few years have perhaps been leading the way on this issue. And what I'm referring to is that the Federal Board has taken in on the customary and traditional use proposals, I don't honestly recall if any have come from this region or not. But I think it's safe to say that the numbers that you're just reading from in this paper are, what do I want to say, are much higher than what the Federal Board has been acting on. That is, that you wouldn't have to go so high up. And I can't -- there's been upwards of about 200 of these that the Federal program has been working on in the last couple years and I frankly muddle a lot of the details around in my mind, so I couldn't give you a good example. But I think that the Federal Board has recognized that the numbers here are probably too high and I think maybe the Park Service just hasn't caught up yet with that line of thinking and that kind of understanding. But we certainly recognize that the Federal Board's taking actions that are not consistent with it. It's a little hard for me to imagine that the Park Service will sort of stay rigid or firm, whatever word you think that fits, these kinds of numbers. I can't guarantee that, I'm just offering you my views.

MR. SAMUELSEN: Dealing with the Federal government, when there's a number in there usually that's the number we'll refer to as the God almighty number. And before we break, Mr. Chairman, I'd like to comment on the Alagnak Wild River '96 survey.

CHAIRMAN O'HARA: Sure.

MR. SAMUELSEN: In the opening of the meeting I read it. I think it's one of the most comprehensive documents that we've received on the Alagnak River on activities. And I'd like to congratulate Susan and probably Mac Minard had a lot to do with it also. So I think it's something that the Council's been requesting time after time and it sure gives an

insight to that river's activities.

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CHAIRMAN O'HARA: They're busy days and we all have a lot of work to do, so we appreciate you putting something in hand that we can look at. Before we take a break, if there's anyone who would like to testify during the meeting today, we'd like you to fill out one of these cards, but you don't have to. But we'd certainly like you to address the Council if you want to. We'll take a 10 minute break and come back.

(Off record)
(On record)

CHAIRMAN O'HARA: We'll call the meeting back to order. I think the Council has been satisfied with the reports from Sandy and Susan, we thank you for that. If there's no more issues on that, then we'd like to have an agenda change here. The people from Quinhagak are going to have to go home this afternoon and there's a possibility of weather moving in plus they might like a little time this afternoon to walk around Dillingham before they leave. So as a matter of courtesy I think it would be good if we change the agenda to give them an opportunity to talk on 36(A) on the agenda, so Helga do we start with staff reports on this or how do we handle this?

MS. EAKON: Yes, Mr. Chair. As you may recall Proposal #36 deals with moose in Unit 17(A). And you had tabled this for a status report on the moose population and I'm kind of wondering if Andy Aderman has a report to introduce this topic. Do you have a status report?

MR. ADERMAN: Thank you, Mr. Chairman. My name's Andy Aderman, wildlife biologist for Togiak National Wildlife Refuge. I essentially gave you the status report in my presentation last night and that we weren't able to collect much additional information last year due to weather conditions. My best guess is we have 100 to 150 moose in Unit 17(A).

CHAIRMAN O'HARA: What section of 17(A)?

MR. ADERMAN: That's the whole of.....

CHAIRMAN O'HARA: The whole of 17(A), you have a hundred and what?

MR. ADERMAN: Between 100 and 150.

CHAIRMAN O'HARA: And how many do you need to sustain the population?

MR. ADERMAN: I'm not sure I understand.....

CHAIRMAN O'HARA: Do you have a level that you got to live with, can you take any animals?

MR. ADERMAN: We've set a minimum level at 100.

CHAIRMAN O'HARA: So you have 50 animals possibly that can be taken for subsistence use?

MR. ADERMAN: If the estimate is on the high range, yes.

CHAIRMAN O'HARA: And how many are taken every year?

MR. ADERMAN: It varies probably from 10 to 20.

CHAIRMAN O'HARA: Any taken that are not reported that you know of?

MR. ADERMAN: Pete collects some information on moose that are taken.

CHAIRMAN O'HARA: Who does?

MR. ADERMAN: Pete Abraham. And there has not been a season in 17(A) for quite some time.

CHAIRMAN O'HARA: Okay. So that's your report?

MR. ADERMAN: That's my report, Mr. Chairman.

CHAIRMAN O'HARA: Any questions Council members? Yeah, Robyn.

MR. SAMUELSEN: Yeah. Looking at the habitat, how many moose can that habitat.....

MR. ADERMAN: We've estimated that Unit 17(A) total could support 600 to a thousand moose.

CHAIRMAN O'HARA: Predation problem? Excuse me, Robyn, go ahead.

MR. SAMUELSEN: And your goal is for a minimum level of 100 animals?

MR. ADERMAN: Yes.

CHAIRMAN O'HARA: Any other questions? Excuse me, go ahead.

MR. SAMUELSEN: What does that hundred represent? Is that your sustained yield number for that area? It seems like when we've got 600 to a thousand animals and we got 150 animals and the minimum that would sustain the area, I guess would be a hundred, I don't know something isn't clicking here right, Andy.

MR. ADERMAN: Okay. That 100 figure was set quite some time ago. And I might ask Larry Van Daele with the State to assist me in the report on moose also.

CHAIRMAN O'HARA: Larry, would you feel comfortable

addressing this proposal?

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MR. VAN DAELE: Sure I'd be glad to. Do you mind if I use this microphone?

CHAIRMAN O'HARA: Absolutely.

MR. VAN DAELE: I've been sitting on my butt for two days and I'm tired of sitting down. In answer to your question regarding 17(A) moose, we haven't had a season in Unit 17(A) since 1980, that was the last open season over there. The population has just, historically, been anywhere between 10 and 20 moose. Never had many more than that, always the illegal harvest and predation have kept down to about that level. In about the past four years we started to see an influx of moose in the 17(A) primarily from the areas on the east side here, around Dillingham and so forth. And the Nushagak Advisory Committee, the State advisory committee that takes care of this area in the eastern part voluntarily reduced the seasons in 17(C), the adjacent area so that moose could go from a healthy area and start repopulating 17(A). As I say, in the past three or four years we've been seeing that. The population has gone from a survey number of six moose to 20 moose and then finally we got up to around 120, just a nice round number in there. That has been due to a combination of factors. Number one is the reduced season over here. Number two is a series of very easy winters over there. And number three is a reduced illegal harvest over in the Togiak Valley. Part of that is due to voluntary reduction in illegal harvest, part of it's due to the fact there wasn't much snow, so people couldn't get into some of these remote valleys.

In the 1976 time frame when the State was putting together its management plans, we had to come up with a number for 17(A), how many moose do you think we should have as a management goal for 17(A)? At that time we said, let's have 100 moose, 100 moose is good. At that time that was kind of like saying, I want to be a millionaire by the time I'm 50. We didn't think it was ever achievable, it's just a number that has absolutely no basis. Since that time, since we started to see these moose re-populate the area, we've gone back and looked at the habitat. We've compared the amount of habitat to what we have in other parts of Unit 17 and we've decided that somewhere between 600 and 1,000 moose is a more realistic figure of a sustainable moose population for that valley. Now, as far as how many moose can be harvested and what bull/cow ratio and so forth, Mr. Heyano requested that I put together a model, an estimate of what different harvest levels would do to this based on current rate of increase. And I don't know, Robert if you have that or you want to share that with the committee now.

MR. HEYANO: I don't have it with me.

MR. VAN DAELE: Basically what the model says is that if we have absolutely no harvest in Unit 17(A), at our current rate of increase, and we assume that natural predation equals this immigration that comes in, which is a very conservative

estimate, in about the year 2005, we would achieve that 600 moose level. If we harvest 10 bulls we would achieve that 600 level at the year 2006 or 2007, it really wouldn't have that big an impact. If we harvested 10 bulls and 10 cows we would never achieve that 600 level. So basically what the model says is that our current rate of increase, that our current population we could sustain a harvest of 10 bulls from Unit 17 and still achieve our population goal in a reasonable amount of time.

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So that kind of summarizes it, I'd be glad to answer any questions.

CHAIRMAN O'HARA: Any questions from the Committee?
Robert.

MR. HEYANO: Can you tell us what the moose population in Unit 18 is adjacent to Unit 17(A), just west?

MR. VAN DAELE: The Goodnews Drainage would be the one that's closer to that, what is that Mike, about 20 or 30 moose at the most?

MR. HINKES: At the very most.

MR. VAN DAELE: Okay. So virtually nothing over there to speak of.

CHAIRMAN O'HARA: No harvest there either, um?

MR. VAN DAELE: I'll let Mike Hinkes of the Togiak Refuge.....

CHAIRMAN O'HARA: Mike, could you come on up here, we'd like to have you up here anyway.

MR. HINKES: Mike Hinkes, biologist at the Togiak Refuge. The Federal subsistence hunt is closed in Unit 18 in the Goodnews and Kanektok Drainages.

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

MR. HINKES: There is an occasional moose that's taken illegally. And I think the State hunt is open on some State and private land in that area, but the moose that there are in there are further up river. So any of the harvest and we're not sure what it is that does take place, is most illegal harvest. We really can't give you any numbers on that.

CHAIRMAN O'HARA: 17(A)?

MR. HINKES: No, we're talking Unit 18 and the Goodnews and Kanektok River Drainage.

MR. VAN DAELE: In Unit 17(A), as I say, we estimate 120 moose in that area.

CHAIRMAN O'HARA: Yeah.

MR. VAN DAELE: And the current harvest is somewhere between 10 and 20 moose, all of which is not according to regulation, it's all illegal.

CHAIRMAN O'HARA: Okay. So the adjacent is not doing as good as 17(A)?

MR. HINKES: No. We weren't able to get a good survey last year again because of snow conditions. But in the past we've seen almost 'nil as far as the number of moose. There's more during the summertime, we get some immigration in there, but by the wintertime when we do our surveys we see hardly any.

CHAIRMAN O'HARA: How do you do your surveys Larry and Mike?

MR. VAN DAELE: There are two basic ways to do the surveys; the quick and dirty and the real expensive. We've done both. The quick and dirty is you either fly trend areas which are typical moose wintering ranges or if you fly a 185 quickly over the entire area and count what you see, not spending a whole lot of time in one place.

The expensive way is to combine those two. You fly over the entire area and you break it down into little units. You calculate those units as being low, medium or high density moose areas and then you send the super cubs in and then either spend a little, a lot or a hell of a lot of time, excuse me, heck of a lot of time in the areas, depending on whether they're high, mediums and lows.

CHAIRMAN O'HARA: Do you use private -- hire taxis to do this or does the refuge people or State have their own airplanes or how do you do that?

MR. VAN DAELE: Down here the State uses all private aircraft charter and Fish & Wildlife Service has their own aircraft, so it's a combination of both.

CHAIRMAN O'HARA: Well, I think if you want to get the job done, you could probably go get PenAir or somebody who can fly all the time. And when you talked about bad weather being an issue, you know, I know stream surveys and animal surveys like the back of my hand and the best way to get it done is to hire Penair with a competent pilot and go out and do the job and they don't come back and say, well, the weather was bad we couldn't get a report in. That doesn't help us any in the resource area.

MR. HINKES: When we talk about the weather, though, in the surveys, we're talking there's no snow.

CHAIRMAN O'HARA: Yeah. That's another issue.

MR. HINKES: Not that, you know, a particular pilot wouldn't fly.

CHAIRMAN O'HARA: Well, a gentleman here said it was bad weather and he couldn't get the surveys done and I was just wondering what constituted bad weather.

MR. ADERMAN: I meant what Mike said, that there was a lack of snow on the ground so your sightability of moose is very low.

CHAIRMAN O'HARA: Yeah, limited anyway. Okay, thank you.

MR. VAN DAELE: Mr. Chairman, if I may, perhaps we could ask Peter or someone from the Quinhagak and Goodnews on what their feelings are of the moose population, so we can take some of the traditional knowledge to add to our western?

CHAIRMAN O'HARA: Yeah. We have a big number of people who will testify.

MR. VAN DAELE: Okay.

CHAIRMAN O'HARA: The reason we asked you just to talk to us briefly is so that when they come up to talk to us, now, they'd have a little more information. It's sometimes difficult to give a public testimony when you haven't had the biological information come to you and we appreciate you just coming up and giving us this information. And when they give their public testimony on 17(A) now, I think it would be a little helpful.

MR. ABRAHAM: The proposal we'll be dealing with is Proposal #36.

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

MR. ABRAHAM: Is that before us now?

CHAIRMAN O'HARA: Yeah. No further questions -- yes, I'm sorry.

MR. ABRAHAM: I have been a little information from the local people over there, old people that have lived there all their life and stuff like that. According to their stories and stuff like that over there since around 1960 -- or 1940s, '60s and '70s there was hardly any moose over there at all. In fact, there was no beavers over there at all. But by 1970s they started migrating to that valley little by little. In fact, by 1973 there was only six moose over there at one time that I know of. But through these years over here, the increase has been going up steady even though the people over there do illegal hunt over there.

But for the past couple of years right now, since the caribous have been coming around, the hunt has gone down, I mean illegal hunt has gone down quite a bit. Last year, I keep a tab on people over there, the kill on moose was here and there because they're beginning to trust the -- on their kills over there, on the moose and the caribou. This winter

there was only seven kills, that dropped from 13 the year before. This fall the caribou, itself was 57 in that area, that's all illegal hunt. So if the caribou hangs out over there around there, I think the moose population regardless is going to keep going up, I don't know, I hope so.

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CHAIRMAN O'HARA: Thank you, Peter. Okay, Larry thank you and Mike. We'd like to go to public testimony at this time. We'd like to have public testimony at this time. Is Fritz George here?

MR. GEORGE: First of all, Mr. Chairman, Harry Wilde appointed me to testify on behalf of the Native Community of Quinhagak. My name is Fritz George and I am the Secretary for the Yukon Kuskokwim Subsistence Advisory Council. I've been appointed like I said by our chairman Harry Wilde to give my comments to the Bristol Bay Council on Proposal #36, which identifies Quinhagak to be added to the three villages listed as customary and traditional users of moose in Unit 17(A), that is if your Council decides to open 17(A) for moose hunters.

One of my elders in Akiachak have stated that the head waters of the rivers draining to this region are steep like canyons and are dangerous to travel through, but there are safe trails and passages used by hunters, trappers, travelers and warriors, since the beginning of time. A written record is an example by a Mr. Spurr who hired a couple of Quinhagak men who guided him over mountain trails to the Togiak Lake and possibly came down to the Iliack regions.

I have hunted with a team from my hometown Akiachak several times up around Kisaralik Lake. And once three snowmachines stopped by our camp and had coffee and after they left our leader and elder, Mr. Tom Kasayuli, told us that the elderly man's name was Mr. Kohuk of Togiak. I did not hear a word trespass but what I saw was a good friendly reunion between long time friends, possibly good hunting partners. This story tells us that the villages from the Kuskokwim and Bristol Bay are sharing the food from the mountains since the time immemorial, presently and must continue into the future.

Ever since I can remember my parents, grandma and uppas have told me not to fight for our food, fuel or land because we will take them along with us when our time is up here on Earth. I believe this ancient law of sharing those necessities of the Yup'ik life need to continue and be followed by our children.

Like Peter said earlier, the re-emergence of the moose is fairly recent. Like one of my elders, Mr. Joshua Phillip said, that the first moose tracks he have seen were in the 1930's in the Holitna drainage, that's somewhere around 60 years ago. Another one is from the late elder, Isaac Hawk of Eek, he said that the first moose meat he ate was at the late Willie Kasayulie's camp at the Holitna River. Joshua Phillip was told by one of his elders when he was a young man that the moose and beavers will return to where they come from as time

takes its course. He was not given an example but mentioned that it is probably the cycle of the species.

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In conclusion, I want to state out that our elders tell us about their hunting and trapping adventures at Unit 17 and when one of my uppas, David Henry, was a young man he caught an elk in the Tikchik mountains. I thought it was an elk because he said that the animal was not a moose or caribou. How he described it is that the animal had long legs. There are other villages that have the history of using Unit 17, and some are marrying your members just like one of my brothers is raising his family in Manokotak. We all need to remember that whatever the decision is on Proposal #36, it is being looked at as an example to the coming generations who will be taking our places. Sharing the land and food is very important for the survival of the Yup'ik Tribe, our forefathers insured this by fighting for it.

I'll tell this in Yup'ik if you don't mind?

CHAIRMAN O'HARA: Sure.

MR. GEORGE: (In Yup'ik)

CHAIRMAN O'HARA: Are there any questions for Fritz? Fritz, by the way, Harry does a really good job for you at the meetings in Anchorage. And Helga may not be in the room right now, but yeah, we really appreciate his support when we have gone in there with our proposals. And you're on the council up there?

MR. GEORGE: Yes, I am.

CHAIRMAN O'HARA: As secretary?

MR. GEORGE: Region 5, yes.

CHAIRMAN O'HARA: Well, he does a very good job for you. We appreciate his help.

MR. GEORGE: Okay. I'll make sure to tell him that message.

CHAIRMAN O'HARA: Yes, tell him hello, he's a good friend of mine. Thank you for your testimony today.

MR. GEORGE: Thanks for the opportunity Mr. Chairman and members of the Council.

CHAIRMAN O'HARA: Appreciate it. Another member that would like to testify is Annie Friendly.

MS. FRIENDLY: I'm Annie Friendly from Quinhagak and this is kind of tied in with Proposal #36. It's regarding the remainder of 17(B) a December moose opening.

My father said that the mountain trails are better in late February and March. And this December opening really

ought to be in that time when the mountain trails are better
because they really do go up there in the mountains to hunt. 37

I'm going to say it in Yup'ik. (In Yup'ik) That's
it.

CHAIRMAN O'HARA: That's all you've got. Peter.

MR. ABRAHAM: Yeah, question. (In Yup'ik)

MS. FRIENDLY: No. (In Yup'ik)

MR. ABRAHAM: 17(B)?

MS. FRIENDLY: Yeah. (In Yup'ik) remainder of Unit
17(B).

MR. ABRAHAM: Oh, okay. (In Yup'ik)

MS. FRIENDLY: (In Yup'ik)

MR. ABRAHAM: Well, the question I got was because she
says on 17(B) over here, according to what he says he likes is
because the snow conditions and travel conditions, her father
had asked her to ask the Board over here to change the date of
December 1 to December 31st to either February or March.

CHAIRMAN O'HARA: For?

MR. ABRAHAM: For moose hunting.

CHAIRMAN O'HARA: Moose, okay. Because the traveling
is easier?

MS. FRIENDLY: Yes.

MR. ABRAHAM: (In Yup'ik)

CHAIRMAN O'HARA: Good time to hunt. Okay, is that
all you have Annie?

MS. FRIENDLY: Yes.

CHAIRMAN O'HARA: Thank you for that. Just a minute
before you leave, does any of the Council members have any
questions of Annie today? Thank you for coming today. Excuse
me, Larry?

MR. VAN DAELE: Mr. Chairman, Larry Van Daele, Fish &
Game. Just as perhaps a help here, all of 17(B) is State land
and it's not in the Federal system. But perhaps one of your
staff could work with Annie and develop a State proposal
because the State Board of Game is going to accept proposals
until the 20th of December and that would be the more
appropriate format, rather than through this body. But while
she's here, maybe one of your staff could help her draft that
information.

CHAIRMAN O'HARA: Okay, thank you. The next person to

testify is Wassilie Baville; is he here?

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MR. BAVILLE: Good morning, Mr. Chairman and to every Council, Wassilie Baville from Quinhagak. I am fully supporting 36, 17(A) and also I'm not supporting this draft subsistence law. I think it needs to be public comments and I think it needs to be revised -- amended, too. Thank you.

CHAIRMAN O'HARA: Now, say that, you support.....

MR. BAVILLE: I support #38.

CHAIRMAN O'HARA: #36?

MR. BAVILLE: Yeah, the proposal.

CHAIRMAN O'HARA: For hunting in Unit 17(A), but what don't you support?

MR. BAVILLE: Um?

CHAIRMAN O'HARA: What don't you support?

MR. BAVILLE: I'm supporting 36(A).

CHAIRMAN O'HARA: Okay. Was there something you didn't support?

MR. BAVILLE: But I'm not supporting that draft on subsistence law.

CHAIRMAN O'HARA: You don't support that?

MR. BAVILLE: Yeah.

CHAIRMAN O'HARA: Okay, that's fine. Any questions? Well, thank you very much.

MR. BAVILLE: Thank you.

CHAIRMAN O'HARA: Thank you for coming before us today. Andrew Sharp. Can Andrew Sharp come up?

MR. SHARP: (In Yup'ik)

MR. ABRAHAM: (In Yup'ik)

MR. SHARP: Andy Sharp. (In Yup'ik)

MR. J. ANDREW: My name's John Andrew. I'm unofficial interpreter for Andrew Sharp from Quinhagak. His introduction is his name is Andrew Sharp. His Native name is Kawapalak (ph) and he said, at the very first opening he'd like to express his gratitude to this Council. And he was asking if this would be a good start -- would be a good start to open with.

MR. ABRAHAM: And then he's thanking that we as the people here accept him as he is.

CHAIRMAN O'HARA: Yeah.

MR. SHARP: (In Yup'ik)

MR. J. ANDREW: He said, again, he's very grateful for being treated with such nice hospitality over in this town and he said, yeah, he had a nice rest at his house, sound. And for he is not literate in English that's why he asked to have the help of translating equipment and he's very grateful for this piece translating Yup'ik to English that he's been provided just now.

CHAIRMAN O'HARA: Good.

MR. SHARP: (In Yup'ik)

MR. J. ANDREW: He said thanks again. He said, being from the village of Quinhagak and his forefather -- his father and his forefathers were reindeer herders in this area.

MR. SHARP: (In Yup'ik)

MR. J. ANDREW: He said, on the caribou he's seen out here, from his herding experience he has learned to recognize certain sub-species of caribou. He said there are about basically three sizes. The regular caribou is the largest of them and the reindeer is the smallest and the fertile caribou is somewhere in between. He said certain areas have their own species of caribou.

MR. SHARP: (In Yup'ik)

MR. J. ANDREW: He said being a hunter of the land animals and reindeers and caribous, he's accustomed to eating meat as his basic diet. He said whenever he goes into a settlement like this, his main diet could be anything, that basically he would ask for a steak, any kind of a steak because he grew up on steak.

MR. SHARP: (In Yup'ik)

MR. J. ANDREW: He said, the land managers or the game managers of anywhere should be very careful not to abuse or misuse all our game, even the migratory birds because he knows our natural resource are for everyone's benefit.

MR. SHARP: (In Yup'ik)

MR. J. ANDREW: He said from his experience as a herder, he said it's very -- our hunters or our people should be very careful not to harass our animals in fall time or towards spring. Because when the animals are disturbed then are not in a healthy, they tend to miscarry. And the same is true with the migratory birds towards spring. He said, right before the time they give birth to their young there should not be any disturbance around their habitat area.

MR. SHARP: (In Yup'ik)

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MR. J. ANDREW: He said, he may be speaking right now in his own Native language, but anyone is welcome to question him on traditional knowledge, his own traditional knowledge. He can answer as best as he can.

CHAIRMAN O'HARA: Okay. Any questions the Council members might have? Robyn.

MR. SAMUELSEN: Thank you, Mr. Chairman. Maybe you could ask him if he could come up and show me on the map here where Quinhagak residents hunted moose in the past?

MR. J. ANDREW: (In Yup'ik)

MR. SHARP: (In Yup'ik)

MR. J. ANDREW: (In Yup'ik)

MR. SHARP: (In Yup'ik)

MR. J. ANDREW: He said, in the past his ancestors used to hunt just about anywhere, opportunisticly. That means, whatever they came upon, they harvested. He said, it could be anywhere, not just in the Togiak drainage. It could be on the south side of the Bristol Bay or on the Kuskokwim or towards the Yukon, wherever they find an open season. But if their own hunting area is not -- does not have the animals they seek, he'll come over on this side and hunt on this side provided that a trail is favorable.

MR. SHARP: (In Yup'ik)

MR. J. ANDREW: And he said that nowadays if they -- they go with the snowmachines or in the past with sleds, not too far from -- not too long ago they started going up the river, on the Kuskokwim River, wherever -- where the most animals are available and on the Yukon side, too. Wherever they can harvest them.

And earlier I forgot to mention, part of it when he said, on the hunting his own area. He said, they go -- provided they have a trail they go to the nearest areas first and they go to the areas where it's farthest out last.

MR. SHARP: (In Yup'ik)

MR. J. ANDREW: He said he's got more to say towards his testimony, but he rather give this time for the other testifiers to come up with their turn.

CHAIRMAN O'HARA: Um-hum, okay, good.

MR. SHARP: (In Yup'ik)

MR. J. ANDREW: He said, George -- this Council he said, he just realized what the important jobs you have as a - you know, holding your seat as a Council members. And he

said it's true that people in your position like to hear testimony direct from the people that are the subsistence users in their own region.

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CHAIRMAN O'HARA: Absolutely.

MR. J. ANDREW: He said it's a very important job to have.

CHAIRMAN O'HARA: Any questions of Andrew Sharp? Yeah, Pete.

MR. ABRAHAM: (In Yup'ik)

MR. SHARP: (In Yup'ik)

MR. ABRAHAM: (In Yup'ik)

MR. SHARP: (In Yup'ik)

MR. ABRAHAM: (In Yup'ik)

MR. SHARP: (In Yup'ik)

MR. ABRAHAM: Because I was curious on his testimony why he was giving the testimony, I asked him is he supporting the #36 or not. I guess he doesn't fully understand what the #36 proposal means. He's supporting the entire -- the region over here because the people -- the Native and the White man alike eat and you never stop eating. So he's supporting, I guess 17 in the whole.

MR. SHARP: (In Yup'ik)

MR. J. ANDREW: And he said, if that 17(A) area is to be opened in our future, it should not be open for sports use or to kill an animal and waste the meat. He said, our ancestors, they used to hunt the animals for the sake of providing protein for them -- for the sake of having food for the table.

MR. SHARP: (In Yup'ik)

MR. ABRAHAM: And then he had heard trophy hunters from coming outside to -- just to hunt the trophies and he would -- he don't support that, he wouldn't like that either in that area there.

CHAIRMAN O'HARA: Um-hum. In any area.

MR. SHARP: (In Yup'ik)

MR. J. ANDREW: Yeah, he just mentioned that he was going to quit a little bit earlier. He said, it wouldn't offend him if one of you guys asked him to stop talking now.

MR. SHARP: (In Yup'ik)

MR. ABRAHAM: Robyn, for your question, you had asked him where he hunted in 17(A). Because on their drainage, there was moose all the way up to around Kagati Lake, so he hunted in that area, because there was moose in that area. He never got inside the 17(A). But if he knows, he'd go down there and drink water from that side. 42

MR. SHARP: (In Yup'ik)

MR. J. ANDREW: He said he has to make his testimony this short, and he's grateful. He said he'll remember what has been said over here today.

CHAIRMAN O'HARA: Be sure and tell him thank you, John, and Robyn.

MR. SAMUELSEN: Yeah. One more question for him. Does he know of any other people from Quinhagak that's gone over and hunted in the Togiak area in 17(A)? He's never done it, but does he know.....

MR. J. ANDREW: (In Yup'ik)

MR. SHARP: (In Yup'ik)

MR. J. ANDREW: (In Yup'ik)

MR. SHARP: (In Yup'ik)

MR. J. ANDREW: He said recently, and in the late -- he said they never heard specifically saying they hunted in Togiak, but he said they've hunted in other areas.

CHAIRMAN O'HARA: Robert?

MR. HEYANO: Can he tell us approximately how many moose that the people, that the whole Village of Quinhagak use in a year?

MR. J. ANDREW: From out of 17(A)?

MR. HEYANO: No, just as a.....

MR. J. ANDREW: Or for just the village?

MR. HEYANO: Yeah.

MR. J. ANDREW: (In Yup'ik)

MR. SHARP: (In Yup'ik)

MR. J. ANDREW: He said he does not know exactly what the figures are. He does not want to give you a questionable number.

MR. SHARP: (In Yup'ik)

MR. J. ANDREW: But if he doesn't know exactly, he could bring forth the way it is.

MR. DYASUK: He doesn't want to assume, that's what he's saying.

MR. HEYANO: Yeah.

CHAIRMAN O'HARA: Any other questions?

MR. DYASUK: He doesn't want to assume that he knows.

CHAIRMAN O'HARA: Okay. Tell him thank you very much. We really appreciate it. Yeah.

MR. J. ANDREW: (In Yup'ik)

MR. SHARP: (In Yup'ik)

MR. J. ANDREW: Thank you very much.

CHAIRMAN O'HARA: Thank you. The next person to sign up for testimony is John Andrew.

MR. J. ANDREW: I'll make -- Mr. Chairman, I'll make mine short. Mr. Chairman, members of the Council, my name is John Andrew. I'm the regional coordinator for the Y-K, Yukon Kuskokwim Regional Advisory Council. But also I was born and raised up in the hills up here prior to moving down to the Village of Eek in 1949. And I've been trapping and hunting in the hills up here since 1952, starting out with squirrels, and then gradually building up to other bigger animals.

But from what I've seen up there, back in the 50s there was hardly any traffic up there, except the older reindeer herders used to be, used to tell me when they used to herd reindeer. Some of them used to travel all the way throughout this side of the ridge, moving their animals over this way, or leaving them here, or moving back out. Some of them settled out of this side of the Bay.

And roughly in the 1950s I used to -- our relatives used to see a few mushers going back and forth between Twin Hills, Togiak, and up through the Kanektok, Togiak area, or through the Kanektok, Kagati, then down the Kwethluk. In those times they said there were very few moose in that area. But they used to hunt them, like they said, when they get -- if they see them, they'd harvest them. And according to my father, he was an ex-reindeer herder, too, he saw his first moose in the very early 1930s, somewhere around 1931, 1932, over on the Kuskokwim drainage side, on the Eek River.

And then sometime later after the introduction of the snow machines, we start seeing snow machine traffic from the Village of Quinhagak, Eek, Twin Hills, Togiak, up on the upper reaches of Eek, Kwethluk, and Kisaralik, and sometimes well into the Aniak Lake in the years when they used to have heavy snow and good trail conditions. But lately, recently we saw hardly any of them since the animals are starting -- moose are starting to build up on the Kuskokwim side, the drainages on the Kuskokwim side, because they have easier access to them on

their side, on the other side, on our drainages.

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And looking back to this proposal, from what I know, from what I've worked with, this Proposal 36 came about from the Village of Quinhagak, but this -- they took formal action on October 3, 1995. Prior to that, there was discussion on two meetings, but they never came up with a proposal until October 3 of '95. This came as a c&t proposal, not a regulatory proposal. It's still a c&t proposal. And the original request came from the Native Village of Quinhagak in '94, because in the books, in the regulatory books, it says only the residents of Kwethluk, Platinum and Goodnews were recognized as having c&t recognition in 17(A) using the State's eight criteria factors.

Any questions?

CHAIRMAN O'HARA: Do you have any question, Council members?

MR. J. ANDREW: I could make a short translation over to the benefit -- for the benefit of Togiak, Quinhagak and Twin Hills.

CHAIRMAN O'HARA: Absolutely. Go ahead.

MR. J. ANDREW: (In Yup'ik) Thank you.

CHAIRMAN O'HARA: Uh-huh. Any questions of John, Council members? Yeah?

MR. HEYANO: John, have you ever hunted moose in 17(A)?

MR. J. ANDREW: Personally I think I've done only one time only in springtime. That was back in the -- somewhere in the mid 70s, 'cause there -- we can easily get them on the upper reaches of Kwethluk, Kisaralik, right in that area, or on the further side. 'Cause in that time my people that used to go spring camping in the headwaters all the way into the 80s, and since there are restrictions, the laws restricting our use and how we can get up there, lately some of my people have gone up there by plane and either -- very few of them go in spring, and most of them go up in fall time. They land right into the lakes.

CHAIRMAN O'HARA: Any other questions? You're the coordinator for what.....

MR. J. ANDREW: Yukon-Kuskokwim Regional Advisory Council's.

CHAIRMAN O'HARA: Harry Wilde's area. Uh-huh.

MR. J. ANDREW: Harry Wilde is our chair. Fritz, who is our secretary, provided his own testimony in support of Proposal 36 earlier.

CHAIRMAN O'HARA: Yeah. Okay. Yeah.

MR. J. ANDREW: And from what -- my part, I just give a little oral history, and from what I know, what I've seen up there.

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CHAIRMAN O'HARA: Uh-huh. Thank you very much, John.

MR. J. ANDREW: Thank you very much.

CHAIRMAN O'HARA: Yeah. We have one more testimony, and Frank Fox has been -- would like to testify.

MR. FOX: Thank you, Mr. Chairman, and members of the Council. I'm Frank Fox. I'm with the Native Village of Quinhagak, Natural Resources Director. (In Yup'ik) Do you understand me.

(Council members shake heads negative)

MR. FOX: Good. That's the message I wanted to also bring to you. When something is written in paper like this that has to do with our survival, when we say survival we mean by subsistence, if the State Department of Fish & Game wrote a proposal that's affecting our lifestyle, most of our elders don't know what it means, because they don't know how to read, or they don't know how to speak English.

I'm here to testify, to be recognized by this Council that we residents from Quinhagak, Goodnews, Platinum, maybe Eek, Kwethluk to have -- to be recognized by this Council to have customary and traditional use above -- around Unit 17(A). If there is no moose in Quinhagak River, we go up to Holitna. Okay. And that is a long, long ways, over 1,000 miles. If we don't hunt any moose, we go up the Eek River, or we go through Kagati Lake into that little creek, too. But it's crazy to go through that pass, because you can travel all day, you know, you can go from here to that building over there, you can travel -- after you travel all day to Kagati Lake, if you go through that pass, it's to Togiak Lake, right above that map you're looking at. (In Yup'ik)

Do you have any questions?

CHAIRMAN O'HARA: Yes. So you have travelled from Quinhagak area over into the Togiak area and hunted the upwaters of the Togiak Lake area, Frank?

MR. FOX: But if this proposal passes, 36.....

CHAIRMAN O'HARA: Uh-huh. Uh-huh.

MR. FOX:and it depends on what type of season you're hunting. I mean, it's going to open. Will it be in fall time or will it be in springtime?

CHAIRMAN O'HARA: Uh-huh.

MR. FOX: Regardless of who says what, you know, we might say -- the State of Alaska might say there's a closed

season over here, and the U.S. Fish & Wildlife Service might say it's closed season over here, we're going to hunt anyway. And we will hunt anyway. We have to eat. We're not going to sit around and go hungry. I'm not going to let my kids go hungry just because we're already labeled as poachers. We're outlaws for the name of subsistence. We're labeled outlaws, you know, we're lawbreakers just because we're trying to survive. If we were to give out citations to people that go to work, I guess they'd be poachers just like me.

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CHAIRMAN O'HARA: Yeah.

MR. FOX: Because they're trying to support a family.

CHAIRMAN O'HARA: Yeah, we understand that. Thank you. Robin?

MR. SAMUELSEN: Yeah. Thank you, you Mr. Chairman.

Frank these are (In Yup'ik) sitting around the table. Do you know of -- can you give me any insight? We've got a Proposal 36 in front of us, and I think what the Council would like to know, Frank, is do you know personally, or have the elders told you that people from Quinhagak have gone over and hunted moose in the Togiak drainage in 17(A)

MR. FOX: (In Yup'ik) I mean, I'm sorry. For -- When I grew up there were some people that were related to me that lived in Togiak, or Twin Hills or somewhere, because they're migrants from Quinhagak. They're people that moved from Quinhagak to Togiak. It also depends on what type, where, you know. Will it be in fall time or will it be in springtime? If we don't find any moose in Kanektok, we'll get it from somewhere, you know, because -- and then we also can travel from Quinhagak to Kagati Lake through that passage in to Togiak Lake, which is -- it's maybe four, five, six-hour ride by snow machine, if somebody doesn't get lost.

CHAIRMAN O'HARA: Go ahead.

MR. SAMUELSEN: Yeah. You've made that trip yourself over to Togiak Lake?

MR. FOX: Uh-huh (affirmative). Yeah.

CHAIRMAN O'HARA: Yeah, that's the question we were asking.

MR. FOX: Right.

MR. SAMUELSEN: Yeah.

CHAIRMAN O'HARA: You've come over that way to hunt?

MR. FOX: Yeah. We can go through -- we have access to a lot of places if we travel through -- from Quinhagak. We have better access than Kwethluk people do I think. If I'm wrong, maybe John can help me. I mean, he's from Kwethluk. And we have better access to Kisaralik, Togiak River, or

MR. SAMUELSEN: Do you know of any trappers that have ever gone over there and trapped from Quinhagak?

MR. FOX: Out of Quinhagak?

MR. SAMUELSEN: Yeah.

MR. FOX: A few, yeah.

MR. ABRAHAM: Yeah.

MR. FOX: A few people.

MR. SAMUELSEN: Uh-huh.

MR. FOX: Yeah. That's going up there. You know, when (In Yup'ik) I mean, when the beaver was scarce, they used to go and trap in Togiak area by dog team.

MR. SAMUELSEN: Uh-huh.

MR. FOX: Yeah, I've seen those people go through from Quinhagak and trap. Right now there's so many beaver in the river that they've become a nuisance, you know. And just this summer, I guess it's because of that forest fire somewhere near Anchorage, we've seen a lot of moose on the Kanektok River, and its headwaters. Somebody asked one of my elders how many people have hunted and how many people have caught moose from Quinhagak in Kagati -- I mean, around Kanektok River. My guess right now, it would probably be about 30 people. You know, just right off the top of my head.

MR. SAMUELSEN: (In Yup'ik)

CHAIRMAN O'HARA: Any other question? Yeah, go ahead.

MR. SAMUELSEN: No, (In Yup'ik)

CHAIRMAN O'HARA: Any other questions? Thank you very much, Frank. We really.....

MR. FOX: Thank you.

CHAIRMAN O'HARA:appreciate you taking time today.

I think at this time we'll probably take a lunch break for an hour and come back at 12:30.

(Off record)

(On record)

CHAIRMAN O'HARA: Call the meeting back to order. Let's take our seats, please? Quinhagak people are not here? They went home? Okay. Well, Fritz is here, Fritz George.

Okay. We'll call the meeting back to order, and this meeting will be finished today at 4:30, so we'll take whatever we can from the agenda that has to be done. And whatever we don't get done, will be done in February. So we need to go ahead and go with what we have. 48

Now, on this Proposal #36, 17(A), I think the Quinhagak people have gone. Fritz, you're still here. I think that we were wanting a little bit of information on the use of fish in the area. Probably for the help of the biologists and some of the -- but people wanted a little bit of information. We did game, but what about -- would you feel free to tell us a little bit about the use, of whether they go over to Togiak to get fish or what drainage they use fish from, or what do you think? Yeah.

MR. GEORGE: Thanks again, Mr. Chairman.

CHAIRMAN O'HARA: Fritz George is.....

MR. GEORGE: Yeah, Fritz George from Akiachak, a member of Unit -- Region 5 Subsistence Council.

From what I've known is that a number of people, including my uncles, come over here and participate in the Bristol Bay commercial fishing. And also my Uppas (ph) and uncles and some of my cousins, too, I've been thinking about participating, go along with them one of these days, to go up around Heart Lake and go after the lake trouts. I heard they go and get pretty big, and some people do catch them. Like our regional coordinator, Trapper John, he's been traveling up into Heart Lake area and harvest lake trout and giant pikes. It's in our record and they have told me stories about it, but I haven't experienced it, but that's what I know.

CHAIRMAN O'HARA: So.....

MR. GEORGE: Is that what you wanted to know about, what my people partic- -- if they harvest fish species in Unit 17?

CHAIRMAN O'HARA: That's 17(A), yes, that's.....

MR. GEORGE: Yeah.

CHAIRMAN O'HARA:what we wanted to know. And it's your feeling that they have used fish in that area?

MR. GEORGE: Yes.

CHAIRMAN O'HARA: Uh-huh. Okay. I never thought about it from commercial aspect side of it, but I know the people from up there do come down and fish Bristol Bay. Some of them have permits, and.....

MR. GEORGE: Yeah.

CHAIRMAN O'HARA:they crew and different things

like that, so.....

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MR. GEORGE: Uh-huh.

CHAIRMAN O'HARA: Pete, do you have anything to add to that or not?

MR. ABRAHAM: Well, not this particular thing, but according to the testimonies, the people that we had from Quinhagak area there,.....

CHAIRMAN O'HARA: Uh-huh.

MR. ABRAHAM: I guess their idea was to have us open the moose season in the wintertime, but not in the summertime. I oppose that. I oppose that idea of opening the moose season in the wintertime on 17(A). That would deplete the moose population over there in no time at all, but if we had an opening in the fall time when you have a very little bit of access to it, and then the animal would be a lot safer than have it in the wintertime.

CHAIRMAN O'HARA: Uh-huh.

MR. ABRAHAM: That's, you know, my answer to these proposals, what, you know, the people from Quinhagak were saying.

CHAIRMAN O'HARA: Uh-huh. Yeah. Well, the question we had was I think the use of fish I think is pretty important, too. as far as their participation in Unit 17, basically (A).

MR. GEORGE: Uh-huh.

CHAIRMAN O'HARA: And I don't know if that answers the question that some of the federal people have or not, but the biologists might wonder if we do -- if you do use those resources I guess. Yeah, Pete?

MR. ABRAHAM: Mr. Chairman, on that, on the fishing in the lakes up there, as you know, and I know, the people even from Togiak area, Quinhagak area, even Goodnews area has been fishing those lakes for years and years and years. And that's their substantial -- that fishing's, too, in wintertime where there is nothing else in that area there.

CHAIRMAN O'HARA: Okay. Did you have anything else to add?

MR. GEORGE: No, that's all, Mr. Chairman.

CHAIRMAN O'HARA: Any questions, Council members? Thank you very much. We appreciate your helping.....

MR. GEORGE: Okay. Thank you.

CHAIRMAN O'HARA:us out on that. Yeah.

Okay. On this particular item, since we've had a public hearing on it, and comment from it, I think the problem we have is without -- there's no doubt in my mind that you have a customary and traditional use of 17(A). I don't know if there's a consensus from the Council on that or not, but if I were to vote on it, I would say, yes, we do have a c&t finding of customary and traditional use of that area. Any comment from the Council members?

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I'm going to make a suggestion here of how we might be able to handle this this afternoon. A c&t finding is fine. We just don't have the animals. You know, we do not have enough moose. So I don't see a problem with them having had come into the area, and still do come into the area. We just don't have a resource that we can take the animals from, so maybe we could have a little help from staff. I know Pat McClenahan talked to me a little bit about it, and if you don't mind coming up to the stand, if you would, please, and then.....

Yeah, Robert?

MR. HEYANO: Yeah, Mr. Chairman, I think these are two separate issues. The Proposal 36 before us deals strictly with c&t findings for the people of Quinhagak in 17(A) for moose.

CHAIRMAN O'HARA: Uh-huh.

MR. HEYANO: And that determination wouldn't depend on whether there's a harvestable surplus of moose or not. I mean, that's an issue in itself I think we need to discuss, and then sometime later we need to discuss a season in 17(A). So, you know, I think there's -- in my opinion it's two completely separate issues.

CHAIRMAN O'HARA: Yeah. Have to be two separate issues. And Pat brought that up earlier. Pat, would you mind, stating your name and maybe giving us a little thought on that, if you would, please?

MS. McCLENAHAN: Yes, I'm Patricia McClenahan, I'm with the Fish & Wildlife Service in the Anchorage regional office, Division of Subsistence. I'm a staff anthropologist.

I agree with what you said. We have I think sufficient data to show that people from Quinhagak have hunted and used certain areas of Unit 17(A) in the past and may continue to do so today. It is a customary and traditional use question. And I agree with you that it can be handled separately from the issue of moose management in Unit 17(A).

Now, you have a question as to whether or not there's a base that's strong enough to support a hunt there, and perhaps you might consider working together with Region 5 on a moose management with multi-entity, multi-agency approach to work out a moose management plan for future use.

CHAIRMAN O'HARA: Any questions for Pat?

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MR. SAMUELSEN: Pat, do you -- answer my question here, in 1985 the U.S. Fish & Wildlife Service did subsistence land use survey, large land mammal surveys. And according to the staff report here, it indicated that residents in other Unit 18 communities did not use moose in 17(A).

MS. McCLENAHAN: May I get something, please? I need to explain a little bit about that, and this map that I have may help.

MR. SAMUELSEN: Okay.

CHAIRMAN O'HARA: I think a co-management plan might be a good idea. We can't afford to kill them all off.

(Off record conversations)

MS. McCLENAHAN: In 1985 U.S. Fish & Wildlife Service was preparing a, what do you call it? Management plan for the refuge. And Ron Thuma went to various villages in 1985 and 1986 to ask questions about resource management -- or the resource use in those various areas. He did this not by going from household to household, or taking individual surveys, but through a community meeting. And some of the people, or at least one of the people who was here today, Frank Fox, was at that meeting. And I have list of the names of the people who were present at that meeting. And there were a substantial number. I don't know these people. I don't know if they are the primary hunters in that village, but there are quite a number of people.

Ron Thuma then produced these maps, and until recently we weren't quite sure what they meant, but we found a key to them. And the red line indicates moose use. And these are the maps for Quinhagak. There are two of them. And the other area -- other lines show use for caribou and for other resources. I believe it's trapping. Yeah, the yellow line is for taking of fur bearers.

MR. SAMUELSEN: Okay. In '85 it looked like -- Mr. Chairman, if I may?

CHAIRMAN O'HARA: Uh-huh. Sure.

MR. SAMUELSEN: These maps were drawn in '85.

MS. McCLENAHAN: I believe it was 1985. This meeting -- no, I'm sorry, in '86. This meeting was in January of 1986.

MR. SAMUELSEN: Okay. Can you explain to me in 1991 then when the Division of Subsistence mapped out information, only Kwethluk popped out as being added to 17(A)?

MS. McCLENAHAN: These maps had been lost more or less to us until about a week ago, or two weeks ago. We had the

maps, but we didn't know what they meant, because the key was lost. And just recently the key was found in one of the refuges. I started asking questions, and I found them anew. And I've shared the information with everybody now who's interested in having it. 52

CHAIRMAN O'HARA: Any other questions? Do you need clarification on the maps at all that is before you or are they okay?

MS. McCLENAHAN: I found these because I was looking at information for Akiak and Akiachak, and these maps were with those and some others for Region 5.

MR. SAMUELSEN: And you said the red line is the moose?

MS. McCLENAHAN: The red line is for moose.

(Off record conversations)

MR. SAMUELSEN: So on this map here, this is the only portion of 17 that.....

MS. McCLENAHAN: According to Thuma's map.
(Off record conversations)

CHAIRMAN O'HARA: He have -- Helga said that we do not have to make a formal decision at this Council level until -- this goes before the staff, and we make a decision in the winter meeting.

MR. HEYANO: I think we have enough information (indiscernible).

CHAIRMAN O'HARA: What's that?

MR. HEYANO: I think we have (indiscernible).

CHAIRMAN O'HARA: I think we do. I think we have enough for a c&t.

MR. HEYANO: Well, I don't know. We have a little bit.

CHAIRMAN O'HARA: Do we want to wait until December then? I mean, February? Helga, what -- the Council does not necessary have to address, make a decision on this issue right now until maybe the winter meeting when maybe we have a little more direction from staff and.....

MS. EAKON: Yes. On the proposals referenced in your agenda under new business, the reason they were put there were for testimony from the Quinhagak people, and updates from staff. But the time when you would actually make formal recommendations to the Federal Subsistence Board is going to be at your February 1997 meeting, because these proposals are going to appear in the proposal booklet. You will be sent a

book that shows the staff analyses for all of the proposals that you're going to consider at the February 1997 meeting.

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CHAIRMAN O'HARA: Okay. All right. I think -- yeah, Robert?

MR. HEYANO: No, go ahead, and then I'll comment.

CHAIRMAN O'HARA: I just think that I don't know if the Council is real comfortable with going ahead and making a decision now, or if you would like to do it in the February meeting, and staff analysis at that time will be available to us, plus we've had the public hearings, and so what are the wishes of the Council?

MR. ABRAHAM: Mr. Chairman?

CHAIRMAN O'HARA: Uh-huh.

MR. ABRAHAM: I think I want to table this particular item here until February, being until we get more information.

CHAIRMAN O'HARA: Is there any objection from the rest of the Council members? Yeah, Robert?

MR. HEYANO: Yes, Mr. Chairman, I think I don't have any objections to the direction the Council is taking, but if my memory serves me correctly, one of the reasons we're discussing it today is it was the wishes of the Federal Subsistence Board that these two councils get together and have some dialogue and discussion to see if we can iron -- or come to consensus as far as c&t for Quinhagak on moose in 17(A).

I guess personally speaking, from the information that was presented today, I would have a difficult time voting in favor of c&t for Quinhagak. I need some more information. I need to hear from people who actually go there to take moose. Where they go and when they do it, and, you know, if it's -- Is it something their fathers did and took them along, and things like that.

I think if we adopted the c&t findings for Quinhagak, we'll go on record as applying c&t findings fairly liberal in my point of view, and I don't think that's necessarily wrong if that's what the Council choose to do, but, you know, in order to be -- and if we're going to be consistent and apply that standard throughout our term as a council I guess.

CHAIRMAN O'HARA: Okay. Helga, in relationship to Robert's comment, how do we go about -- you know, that the Federal Board told this Council, this Advisory Council to get together with the Quinhagak group up there and find out if there really is a c&t existence, you know, on the use of 17(A). We've had testimony from people who came down from there, but we don't have any more than that. What's the next step as far as giving the Federal Board something concrete as far as -- I mean, you'd have to go to the area and have public

meetings, or else the two councils have to get together and sit down?

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MS. EAKON: Excuse me, Mr. Chair. When this kind of issue has arisen in the past with the Federal Subsistence Board, what they would like is to have like a working committee of the two councils get together and have meetings. But since I have never ever experienced that, maybe someone else in the room has. Peggy? Somebody? Could give this Council direction? Because when -- at the April meeting the Federal Subsistence Board said, look, we would prefer that the Bristol Bay Regional Council and the Y-K Council get together and work this out. This is Peggy Fox with the Bureau of Land Management, who arrived late this morning.

MS. FOX: I'm also on the Staff Committee, representing BLM, serving the Board.

The Board has, as you said, in the past directed councils to work together on an issue and come to some resolution, and they have in fact authorized meetings of the councils or some representatives from each council to get together. Perhaps people who are closer to the issue than others, such as Peter. But -- so that type of meeting can be set up where it's basically an information gathering meeting. It does not have to be a public meeting. You're just exchanging information and trying to gather as much as you can. And then it comes before the public in your later meeting in the winter when a formal recommendation comes forward from the councils. So you have that opportunity, and the Subsistence Office with Fish & Wildlife Service has sponsored such meetings in terms of trying to provide travel dollars.

CHAIRMAN O'HARA: Okay. Did you have a comment, Robert?

MR. HEYANO: No.

CHAIRMAN O'HARA: No? Anybody else have a comment? To get together and have this kind of a meeting, what's the -- how do you do that? Does this Council get together with their Council or do you people go up there and have public hearings or what goes on, Peggy?

MS. FOX: Well, I haven't attended one of them, but what my understanding is, is again it's not a public meeting. It doesn't have to be a hearing, because it's information gathering. All you're doing is exchanging information, you're not coming to a recommendation. And it can be a meeting of the full councils, although I think that they would probably prefer that it be a working committee. Some members of each council getting together at some location.

CHAIRMAN O'HARA: Yeah, Robin?

MR. SAMUELSEN: Yeah, I think, Mr. Chairman, maybe we could ask John Andrew to get a hold of, since he's the regional coordinator over there, and we could set up a

teleconference with the people that they could identify within Quinhagak that are their fathers or themselves that use 17. I kind of agree with Robert there, looking at the land use maps that were presented to us, there's just a little corner there of Unit 17 that shows any use for moose purposes by the residents of Quinhagak. 55

So, you know, if I had to vote on the information before me at this time, I'd probably vote in denial. But reading the staff reports here, and going through the eight criteria, listening to the public testimony when Frank Fox was up, you know, it took about three questions to finally get the answer that I was looking for, that, yes, they went up into that area. And, you know, even Peter Abraham said that they rely on that area for fish species, and so I think there's something there, you know, but just based on what I have in front of me, I couldn't support giving them c&t at this time.

CHAIRMAN O'HARA: Okay. Helga?

MS. EAKON: I think even the fact that you have invited the Y-K Delta regional coordinator and a member of the Yukon-Kuskokwim Delta Regional Advisory Council to this meeting and have listened to testimony from other residents of Unit 18 who are interested in this issue, I think the Federal Subsistence Board would also find this a very good faith effort if you wanted to move forward with your own recommendation at this very moment. It's just a matter of how much further do you want to go with this.

CHAIRMAN O'HARA: Do you have a comment, Robert?

MR. HEYANO: A comment, Mr. Chairman. I guess it will be my recommendation that you appoint a working group to represent this committee to discuss this issue further with the Region, is it 5, Regional Counsel. And it would be further my recommendation that you appoint at least Peter Abraham and Robin Samuelsen to this committee based on the people in the area they represent pertaining to this issue.

CHAIRMAN O'HARA: Okay. Do you think Harry Wilde will be in town next week for the chair meetings? Harry Wilde's going to be in Anchorage?

MR. GEORGE: No, I will represent our chairman.

CHAIRMAN O'HARA: Oh, next week. Okay. Yeah. Robin?

MR. SAMUELSEN: Thank you, Mr. Chairman. I don't know if we need to meet with the people of Region 5.

CHAIRMAN O'HARA: Just a teleconference.

MR. SAMUELSEN: I think what we need to do is meet with the people of Quinhagak to demonstrate that they had a use in Unit 17 for moose. And I'd be more interested in having a teleconference with our going over there or them coming over here, or whatever, if that's your wishes. But I

think that the problem lies in the testimony that we get from
Quinhagak residents,.....

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CHAIRMAN O'HARA: Uh-huh. Okay. Well, what.....

MR. SAMUELSEN:not with the Region 5 Regional
Council.

CHAIRMAN O'HARA: Okay. Let us just go ahead -- what
would be the possibility of you and Peter then either having
the Federal Subsistence people fly you over there and have a
public meeting with Quinhagak prior to our next meeting?

MR. SAMUELSEN: In February?

CHAIRMAN O'HARA: Sound good?

MR. ABRAHAM: Yeah. I think if we face the people
face-to-face in their own village, I think we'll get more
information that way, not just by, you know, pick people from
there. Because they're liable to tell you, you know, a story
of how they camped overnight in that area, and it's, you know,
but like if they're face -- if we get -- you get more
information.

CHAIRMAN O'HARA: I think that would be a good idea,
and we'll just leave this at this point and go on to our next
agenda item them. Okay. Thank you very much. Appreciate
that. We had left off at way back.

MS. EAKON: Yes. On page two, Mr. Chairman, Report
#6, the Bureau of Land Management, and Peggy just told me a
while ago that there is no report from BLM, so you could just
cross that off.

CHAIRMAN O'HARA: Okay. The Alaska Department of Fish
& Game. Larry, did you -- would you like to talk with us? A
lot of things have been discussed, but there may be some
things we would still like to hear from you.

MR. VAN DAELE: Larry Van Daele. I'm the Fish & Game
area biologist here in Dillingham, and the acting manager
coordinator for Southcentral Alaska, at least for the next few
months. And we had other Fish & Game representatives here
earlier, but you wore them out, so.....

I'm here also representing Dick Sellers. Dick sends
his regards. I talked to him yesterday, and said he really
feels bad about not being able to sit here for two days in
Dillingham listening to you, but he felt it his duty to go
flying, so accept his apologies wholeheartedly.

In the interest of time and the interest of
cooperation, I agree with everything the feds say. I don't
have anything to add unless you have any questions.

(Laughter)

MR. VAN DAELE: I could go for two and a half hours

and talk about what's going on here in Unit 17 like I did a couple weeks ago for the Advisory Committee. But I think, you know, that's one real important point that needs to be made here is that our state advisory committees and these federal advisory committees are working hand in hand. And I know here in Unit 17, both with Robin and Robert here on the Nushagak committee, and Peter over on the Togiak committee, they're either members or they're very active participants in those committees. So it's somewhat redundant to bring the same information more than one time, because you guys work closely with us.

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CHAIRMAN O'HARA: Uh-huh.

And the same thing, you know, -- I'm somewhat facetious in my agreeing with everything the feds say, but at least here in the Togiak and the Unit 17 area, we have a very close working relationship between the Refuge and Fish & Game, and also with BLM and the parks when it comes to the caribou herd, and that's what we've got to strive for. It really is. Not point fingers and use each other against each other, but to take advantage of the situation that we have, the fact we have more money and resources than we normally would have, and we have a more dynamic regulatory system so we can accommodate people. And that's what I think we should definitely strive for is that kind of cooperation.

CHAIRMAN O'HARA: Uh-huh. Yeah, I appreciate that. Any comments from the Council members? Yep, Robert?

MR. CHRISTENSEN: Yes. Oh.

CHAIRMAN O'HARA: Robert here. Go ahead.

MR. HEYANO: Larry, can you maybe give us a little information as to what the Mulchatna caribou are doing in 17(A) and 18, the adjacent,.....

MR. VAN DAELE: You bet.

MR. HEYANO:and maybe possible what considerations the Department are having as far as proposals go for the up-coming Board of Game in 17(A)?

MR. VAN DAELE: Okay. Okay. I see that as two questions, one being on the caribou, the second being on proposals, if I may, Mr. Chairman?

CHAIRMAN O'HARA: Uh-huh.

MR. VAN DAELE: Just to give a brief overview of the Mulchatna caribou herd, it's become a real exciting herd to watch in the last seven years that I've been dealing with it. We've gone from 60,000 animals seven years ago to over 200,000 right now. I'm still counting the photos that we took back in July. I'm up to 179,306, and I've got 50 photos left to go. So we're going to be over 200,000. What that means is the herd is continuing to increase at 17 percent per year. That's

in spite of the predation by both humans and natural predators, other natural predators, and disease and everything else. We still have a net increase of 17 percent per year. So 200,000 animals, that's 34,000 new animals every year is basically what we're talking about now.

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We've done sampling within the herd both from the air and on the ground. The herd seems to be in extremely good condition. Body shape, they're doing fine.

Their range is showing some signs of wear. But the reason that they've been able to expand so rapidly is that they're expanding their range. They now cover about 50,000 square miles, roughly the size of Oregon.

We just issued an emergency order opening up caribou season around McGrath, because about 20,000 of our Mulchatna animals are up there. As Andy alluded to last night, Aaron and I issued a joint emergency order opening up Unit 17(A), because we had 11,000 animals at that time in that area. South of the Yukon in Unit 18, we've issued an emergency, because again 25 to 40,000 caribou are in the Quinhagak/Goodnews/Bethel area.

So the herd is expanding all over the place. They're probably re-occupying areas that were covered by caribou about 100 years ago and haven't been since. The best historic records we can find indicate that there was a herd of about a million animals that went from Unalakleet all the way down to Iliamna back around the turn of the century, and that's probably what's going on again right now.

It's been mentioned in the press and other places that a crash is inevitable in this herd, and I guess that's true. A crash is inevitable, but I wouldn't say it's imminent, and we don't have any indicators it's going to happen right now, but caribou are naturally cyclic animals. And we really can't manage what they're doing real well a lot of times. We kind of go along for the ride and see what happens. The analogy I used in the Nushagak Advisory Committee was it's kind of like when you're going downstream on the river and your kicker goes out. You can still kind of navigate a little bit, but you can't go back upstream no matter how hard you want to. That's kind of what we're doing with the caribou now. Make the best use of what we've got.

As far as movements are concerned, they have not had a traditional pattern since about 1993. What we've seen in the past year, last year they did not come down to the Kvichak/Nushagak country where they normally winter. They wintered up around the Aniak country. Basically from Lime Village over to Aniak Village itself, on both sides of the Kuskokwim. The reason they were able to stay up there that long was because there was no snow. I mean, the same reason that Mike and Andy and I couldn't count moose, was the same reason the caribou had a fantastic winter. I mean, they wintered in an area that was virgin range. Never been touched -- well, in recent history hasn't been touched by caribou, so they wintered real

When they came down in the springtime, they had more calves than we've ever seen them have before. Seventy-five per 100. Seventy-five calves per 100 cows. We saw a pretty high twinning rate, which is real unusual with caribou. Again, an indication that they're in pretty good shape and had good range. They had most of their calves in the vicinity of the Wood-Titchik State Park, basically the upper Titchik Lakes just to the east of there.

After they had their calves, they all moved over to the Alaska range. On the first of July when we did our census, there were 101,000 caribou at the head of the Stoney River, between the head of the Stoney River and Twin Lakes. And if you guys would like, I could show you on the map, if you're not familiar with this. And that line basically stretched all the way down to Iliamna Lake where there was another pocket of roughly 100,000 animals.

After they got done with their post-calving aggregation, they spread out again. During the hunting season, most of the animals were spread in very small groups basically from the Nushagak River up to the Kuskokwim. They did not get in big groups this year. The bugs weren't bad.

Gee, you know, talk about a good year for caribou. You have an easy winter in a virgin range, and then fall time comes and you spread all over creation because the bugs aren't bad, and the hunters can't get to you in big groups. It's a perfect situation.

After the hunting season, again -- well, now they haven't really grouped up. We've gotten these little pockets that have gone in various places. As I say, we've got about 25,000 up around McGrath that we just surveyed a few days ago. When Mike and Pete and I went out yesterday, we found -- we counted 23,000 in Unit 17(A), probably more like 25 to 30, because conditions weren't that good. Those animals are a mix of radios from the old Mulchatna herd, from the old Kilbuck herd, and also from what we call the new Kilbuck herd, a group that started moving over there about three years ago. So you've got a mix of all of them in one place. And the rest of the herd is either scattered out or they're between the Kvichak and the Nushagak, a little bit more in their traditional ranges.

So that's a quick and dirty description of the Mulchatna herd. It's a real dynamic situation. They've overtaken the Kilbuck herd to the point that there really isn't a definitive Kilbuck herd any more, although there are some animals that stay up in that range year round. And we'll just see what happens, you know, only God and the caribou know.

CHAIRMAN O'HARA: Did you have a question? Well, that's a pretty good report. That's good news.

MR. VAN DAELE: Okay. Any questions on that real quick.....

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CHAIRMAN O'HARA: The only.....

MR. VAN DAELE:before I move onto anything else?

CHAIRMAN O'HARA:question I have is, you know, the peninsula, the Alaska, the North Peninsula herd comes across the Naknek River and goes up into the branch up above, actually almost as far as Kaskanak Flats, and below Igiugig. And then come March there, you can see the two -- you can actually see two groups of animals walking past each other, north and south. So apparently those two herds must be still separating to a degree. Have you talked about that very much with Sellers or.....?

MR. VAN DAELE: Yeah, Dick and I talk about that quite a bit, and we compare radio collaring information and frequencies. In fact, that was one of the reasons, the main reason he called me yesterday was because there was a fairly large influx of caribou I guess into your country there between.....

CHAIRMAN O'HARA: Already over there, yeah.

MR. VAN DAELE: Yeah. And the best we can tell is those are North Peninsula animals. There are very few if any Mulchatna animals mixed in with that group, because they've come up from the south rather than come down from the north. And he did not find any Mulchatna radios that I know in there.

CHAIRMAN O'HARA: And the animals have changed their pattern. Instead of coming up along the Peninsula like we've known them to do, and even walk by Chigniks, they're just going a total different direction in small groups. We don't see the large herds any more. You know, we used to see five, 6,000 animals together in rut. You rarely ever see what happening on the Peninsula any more. They're just -- I don't know what's happening.

MR. VAN DAELE: Well, that North Peninsula herd is a real enigma. As they mentioned yesterday, there was about 12,000 animals still in the herd. But one thing that they didn't have time to mention is that our calf/cow ratio is very low in that herd, only about ten calves per 100 cows.

And in the sampling that Dick has done over there, a large majority of the calves have lung worm, and they're dying from this lung work. A lung worm is a parasite that's natural in caribou, but doesn't really start showing itself until there's times of stress.

And as you've heard testimony in previous years, the range of the North Peninsula herd is not that good. It's not like this Mulchatna herd where they can keep going and going and going into new country. It's almost like an island that they're restricted to. And that is -- Dick's suspicion is

that because of that nutritional stress, then this lung worm may be showing itself and causing some of the problems with the calving out there. 61

CHAIRMAN O'HARA: Pretty interesting. Thank you. Any comment, Council members?

MR. CHRISTENSEN: Yeah, what's a lung worm? Could we see it?

MR. VAN DAELE: Yeah, what you see is when you gut the animal, you look at the lungs. It almost looks like somebody put a whole bunch of little pinpricks, dark red pinpricks all over. And what that is, that's where the parasite emerges from the lung and goes into the oral (ph) cavity. But, yeah, it -- when it's bad like it is now, you can actually see it. It doesn't affect the meat any, but it definitely affects the health of the animal. And we're.....

MR. CHRISTENSEN: That's what I.....

MR. SAMUELSEN: They don't die when you cook them either, Bobby.

MR. VAN DAELE: Everything dies when you cook them. Don't worry about that. And.....

(Laughter)

CHAIRMAN O'HARA: So don't kill any more, Bobby.

MR. VAN DAELE: Mr. Chairman, one other question you asked yesterday was with regard to the harvest of the North Peninsula herd. The harvest there has stayed pretty much level in the past few years. It's gone down a little bit, because we're trying to vector as much pressure as possible up to the Mulchatna herd. And reported harvest is around 600 animals a year. Actual harvest is probably closer to 12, 1300 animals a year. As you know, we have a lot of problems getting exact numbers for caribou harvest, because people don't turn in their tags.

CHAIRMAN O'HARA: And your population increase is still 17 percent.

MR. VAN DAELE: This is with regard to the North Peninsula herd, your herd down there around King Salmon.

As far as our herd up here, the Mulchatna herd, harvest is about 7,000 animals a year. Estimated harvest.

CHAIRMAN O'HARA: Oh, yeah, pardon me. Okay. Yeah.

MR. VAN DAELE: Yeah. And even with that 7,000 a year and with our wolves and bears, we have a net increase of 17 percent per year.

CHAIRMAN O'HARA: Wow. Pretty incredible, yeah. Bob

has a question there.

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MR. VAN DAELE: Yes, sir?

CHAIRMAN O'HARA: Go ahead, Bob.

MR. CHRISTENSEN: Well, you know, you have an estimate how much wanton waste in that caribou herd up in Mulchatna?

MR. VAN DAELE: Okay. Now,.....

MR. CHRISTENSEN: From the head hunters?

MR. VAN DAELE: Well, wanton waste is different than just wasting meat by definition. Wanton waste means you take the head and you go.

MR. CHRISTENSEN: Yeah, take the head and go.

MR. VAN DAELE: I don't suspect there's a heck of a lot of that going on, just taking the head and going. I think there's quite a bit of people just taking back straps, or just taking hind quarters.....

MR. CHRISTENSEN: Uh-huh.

MR. VAN DAELE:and leaving rib meat, neck meat, front shoulders and stuff like that.

MR. CHRISTENSEN: That's what I'm talking about, yeah.

MR. VAN DAELE: As far as not using the meat completely, as far as -- which is illegal,.....

MR. CHRISTENSEN: Uh-huh.

MR. VAN DAELE:the protection officer in King Salmon has told me that probably three out of four sites that he visits still have some meat on it. And that could mean just a little bit of rib meat, or that could mean a lot, but that's what Gary Folger told me is his estimate.

It's a major concern. It's something that we are struggling with here in the Unit 17 area, and I imagine you guys are down on the Peninsula, too. And we're going to hammer on that protection officer, Colonel Glass, he's the head of protection, Fish & Wildlife Protection, when he comes here next week.

Locally we've tried to educate folks. That little brochure that I handed out, that grey one, is one of our efforts here in Dillingham, Hunting for Trophy Meat. All the air taxis here in town give that out to their clients even before they come to Dillingham. All the people that write to Fish & Game asking for information get a copy of that brochure. And in the past year we have seen a decline here in Dillingham of the actual waste of meat.

I think what Mr. O'Hara suggested yesterday of getting the air taxis to work with people, to tell them that this is the case, you know, first of all, this is what you're getting into when you get out. It's a big critter. Secondly, have you got enough equipment to take care of this thing? And thirdly, if a guy doesn't, to call Protection when he comes in. That puts an awful lot of strain on an air taxi operator, but our guys here have been pretty darn good about it with a couple exceptions, but for the most part they've been real good about it. And I think there are a lot of innovative ways that we can get at this problem by working together.

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Tom Brookover, who's the commercial fish biologist, and I were talking over lunch, and he said perhaps somebody like BBNA could start up a program where -- well, to get the meat to the villages is basically what it was at, but we came at it with to say, okay, if you're going to hunt in our land, it's going to cost you 500 bucks, but if you bring all the meat back and do it properly, we'll cut that cost in half, or we'll waive the cost. You know, some innovative type of ideas like this are probably going to work a heck of a lot better than getting all Protection officers out there and try to jump on everybody, or shut off seasons. It's awful tough to justify shutting off people from hunting a Mulchatna caribou herd that's growing this fast, but ethically we want them to use every bit of meat that they can out of it.

I'm getting sidetracked, I'm sorry.

CHAIRMAN O'HARA: Good point. Any other comments, Council members? Thank you, Larry, we appreciate that very much.

MR. VAN DAELE: Okay. And one other.....

CHAIRMAN O'HARA: Yes, did you -- yeah go ahead.

MR. VAN DAELE: To answer Robert's second question there, which I hope I won't be as long-winded, this idea of coordinating state/federal regulations, as I mentioned at the onset here, we are going to be accepting proposals for changes in state seasons throughout Southcentral Alaska until the 20th of December. The State Board of Game will meet the third week of March in Anchorage.

Here in Unit 17, we have some proposals that are going to be presented from both myself as the area biologist and probably from Nushagak Advisory Committee jointly. One of those proposals will be to open up Unit 17(A) west of the Togiak to caribou hunting from October 1st to March 31st. No emergency orders, just have it open for two caribou during that time period. Those dates correspond with our emergency order dates we have this year. They also correspond to the emergency order dates that they have up in the Unit 18 area south of the Kuskokwim.

CHAIRMAN O'HARA: What are those dates again?

MR. VAN DAELE: October 1 to March 31, two caribou.

That will be for Alaska residents only. We're not going to discriminate and make it a Tier II hunt or anything like that. It would just be for all Alaska residents. It's only a proposal, I don't know if the Board of Game is going to accept that or not, but that's the way we're leaning right now in this area.

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And, you know, in the future, I know it's one of our mission statements as an advisory group to try to coordinate these regulations. Perhaps in the future there will be a way administratively that we don't have to react to your proposals and you don't have to react to ours, we can align them in noncontroversial things like this.

CHAIRMAN O'HARA: I think this Council has worked real hard to make sure we comply with the State regs as much as we can. And in our area we -- I've never met with the Naknek/Kvichak Advisory Committee, but I don't see where we have any conflict with them whatsoever. And I haven't talked with the Lower Peninsula Advisory Committee, but I think we've been, Larry, pretty much trying to keep the same regulations, and keep it simpler for.....

MR. VAN DAELE: Yeah, I understand that's your.....

CHAIRMAN O'HARA:for all concerns, yes.

MR. VAN DAELE:mission statement, so that's why I was saying that the more that everybody can align like that, a lot better off we'll all be.

One other thing with regard to proposals, we are also submitting a proposal to the State Board to lengthen the beaver season. And I know that there's a federal proposal now that's in the works for that.

CHAIRMAN O'HARA: Yeah. Yeah. Uh-huh.

MR. VAN DAELE: So we're trying to keep track on that.

CHAIRMAN O'HARA: Any other questions? Thank you very much.

MR. VAN DAELE: Okay. Thank you.

CHAIRMAN O'HARA: Really appreciate it.

MR. SAMUELSEN: Mr. Chairman?

CHAIRMAN O'HARA: Yes.

MR. SAMUELSEN: Before we move on, can we identify things that we, with Helga, that we have to do at this meeting.....

CHAIRMAN O'HARA: Okay.

MR. SAMUELSEN:before we start running out of time?

MS. EAKON: Yes, Mr. Chair. Rosa Meehan is here to get Regional Council and public input on the implementation of the forthcoming federal subsistence fisheries regulations. And we really should address that. We -- after which you should entertain proposals to change federal subsistence regulations, because as you know the proposal period has already ended, and our staff said, okay, if Bristol Bay has any proposals, we want to make sure that they're put into the proposal booklet.

CHAIRMAN O'HARA: Uh-huh.

MS. EAKON: A point -- your appointments to Aniakchak SRC and Lake Clark SRC should be handled at this particular meeting. The Togiak PUMP revision can wait until February '97. I just spoke with Donna Stovall of the Togiak Refuge. Cynthia Wentworth?

MS. WENTWORTH: Yes?

MS. EAKON: Was your update -- is that -- is the information you were going to bring, is that presentable at the February meeting?

MS. WENTWORTH: It is. I'm just not if I'll be able to come here in February, because in February I'm in Bethel starting a survey over there, but I might be able to, I just don't know at this time whether I'll be able to get here. Back in February.

UNIDENTIFIED VOICE: Come to the mike.

MS. EAKON: The status reports on your tabled proposals, they can be done at the February '97 meeting. As I told you a while ago, the information is just there for an update for you. Your prep work for your forthcoming fisheries proposal can also wait until the next meeting. So I guess the two really important things are Rosa Meehan's presentation and then your entertaining proposals.

CHAIRMAN O'HARA: Okay. And then plus appointments that.....

MS. EAKON: Yes, the appointments to the.....

CHAIRMAN O'HARA: Yeah. Okay.

MS. EAKON:two SRCs.

CHAIRMAN O'HARA: I think that's fine. We'll begin then -- I would like to hear from Ted today though. If you have something that's very brief, Ted,.....

MR. KRIEG: Yeah.

CHAIRMAN O'HARA:from BBNA? I would appreciate if you could make it somewhat brief is fine. I think this is

something that, you know, comes from our area, and we need to be -- yeah, go ahead. 66

MR. KRIEG: Yeah, Ted Krieg, Bristol Bay Native Association, Natural Resource Department.

Yeah, this can be pretty brief. Four main things.

The harvest and use of freshwater fish in Togiak and Manokotak, 1994/95, that report was completed at the beginning of August, and it covered the -- the survey year was May 1st of '94 to April 31st of '95. And that's complete. There's information here that could be used in the future in some of the proposals.

And by the way, these are all cooperative agreements. The freshwater fish and subsistence harvest of caribou, moose and brown bear for the Alaska Peninsula were one cooperative agreement we had with Fish & Wildlife Service, and I think you've heard me speak about that here before.

And moving into that subsistence harvest and uses of caribou, moose and brown bear in 12 Alaska Peninsula communities, 1994/94, that -- the draft is complete, and we're nearly complete with the final. The draft report was completed at the beginning of September. And the surveys focused on the 1994/95 regulatory hunting season, which was July 1st of '94 to June 30th of '95.

We didn't start those surveys until October of '95, and at that time we decided that we'd collect information up to the date of the survey when we were doing it in the household. So we actually ended up with more than one year of information. And part of that was the 95/96 regulatory hunting season. We're now into the 96/97 regulatory hunting season. And we have a proposal into Fish & Wildlife, along with ADF&G, Subsistence Division, to continue the surveys and complete the remainder of last year, and then the rest of this year up till April. And then we would work in some kind of provision for any hunting that took place after that. And this is just for the Alaska Peninsula, 12 villages. And we'd have some provision in there to complete surveys, so we'd have three complete years of subsistence harvest information for caribou, moose, and brown bear in those 12 communities. And we haven't heard -- that's still in the works. The decision hasn't been made yet.

Migratory bird harvest surveys. That report's complete. That's something that Cynthia Wentworth with Migratory Bird Management of Fish & Wildlife Service was going to speak about also. Basically BBNA's participation, we coordinated the surveys in 15 villages in the Nushagak Bay, Togiak Bay, Nushagak River, and Iliamna Lake subregions. And, now, this was for the '95 year, and it was a spring, summer and fall harvest survey periods. The Alaska Peninsula Bercharof National Wildlife Refuge coordinated the surveys for the Alaska Peninsula villages. Funding was available to continue surveys in Togiak and Manokotak for the '96 year, and

those I guess are complete now, but there wasn't funding available for BBNA to participate, and hopefully in the future we'll be able to participate in the migratory bird harvest surveys again.

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The last thing, and this already came up, Robin mentioned that BBNA, we did get some funding from the Office of External Affairs, U. S. Fish & Wildlife Service, to hold steel shot, nontoxic shoot workshop, and that took place October 10th and 11th. Tom Rothi, with ADF&G, he's the waterfowl coordinator, steel shoot facilitator, he taught the workshop. We had one, a half a day of classroom instruction dealing with some of the myths surrounding steel shot, and then actually the effects of lead on waterfowl. And I guess the one thing that stuck out that I learned, I thought, you know, they were eating the steel shot as food, but they're -- it's the grit that they use in their gizzard, so, you know, they find that size and they target on that I guess, and they get it in their gizzard, and it gets dissolved in their system and makes them sick and eventually they die or are killed.

Mark Leesack and Robin McDonald from the Togiak Refuge helped coordinate and worked on the steel shot workshop here. Dave Crowley with ADF&G, Bruce Baton, who's the assistant regional director of External Affairs, videotaped and photographed part of the workshop. And it was -- the funding was coordinated through him and his office. Janey Fadely with the Spectacled Eider Project also participated. Eleven people from various villages, Andrew Balluta, Newhalen, Harvey Anelon in Iliamna, Tim Wonhola, New Stuyahok, Thomas Gardner, Clark's Point, David Foster, Twin Hills, Peter Lockuk, Togiak, Henry Alakayak, Manokotak, Frank Lagusak, Togiak, Jackie Knutsen, Dillingham, Phillip Akelkok, Ekwok, and Chris Itumulria, Dillingham, participated. We invited them in. Russell Nelson and I participated, Tommy Evon and Pete Andrew shared Yup'ik interpreting/translation for some of the people involved.

And that was -- it turned out to be a real good, a real informative, and I think, you know, everybody enjoyed part of the -- part of the workshop was steel shot was provided by ADF&G, so everybody brought their shotguns and got to actually use steel shot, and found out that it, you know, it worked just fine, and nobody's barrels were damaged or anything like that.

And one last thing that -- you know, this -- I'd never really seen anybody actually use it, and this pertains to transfer of meat. There's actually a form with the state hunting regulations about, you know, transferring meat. If you have meat you're giving to somebody, you know, you're supposed to sign this and, you know, give them a copy, and they -- and you keep a copy. And I mentioned this to a few people doing surveys for the Alaska Peninsula area, because it seems like in that area people mentioned different incidents where people will fly in and just leave meat at the runway or in a hanger and really not even tell anybody that they left it there. And I guess, you know, this would be one -- at least for the people going through airports, you know, it would be

one way for some enforcement to take place, you know, if -- I mean, it opens a whole can of worms. I've never heard of anybody actually giving -- you know, using any of this paperwork if they're giving somebody meat, but it would be one way.....

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CHAIRMAN O'HARA: We've used -- we've given a note saying I received from this hunter so and so this amount of meat, sign.....

MR. KRIEG: Uh-huh.

CHAIRMAN O'HARA:the letter and give it to him. And if he gets caught at the gates saying where is your meat, go see Dan O'Hara. I gave him the meat. They call me up and I say it's right here. So it's -- that's I think the only way it can be done.

MR. KRIEG: Uh-huh.

CHAIRMAN O'HARA: We've done it before a lot.

MR. KRIEG: Okay. It's just been my experience that I haven't heard of anybody.....

CHAIRMAN O'HARA: Yeah. It's a.....

MR. KRIEG:using it.

CHAIRMAN O'HARA: It's a good way to do it really.

MR. KRIEG: Yeah.

CHAIRMAN O'HARA: I think we need to spread the word more. Anything else, Ted?

MR. KRIEG: That's it.

CHAIRMAN O'HARA: Questions? Thank you. Okay. We're down to -- let's see, when do you want to take a break? Ten minutes break, okay.

(Off record)

(On record)

CHAIRMAN O'HARA: Take your seats, please. Rosa Meehan, you are on deck.

MS. MEEHAN: Oh, goody.

CHAIRMAN O'HARA: Okay. I'd like to ask you to take your seats, please, and go back to the recording. I'll call the meeting back to order.

MS. EAKON: The meeting has been called back to order. Thank you.

CHAIRMAN O'HARA: Next will be sergeant at arms.

UNIDENTIFIED VOICE: Bobby.

CHAIRMAN O'HARA: Bobby's sergeant at arms.

MS. MEEHAN: Thank you. My name's Rosa Meehan. I'm with the Office of Subsistence Management in Anchorage.

And what I'd like to share with you today is essentially an update on the process that we're following to develop a subsistence fishery management program. As you know, the current program is focused on terrestrial resources, and it does not include navigable waters. There have been a recent series of court cases that are popularly called the Katie John cases, because the plaintiff is -- or the primary plaintiff is Katie John. In those cases she challenged the definition of public lands, and that the current definition excludes navigable waters. The challenge was that public lands should include navigable waters.

At the District Court level, the judge agreed with the plaintiff, and directed that all navigable waters in the State should be included for purposes of subsistence management. That case was taken to the Circuit Court where the judge in the Circuit Court disagreed with the District Court, and essentially sent the decision back with some direction on it. The disagreement was the extension to all navigable waters in the state; however, the judge said that navigable waters within conservation units should be included.

So basically what we as federal agencies have been directed to do is to identify navigable waters within conservation units that should be included for purposes of a subsistence fishery management. The process that we're following to get there began with an advanced notice of proposed rulemaking, and those included public meetings, one of which was held here in Dillingham last May. And at those meetings we presented the -- basically presented the issue of developing a subsistence fishery program, and talked about the extent of the program on conservation units. And we took a lot of testimony from that.

And just to briefly characterize the type of testimony that we got, it was very clear that subsistence fishing is very important. That was about the only point of agreement that we got in all the testimony. We did get quite a bit of testimony that said the Federal Government should -- does not belong in fishery management, and in contrast, we had a lot of testimony that the State has failed to provide for subsistence uses, and therefore the Federal Government must take it over. There is testimony all in between that.

To continue on with the process, we had the advanced notice out for public review. We had public meetings on it. We've collected all that -- all the comments on that, and now we're in the middle of developing a proposed rulemaking, and so this is a rule that would be very similar to the rule that you are now familiar with in this book, but for fisheries.

Along with developing a proposed rule, we need to do a documentation as per the National Environmental Policy Act, a NEPA documentation. And what we're doing is an environmental assessment. In the environmental assessment, we're -- that's just a process where we can talk with groups like you and also get with the public and make sure we have the issues, the full range of issues identified. We can analyze that and then make recommendations on how that -- those issues should be resolved in the proposed rule.

Basically the scheduling on this is that we will have a proposed rule prepared by next summer. The environmental assessment will be prepared shortly before that. And at that point everything has to sit for a while, and the reason is that while the District Court has directed us to prepare a proposed rule and implement a fishery management program, Congress added language in our budget bill that said you will not do this. And so we're sort of caught with the Court telling us we have to do it, and Congress telling us you cannot do it. And so the compromise between the rock and the hard place, if you will, is that we are doing as much preparatory work as we can within the limitations of the moratorium -- it's called moratorium language, within the limitations of that language so that we are ready with a proposed rule by the beginning of the next federal fiscal year. So that's basically the process and the timing that we're doing this year.

To help us get to identifying the issues, the specific issues that we want to address within the environmental assessment, and also the issues that need to be resolved in a proposed rule, we've got some questions that, you know, things that occurred to us where we would really like to have some input. And also -- I mean, we've got questions, I'm sure that you all have questions or concerns that you'd like to share with us, too, and so, Mr. Chair, with your permission, I'd like to go into that, although I'd be glad to answer any questions that I can about the process.

CHAIRMAN O'HARA: Any questions up to this point on the presentation?

MR. ABRAHAM: Yeah, one question.

CHAIRMAN O'HARA: Yeah.

MR. ABRAHAM: You mentioned something about the public lands are not going to be included? It is because of the State?

MS. MEEHAN: Let me clarify that point. Right now the definition of public lands are those lands within federal conservation system units, but it's the lands, and not navigable waters. What the court cases have been about is that the navigable waters on those federal public lands or that flow across those federal lands ought to be included.

MR. ABRAHAM: Ought to be included?

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MS. MEEHAN: Yes.

MR. ABRAHAM: So in other words, like the corporation land, if there's navigable water in that section, that section there, that will be included?

MS. MEEHAN: That's one of the options that we're looking at in the environmental assessment, because there is a question on defining jurisdiction as to whether corporation lands, and a very big category of lands are lands that are selected, but not yet conveyed, as to whether those lands would be included within the jurisdiction of this rulemaking. And that's something that I would be interested in hearing -- I mean, very much interested in your views on that.

MR. ABRAHAM: Yes, I guess that answers my question, because a lot of the Togiak people had a question on that, but evidently I don't have them, because we were expecting to have the meeting in Togiak, so those would have been -- I mean, some of those questions like that I'm saying right now would be one of the questions. But I hope if you can write a memo to Traditional Council in Togiak, and City of Togiak, you will get -- I think you will get more response that way, because since you're.....

MS. MEEHAN: Uh-huh.

MR. ABRAHAM:since you're not over there.

MS. MEEHAN: One thing that we are doing to try and enhance public input on this whole process, is we have developed a questionnaire that we are mailing out to a very broad list that explains some of the information that I've presented to you, and does ask for input. And so what I can do is check and make sure that the traditional council and -- I'm sorry, you said the?

MR. ABRAHAM: City of Togiak.

MS. MEEHAN: Make sure that those -- that both the traditional council and the city are on the mailing list,.....

MR. ABRAHAM: Yeah, and most.....

MS. MEEHAN: and so they'll.....

MR. ABRAHAM: And most important on the mailing should be Togiak Native Limited.

MS. MEEHAN: Okay.

MR. ABRAHAM: I don't have the box number, but the zip code is 99678. Thank you.

MS. MEEHAN: Okay.

CHAIRMAN O'HARA: Yeah, Robert?

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MR. HEYANO: Yes. A conservation unit is a park, a refuge, a preserve? Is that a definition of a conservation unit?

MS. MEEHAN: Yes. It includes -- as it's currently envisioned, if you look on the large map that says draft proposed rulemaking, the conservation units that are included are, as you mentioned, the wildlife refuges, parks, preserves, monuments, some of the Forest Service lands, and some Bureau of Land Management lands, but not all of BLM lands. And on that map, if you stand close to it, you can see where the drainages are marked in red, those are the drainages that would be included. So it is up on that map, but I know you have to stand close to it to see it.

CHAIRMAN O'HARA: Okay. Let me ask you a ques- -- go ahead, Robert. Go ahead.

MR. HEYANO: Well, just a quick follow-up. Then the way I understand it is that if there's a navigable stream or river that runs through one of those conservation units, federal jurisdiction will take over on those fish in that stream, if it's a navigable stream?

MS. MEEHAN: Yes.

MR. HEYANO: Thank you.

CHAIRMAN O'HARA: So the Alagnak is going to fall one day under the jurisdiction of this Council as far as whether or not Senator Ted, Murkowski, or Young is going to appropriate the money or not?

MS. MEEHAN: correct.

CHAIRMAN O'HARA: That's right. And that's the answer we wanted.

MS. MEEHAN: Yes.

CHAIRMAN O'HARA: Yeah. Absolutely. Robert, did you have a question? Okay.

I don't know, when is that going to take place? After this rulemaking, public hearing process you're going through, Rosa?

MS. MEEHAN: The basic process is that we will prepare a proposed -- a draft proposed rule, and then that will be published. After it's published, there will be public hearings, so we'll -- I'll be back out here again with proposed rule in hand, and that will be an opportunity to comment on it.

Now, the proposed rule is going to look just like this thing. I mean, just the same way it's set up with the subpart

A and B, which are the general provisions, and then the specific parts, the subparts C and D. Now, we're very likely going to take the current state regulations and start with those as a basis, the same way that we started this terrestrial program. And the process will be set up hopefully in a similar manner, where there will be an opportunity to comment on it, recommend changes, go through the same process as we're doing with the terrestrial program.

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CHAIRMAN O'HARA: Anybody have questions? Yeah.

MR. SAMUELSEN: Just a comment, Mr. Chairman. Wasn't the proposed rule released today?

MS. MEEHAN: No.

MR. SAMUELSEN: What was released today on navigable water? I heard on the news today that the feds had I think released the proposed rule on navigable waters?

MS. MEEHAN: It would relate to some other issues concerning navigable waters, and I honestly don't know what it is. But this particular proposed rulemaking, we can't do this fiscal year, because of the language that's in our budget. So to kind of get around the language that's in the budget, we're just going to push it up so that come October 1st, 1997, we're ready to hit the pres. I mean, that is the strategy.

CHAIRMAN O'HARA: Okay. Rosa says that from, you know, a government worker's view. But what it really boils down is Senator Ted and Murkowski do not like Title VIII. They didn't support it when it passed Congress in 1980, they don't support it now. They want the language to support the State of Alaska so that everybody has the same right for subsistence. Okay. And I believe that they're going to go back and try to change that this year. Murkowski has been very forward about it. And so I think that that's something that we the voters need to know about. And I'll be very forward with them about it any time we come into a public forum that they'd better support it, because I don't know how a candidate is going to win a statewide election without the support of rural Alaska, and that's a very important issue. Now, you say it nicely, but I'm saying it the way it is in the political world. So they've given us Title VIII. We're going to have jurisdiction over navigable waters one day, because it does run through a preserve, and they don't fund it. That's what it boils down to. Okay. Continue.

MR. HEYANO: One quick question if I may, Mr. Chairman, along the same lines, navigable waters. Commercial or sport fishing activity that takes place on the same body of water, but outside the conservation unit. Does the Federal Government have any juris- -- would the Federal Subsistence have any jurisdiction there?

CHAIRMAN O'HARA: I can give you a good example.

MR. HEYANO: Well, I.....

CHAIRMAN O'HARA: Go ahead, and let her.....

MR. HEYANO: As an example,.....

CHAIRMAN O'HARA:answer that, yeah.

MR. HEYANO: I think if you look at the Togiak River, you know, a large portion of it is inside the Togiak Wildlife Refuge, there's a portion of it that is on corporation land, and then, of course, the salt water portion of it, which I'm assuming is in state.

CHAIRMAN O'HARA: Uh-huh.

MS. MEEHAN: You've hit upon the key issue that in my mind differentiates working with fish compared to working with most terrestrial mammals. And that is that fish do tend to move around lots of different places, and more importantly, there are intercept fisheries all along where the fish go. One of the major issues that we're trying to be very clear about in the environmental assessment is how that -- what you're referring to is called extra-territoriality, or extra-territorial jurisdiction. So those are the words you'll see written down or hear. What it means is being able to tell your neighbor what they can do on their land basically.

And right now the policy direction within the government is that that type of jurisdiction, that agencies to have that. It's not really part of the Katie John case; however, it's very important in implementing fishery management. And the policy direction right now is that that type of authority will be exercised very carefully and only after consultation with the State and with other specifically affected interest groups. In other works a very great emphasis on cooperation and trying to work together with the other managers. I mean, as you know, in fisheries, it's a very complex management system that the State has in place already, and adding federal perspective into it is going to just make it more complicated. So the direction is to try and cooperate and work out issues ahead of time, or try and work out issues as they arise, but not to go in with a very -- with a heavy handed trying to stop things.

The trigger for initiating an action is if a resource on the federal land is specifically harmed by action that takes place off the federal land. So you have to essentially prove that there's harm, or in this case specifically as it relates to failure to subsistence, that there's been a failure to provide subsistence resource before you can get in and start taking action.

CHAIRMAN O'HARA: Let me give an example. We've only got maybe an escapement in the Nak- -- in the Kvichak/Lake Clark area this year. There was enough for escapement, and subsistence went on, because the State of Alaska was kind enough not to shut off subsistence. However, the commercial effort never stopped or the sports interest never stopped, and

so they let the subsistence people go ahead and get enough fish. If that were the case this year, they should have the guys fishing in the mouth of the Naknek River at Egegik at the 110 line, and False Pass reduced in order to make sure you do have the escapement in that area. Now, that's a graphic example of how this system's supposed to work. When you don't get enough fish up there to even take care of.....

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In fact, at the BBNA informational meetings, Nondalton proposed that we do farm fish on Lake Iliamna. Now, if that doesn't open your eyes, you know, that really was something I never heard of in my life before. That's just kind of an example.

Katie John said, you know, False Pass may have to suffer a little bit for me to get a fish way up by Copper River, wherever she's at.

MS. MEEHAN: Uh-huh.

CHAIRMAN O'HARA: So -- Robin?

MR. SAMUELSEN: Yeah. I think when these regulations go through that they can't be just to state waters. We're got the trawl fisheries three miles to 200 miles out, and trying to get a historical cap on chum and chinook salmon that are headed to Western Alaska, which were proved to be Western Alaska stocks, was just about like pulling a rabbit out of a hat, because -- I raised a flag with the factory trawlers caught 250,000 plus chums. Then we had the AYK folks completely shut down, and in fact curtailing some of the subsistence fisheries in that area, tried to link it to them. The NMPS attorney kept saying, no, you can't link the two, and I said, no, this is a federal agency, and them fish -- we need to follow them fish throughout their migratory pattern, route, whether they're inside the three miles or out in the 200 EEZ zone.

And, you know, if we're moving down this path, then I think we need to take a holistic approach to it. We can't just point at the folks down at False Pass as being the trouble, because there's the National Marine Fisheries Service administers an off-shore fishery that is quite lethal, and whatever they do to ensure stocks, i.e., chum and chinook salmon, they need to be held accountable to them.

CHAIRMAN O'HARA: And the bottom fishery off of the Bering Sea. There's 70,000 kings bound for Western Alaska that's a by-catch. That's a lot of fish going into those rivers.

MS. MEEHAN: So.....

CHAIRMAN O'HARA: You go ahead and go on with the second part of your presentation?

MS. MEEHAN: Yes, the second part is just I wanted to make sure everybody had a chance to understand where we are in

the process, and then as I'd mentioned, we have some specific questions, and with your indulgence, I was going to ask Peggy Fox to help by keeping track of some of the responses, to make sure that we for sure understand the issues that are brought up. And just to pick up on the point we were just discussing, one of the issues that we have been faced with is how do we coordinate with all these other fisheries. And so one question is currently we do not have somebody from National Marine Fisheries Service on the Federal Subsistence Board. Would that be an important person to have on the Board, should the Board remain the same general composition, if we get into dealing with fisheries.

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CHAIRMAN O'HARA: I'd rather have somebody from the AFN on than -- if you're looking for somebody, that might -- that might be a good idea, but.....

MR. ABRAHAM: Mr. Chairman?

CHAIRMAN O'HARA: Yeah?

MR. SAMUELSEN: Well, I think that we have somebody from the U.S. Fish & Wildlife Service sitting at the North Pacific Fishery Management Council table now, so it will just complete the circle by having somebody from National Marine Fishery Service sitting on this.

CHAIRMAN O'HARA: That's a good idea then, yeah.

MS. MEEHAN: Uh-huh. Okay. One of the other issues is we have a regional council structure now, and with you all as members on it. And so our question is would you as a regional council feel up to the task to deal with the additional responsibilities that would be required to implement a fishery program? Do you want to do all this again for fish?

CHAIRMAN O'HARA: Absolutely. At least me. I'm ready, I don't know about you guys.

MS. MEEHAN: I notice -- or I'm observing general nods around the table.

CHAIRMAN O'HARA: Do you want to sit on both? Nushagak advisory and the federal council?

MR. HEYANO: I guess that the question is do we use the existing federal regional councils, or do we create a separate one to handle fishery issues?

MS. MEEHAN: That's the question. And there's actually a second part to that, and that is -- one question is do you have the same people stay on a council, but also do fish. The other part of it is, do you keep the same council boundaries, or should there be another, a geographic scope to councils to handle some of the fisheries? The Yukon River is the classic example. The Yukon River goes through three different council areas right now. And so obviously there's

going to be an issue of how to cooperatively manage along
entire Yukon drainage.

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CHAIRMAN O'HARA: Well, you know, this Council I think represents pretty much the lines drawn by BBNC and BBNA already, so probably ours -- that's just my opinion on that. I'm just one of the seven council members, but it looked to me like our geographical area represent fish and game and native interests, governments and school districts pretty much the same.

MS. MEEHAN: Uh-huh.

CHAIRMAN O'HARA: At least that's my thought. Uh-huh?

MR. HEYANO: I guess a comment to whether they should be two federal subsistence councils or one, I would leave that up to the individual regional councils. I think obviously.....

MS. MEEHAN: Uh-huh.

MR. HEYANO:there's going to be some regional councils who are going to have a tremendous workload implementing federal subsistence management on fisheries and there's going to be other regional councils who have very little -- who would have very little work to do. I guess off the top of my head, this regional council I would think, because of the health of the fisheries and whatnot, would have very little additional work to do.

MS. MEEHAN: Okay. Somewhat related to the council question is a meeting cycle. And right now, you know, obviously we do fall meetings to gather proposals for the terrestrial program, and then have a winter meeting to review the proposal analyses, and then in the spring the Board meets and sets the regulations. We've already gotten some feedback that that -- that this timing would not work very well for fish, and that what might work better would be to receive proposals in the late winter, do the analysis of the proposals over the summer, and then have the councils meet in the fall to review the proposal analyses and make their recommendations on the regulations, with the idea of having the Federal Board meet in the -- in the late -- in the middle of the winter to set regulations that would come into effect in March. So it's kind of switched from the terrestrial cycle, just, you know, shifted six months, but to accommodate -- the idea is to try and accommodate the fishing season.

And so the question is does that type of a meeting cycle sound appropriate? Is there another cycle that would work better?

MR. ABRAHAM: Mr. Chairman?

CHAIRMAN O'HARA: Yeah, Peter?

MR. ABRAHAM: If we accept this responsibility over

here as the fishery board, dealing with these what we're dealing right now, we're far behind on it. Why can't it be a separate meeting, entirely different from this over here. Let's talk about on fishery only and then come back to do this over here, this type of meeting right now? Because if we try to combine these two things over here, you know, we'd come over here and the next thing we know, we're trying to go home. I mean, especially when we have a meeting in Naknek or King Salmon, we hit the ground over there, the next thing we know, we're trying to turn around and go home. We'd have a lengthy meetings if we combine what we've got right now.

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MS. MEEHAN: Uh-huh.

CHAIRMAN O'HARA: We wouldn't combine though, would we? It would separate game and separate fish?

MS. MEEHAN: That's -- we're open for recommendations on that.

CHAIRMAN O'HARA: I would assume, we're.....

MS. MEEHAN: Yeah.

CHAIRMAN O'HARA:struggling for a day and a half to get through just subsistence and we can't get it done. Yeah?

MR. SAMUELSEN: Yeah. I don't have no problem with your time line there, but I.....

CHAIRMAN O'HARA: No, I think the time line's good.

MR. SAMUELSEN:think that fish and game -- fish needs to go on a two-year cycle, and game needs to go on a two-year cycle if we're going to be managing them. That way every year we'll be taking up either fish or game.

CHAIRMAN O'HARA: That's an excellent idea.

MS. MEEHAN: Yeah.

CHAIRMAN O'HARA: Skip game one year and fish.....

MR. SAMUELSEN: We'll do fish one year, and the next year we'll do game, the next year we'll do fish.

CHAIRMAN O'HARA: That is really a key.

MS. MEEHAN: Uh-huh. We knew that we'd get good ideas from you guys. We really appreciate the input.

MR. SAMUELSEN: And on fish we'll use I think your example there,.....

MS. MEEHAN: Uh-huh.

MR. SAMUELSEN:on the time line on when we put

out the call for proposals, and develop the staff comments
over the summer and start implementing them in the fall. 79

MR. CHRISTENSEN: Well, they have a whole year then.

MR. SAMUELSEN: Uh-huh.

CHAIRMAN O'HARA: And I would venture to say that you would see real close operation between the State of Alaska and this Board. You know, we've cooperated with game very well, and.....

MS. MEEHAN: Uh-huh.

CHAIRMAN O'HARA:I see the same faces sitting here advisory on State side as you do on the Federal side. And.....

MS. MEEHAN: One issue that we've started to discuss, and we're finding it complex is the definition of customary trade and significant commercial enterprise. And as you know, under state regulations, sale of subsistence caught resources is not permitted; however under federal regulations, it's possible. And so if we were going to provide for this in the regulations, we do need to identify what is customary trade of resources, in this case fish. And the counterpart to that is then when does it become a commercial enterprise? You know, what's the significance threshold?

MR. SAMUELSEN: Mr. Chairman?

CHAIRMAN O'HARA: Okay.

MR. SAMUELSEN: I think under the state regulations that it is legal, and the amount hasn't been defined. I refer to the case in Southeast Alaska on the roe sales,.....

MS. MEEHAN: Uh-huh.

MR. SAMUELSEN:where the judge said \$9,000 wasn't excessive. And that kind of left a big question mark, well, who defines excessive? I don't know.

MS. MEEHAN: That's the figure that we've got somewhat kicking around, is just from that case. And to better frame the question is, okay, that's a number that's out there, but that's on roe in Southeast. Does that apply to the type of enterprise that's conducted up here?

MR. SAMUELSEN: No. No, I think what we'd have to do is go around the region. I don't -- you know, there is some same of smoked fish, and.....

MS. MEEHAN: Uh-huh.

MR. SAMUELSEN:some other things that are probably more trading than anything else, but as far as sale goes, I think we'd have to go and poll the different

communities to see what is actually being sold. And people will be very reluctant to say anything to figure that, that once they say, yes, I sold \$500, that a citation is going to be issued, you know, so.....

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MS. MEEHAN: I.....

MR. SAMUELSEN: I think the problem with Southeast, that case there, is that, you know, in my estimation, \$9,000 was excessive. That is a commercial operation in my eyes. And I think we just need to define it.

CHAIRMAN O'HARA: The attorney won the case, it was so political they couldn't make a decision on it, and that's really what it boiled down to. Because the.....

MS. MEEHAN: Uh-huh.

CHAIRMAN O'HARA:attorney that won the case, and it was a good friend of mine, it was the guy that used to live in Dillingham. Robert?

MR. HEYANO: Were you looking to have a definition that would be apply to the whole State of Alaska?

MS. MEEHAN: Right now the -- that's kind of what's in the minds of some people, but the comments that we've gotten from other regional councils is that customary trade varies tremendously regionally, and so that it's very difficult to come up with a blanket definition. And if I was to characterize the comments that I have heard to date, it's that you can't come up with a single sort of ceiling. And this would be on commercial -- on significant commercial enterprise.

And from -- okay. A government person, from a regulatory point of view, the easiest thing to enforce is if you've got a single dollar limit, you know, and say \$5,000. If you're selling \$5,000, that's commercial. If it's less than \$5,000, it's customary trade. That's the easiest thing to enforce.

But clearly what we've heard is that that's not necessarily applicable statewide, you know, a single ceiling like that. If it's not applicable, what does make sense? What's something that we can put in the regulations so that we protect the legitimate uses? That's the goal of this.

CHAIRMAN O'HARA: Uh-huh?

MR. HEYANO: I guess my comment today would be, and it might change tomorrow, but today would be is that I think it would be impossible to have one ruling applied through the whole State of Alaska.

MS. MEEHAN: Uh-huh.

MR. HEYANO: And I think that you'd have to do it by

region by region. And I think the first thing you'd have to do is determine exactly what is customary,.....

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MS. MEEHAN: Uh-huh.

MR. HEYANO:and try adopt a regulation that would best define that. So, you know, there's going to have to be some research work done on what is. And I think that would vary from area to area.

MS. MEEHAN: Uh-huh.

MR. HEYANO: I guess just from my experience on the state -- in the state process, you know, the state is so huge and people have different practices and different customs, that even a statewide regulation is -- meets a lot of oppositions. It might be perfect for one area, and totally detrimental to another area of the state, so -- and I think this type of concept will apply here, too, is that in order to do it statewide, it's going to be near impossible.

MS. MEEHAN: Would it be -- would it make sense or be workable to start out in the regulations with no definition and then have specific, you know, region specific changes to no definition be done through the regulatory process? Would that be a way to get at that?

CHAIRMAN O'HARA: I would prefer it. I'd rather not have anything and work from that, than to have something you can't live with.

MS. MEEHAN: We're.....

MR. HEYANO: Good question.

MS. MEEHAN: We're open to any type of suggestion on this, because it's diffi- -- you know, it's very difficult for us to sit in an office and try and sort it out.

The final -- in your books, in your council books, we've got a copy of the state regulations that.....

Dan, you've got somebody.

CHAIRMAN O'HARA: Oh, pardon me. Oh, okay. Yeah. Uh-huh.

MR. PAUL: (In Yup'ik) Willie Paul (In Yup'ik)

MR. J. ANDREW: Yeah, Willie Paul. Willie Paul of Manokotak said he's quite surprised when the individual over there brought the subject of customary trade. He said in their definition customary trade in their Yup'ik society has been practiced over for centuries, and his people when they do a customary trade, they say they bargain with their other trading partner for the items that they need or what they will need to go trade in terms of trading for what they want from the other guy for what they have. And he said he's quite

surprised when they brought the subject of customary trade in this meeting. I think but from -- for this part I think what he -- what I think this could be best described as bartering. But for him, customary trade is just like what they do, bartering in their world, too. It should not be in turn -- because it was their way of life for centuries. It should not be regulated.

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MR. PAUL: (In Yup'ik)

MR. J. ANDREW: He said in addition to what he just said, he said this customary trade is still going on in the native villages between the native people. He was just using as an example, if what he was offered, if the trading partner will accept his 18-foot liner (ph) with a motor for what he's going to give to him, if the other trading partner goes into an agreement, saying, yes, I'd accept that for this exchange or trade, and he said this customary trade in his way of thinking is a way of life that have been practice for so many years. He said this addition has been this short. Thank you.

CHAIRMAN O'HARA: Tell him thank you very much. We really appreciate him making comment on that. Tell him thank you, yeah. Robin?

MR. SAMUELSEN: I think it's important to let him know also, Mr. Chairman, that we're not thinking of taking away customary trade.

CHAIRMAN O'HARA: No. Peter,.....

MR. SAMUELSEN: That is an issue that we're talking about here.

CHAIRMAN O'HARA: Yeah. Peter? Maybe you'd better tell him that we're not taking away customary trade. We don't want to do that.

MR. ABRAHAM: John is doing it right now.

CHAIRMAN O'HARA: Oh, okay. John. Good.

MR. ABRAHAM: John is translating.

CHAIRMAN O'HARA: Because we don't want to do that, no. We weren't talking about it. I guess what we're getting away from is -- before we even get into the subject, there's no sense talking dollar amount until we know what we're doing. And that's our main concern. So.....

MS. MEEHAN: Correct. And maybe to clarify, the dollar amount relates not to customary trade, but to significant commercial enterprise.

CHAIRMAN O'HARA: Uh-huh.

MS. MEEHAN: And that's where we want to tie some kind of a limit.

CHAIRMAN O'HARA: Uh-huh. What's the guy's name in the back? Was there somebody in the back? Did you want to -- excuse me. Yeah. 83

MR. CAOLEL: My name is Anthony Caolel, Native Village of Quinhagak, tribal administrator. Just from observing the meeting and the discussion about managing the subsistence, I wonder if we shouldn't take a whole different approach now that we're looking at this again, and looking at possibly revamping the system. I wonder, you know, where are the tribes in all of this process? The United States has agreed to have co-management, and the -- for example, with the Fish & Wildlife Service, the national policy statement is that the Fish & Wildlife Service will be promoting co-management. But where are the tribes in this process? Why isn't there an equal say in the decisions at the tribal level? Why aren't the seats at the state level shared with the tribes? Why aren't there half of those seats representatives from the tribes?

Because if we look at Canada, who actually hasn't even recognized the sovereignty of the tribes, they are much more progressive with co-management. And Nunavut (ph), the creation of the new territory of Nunavut, they're setting up co-management regime with equal participation from the tribal people, sharing half the seats on the co-management boards that are making the allocation decisions. And the whole emphasis and the focus is different. They're not looking at how to regulate every action that the natives make, you know, where they go to hunt. Their intent and their focus is on external, from people coming from outside the territory and what they're going to hunt.

Why should we have to come here and plead to come into Unit 17(A) and hunt moose? The focus should be on other people from outside of Alaska coming into 17(A), not the native people. They know how to regulate, they know how to control, and when they shouldn't hunt and when they can hunt. They're familiar with the populations. The focus should be shifted. We shouldn't have to come in here and plead to hunt in an area that people in Quinhagak have always hunted in.

So in summary, since we're going to be re-looking at the -- at how to implement subsistence management, maybe we should take a deeper look at the whole structure, and ensure a fairer co-management structure where the tribes are sharing the seats on the Boards equally with the federal managers, and possibly change the shift and the focus of the regulation away from regulating the indigenous users, with more of a focus on the non-native or non-resident users. Thank you.

CHAIRMAN O'HARA: Okay. Thank you. Okay. Where were we? You were going to go into the next system.....

MS. MEEHAN: The final question that I had is really a homework issue for you all. And in your board books, in the front pocket, there's a copy of the state regulations for this area. As I'd mentioned, to develop the proposed rule, we had

planned on taking just the part of the regulations that apply to the federal lands as outlined on the map up there, and basically adopting the state regulations as the template for then moving forward with the federal program. Since we are going through a proposed rule process, there is an opportunity to identify if there's some part of the state regulations that simply do not work for subsistence users, to identify that, and let us know, and we can try and incorporate that into the proposed rule. And so this is an opportunity for you to take these regulations home, mark up on them with a pen, and mail them to us. And we can try and incorporate critical changes into the regulations.

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CHAIRMAN O'HARA: Okay. Is that all you have, Rosa?

MS. MEEHAN: That was it.

CHAIRMAN O'HARA: Okay. Only one question I had, you talked about after this work was completed -- okay, thank you -- there are going to be public hearings throughout the region?

MS. MEEHAN: There will be public hearings. What we will do at the winter council meetings is we will come back and give you a status report of where we are on the proposed rule, and on the environmental assessment. So I'll be able to come back to you and report, okay, these are the issues we heard, and this is the analysis, these are basically what's coming out of the analysis, and just give you an overview at that point of the environmental assessment. I do not think we'll have a proposed rule ready to give to you at that time. When the proposed rule is published, we anticipate October 1st, 1997, but real close to that, then there will be public hearings around the state, and we will specifically be seeking your input as regional councils, but also public meetings.

CHAIRMAN O'HARA: Yeah. We would like something to say. Yeah, go ahead.

MS. FOX: I need to interject that we do -- Peggy Fox with BLM, that we do anticipate having a draft of the proposed rule.

MS. MEEHAN: Oh, we do?

MS. FOX: Yeah. A draft of the -- a draft. Not one that's ready to go out to the public, but just a draft that outlines as a proposed regulation for the Council to take a look at.

CHAIRMAN O'HARA: Okay. Yeah.

MS. FOX: As agreed last week.

CHAIRMAN O'HARA: Okay. Good.

MS. MEEHAN: Thanks, Peggy. The schedule for me just -- it gets pretty dynamic.

CHAIRMAN O'HARA: Uh-huh. Any other questions from the council members? Well, thank you very much. We appreciate the -- that enlightening part of the program today.

Okay. Where are we at, Helga?

MS. EAKON: We would like to get the Park Service people back up here so that you may make recommendations on the subsistence resource commission appointments to first of all Lake Clark, and then secondly Aniakchak.

CHAIRMAN O'HARA: Okay. We'll take Sandy Rabinowich, if you'd come up, please? Yeah. Oh, excuse me, I'm sorry. We do have one member of the public that would like to -- thank you for turning in your card today.

MR. FOX: Excuse me, Mr. Chairman, and.....

CHAIRMAN O'HARA: Sure.

MR. FOX:members of the board.

CHAIRMAN O'HARA: Give us your name, Frank?

MR. FOX: I'm Frank Fox, I'm with the Native Village of Quinhagak, Natural Resources Director. If the Fish & Wildlife Service is going to manage fisheries on their navigable waters, they should outlaw -- not permit commercial sale of salmon roe as stated in I think it was Unit 4?

MR. GEORGE: District 4.

MR. FOX: Oh, District -- yeah, District 4, I think that was around Lower Kalskag and -- on the Kuskokwim side. They were commercial fishing for salmon roe. They should not -- that should not be -- they shouldn't do that anywhere, to sell for commercial purposes salmon roe, because that salmon has a purpose of going up that river to spawn for future use of salmon.

CHAIRMAN O'HARA: Uh-huh.

MR. FOX: And they shouldn't do that. I mean, it shouldn't be permitted either by the State of Alaska or the U.S. Fish & Wildlife Service.

And that testimony we just heard regarding subsistence use caught to sell, it's hard to believe, you know, because don't do that. At least in my village we don't do that. Once in a while, like the elder said, we trade. Yeah, even myself, I trade with my uncle, brother or, you know, my relatives or my closest friends. Sometimes we trade, but not for \$5,000. No. If it was for \$5,000, I'd be rich today. But we do not do that. It's prohibited in our law. Like that elder said, you know, there are times when we face hardship, like we may lack -- we may be financially embarrassed or something like that, you know. Things like this happen, and that's when we

do trading for our subsistence harvested food.

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And another thing, they should not allow catch and release, because (In Yup'ik). When they -- (In Yup'ik). When a fish is caught with a hook -- rod and reel of any kind, it may be hooked or those flies or a hook without that little thing in the thing?

CHAIRMAN O'HARA: Barb?

MR. FOX: They shouldn't -- they shouldn't play around with the fish too long. We've seen some of this this summer in -- I mean, not -- we've seen this a lot in Quinhagak, where a fresh fish would go upriver, and then they die. They would die before they even reached their spawning area. We catch them when we're out in the bay fishing. And we also see them floating down the Ungfatuk (ph) river, because they've been played around so much to the point where they got too weak. If an organization is to (In Yup'ik) entertain sport activity, they should tell them not to, you know, keep that fish too long there, if they're going to release it. I think that's what they need to be told.

And I think that, you know, I agree with Anthony, and I was going to present that myself today to maybe cooperative agreement is the answer. Most of the times when they talk about subsistence activity, there's lots of questions between the staff people, rather the federal or state, there's a lot of questions that goes through their mind. Maybe they do that purposely for to get the appropriations, I don't know. Maybe they do, you know. That's what I would do.

We have to catch our plane, and I do hope that we get our customary and traditional recognition on 17(A).

CHAIRMAN O'HARA: We're going to come see you, so thank you. We really appreciate your.....

MR. FOX: Is there any questions?

CHAIRMAN O'HARA: Yeah?

MR. SAMUELSEN: Yeah. Do you know what we did on that proposal? What the Council recommended is that myself and Peter go on over and meet with the traditional council and city council and identify, have testimony given, if there is testimony in Quinhagak, of the people that went up and used 17(A) for moose hunting.

MR. FOX: (In Yup'ik) Thanks.

CHAIRMAN O'HARA: Yes, we will deal with this in February also.

MR. FOX: Thank you.

CHAIRMAN O'HARA: Thank you.

MR. FOX: We will be there.

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CHAIRMAN O'HARA: We appreciate that, Frank. Thank you.

Okay. Keep going I guess. Sandy and Sue.

MS. SAVAGE: Susan Savage. It would be possible to defer this until the next meeting, and one reason I say that is the people who are here on the list, and you would look in tab nine, D and E in your notebook, the list for Aniakchak. A member who is appointed stays as a member even if his term has expired until he's replaced. So these people would -- it's not like they went away just because their term has expired. They're still members until they've been replaced.

We currently don't have the most recent listing of the Chignik and the Lower Bristol Bay regional -- or local fish and game advisory councils, and Sandy doesn't have anything for the Lake Clark area for the local fish and game advisory councils. So it's possible if we deferred we would have a better -- we would have the more current information. I was not able to get it before. But it's up to you whether you wish to go with the old list and make the decisions now, or.....

CHAIRMAN O'HARA: We'll ask, from the south end, we'll ask Alvin what his thoughts are, since this is his area.

MS. SAVAGE: Uh-huh.

CHAIRMAN O'HARA: I know we looked over the list. He might be ready to give us a list. If he wants to wait until February, it's kind of up to you, Alvin. Whatever you think. What would.....

MS. SAVAGE: It would be the three names at the bottom of the Aniakchak list that are in dark that would be for your either re-appointment or -- re-appointment or replacement. Those are the three names that are up for you guys to decide on.

CHAIRMAN O'HARA: What are your thoughts, Alvin? Did you want to.....

MR. BOSKOFKY: Oh, I don't know. I know one of the members has moved out, and this is his second year away. That's Elia.

CHAIRMAN O'HARA: Elia Lind? Okay.

MS. SAVAGE: Yeah, Elia's name is unfortunately not up for your decisionmaking. That's up to the Secretary of Interior.

CHAIRMAN O'HARA: We have four, one, two, three, four?

MS. SAVAGE: Actually, no. Harry is up for the Governor to decide, so you.....

CHAIRMAN O'HARA: Oh, that's not ours. Okay.

MS. SAVAGE:guys have three. Johnny Lind, Afonie, and Sam Stepanoff.

CHAIRMAN O'HARA: Uh-huh. What would be the possibility of adding Alvin to that list?

MS. SAVAGE: That's completely possible.

CHAIRMAN O'HARA: And we'd have Bobby on there, too, or is that stacking it too much?

MS. SAVAGE: He is on there right now.

CHAIRMAN O'HARA: Oh, he's on there.

MS. SAVAGE: He's actually appointed by the Secretary of Interior.

CHAIRMAN O'HARA: Uh-huh.

MS. SAVAGE: He's the second name on the list.

CHAIRMAN O'HARA: Uh-huh. Council members, what do you want to do?

MR. CHRISTENSEN: I think my decision is that we have a meeting within the next two to three months.

MS. SAVAGE: This body will meet.....

MR. CHRISTENSEN: Yeah, this body.....

MS. SAVAGE:in the next two to three months.

MR. CHRISTENSEN:right here meet, and then.....

MS. SAVAGE: The Aniakchak.....

CHAIRMAN O'HARA: This group here, okay.

MR. CHRISTENSEN: And then revise and try to get them out.....

CHAIRMAN O'HARA: Okay. All right. Good idea.

MR. HEYANO: Come back to us in February with it?

MR. CHRISTENSEN: And then come back in February with it.

MS. SAVAGE: One possibility is you could choose to put Alvin on in place of one of these three people, and wait to decide in your next meeting on the other two. That's possible.

CHAIRMAN O'HARA: It might be helpful as far as a quorum goes.

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MS. SAVAGE: That might be helpful for us, yes.

CHAIRMAN O'HARA: Okay. And then you guys get together and come back with a final list for us. How would that be, Alvin?

MR. CHRISTENSEN: Make a motion to appoint Alvin right now?

CHAIRMAN O'HARA: Yeah, we could do that. Uh-huh.

MR. CHRISTENSEN: I'll make a motion that we appoint Alvin to our list here in place of one of these guys for a quorum.

MS. SAVAGE: Okay. And you should choose which person you wish to -- which seat in which to have them.

MR. CHRISTENSEN: Oh, no.

MS. SAVAGE: I can't make that decision, so it's up to you.

CHAIRMAN O'HARA: Elia, is good enough.

MS. SAVAGE: Well, it has to be one of the three names.....

CHAIRMAN O'HARA: Oh, one of the three names down.....

MS. SAVAGE:that are under the Bristol Bay.....

CHAIRMAN O'HARA:here to take off.

MS. SAVAGE:Regional Advisory Council. The last three names.

MR. CHRISTENSEN: Well, how about if we invite Alvin to the next meeting for that way it wouldn't put me in a seat to be throwing somebody off.

CHAIRMAN O'HARA: Come on, that's why they pay you those big wages is to make decisions like that.

MR. CHRISTENSEN: Yeah, right.

MS. SAVAGE: It's a formal body just like you are, so decisionmaking, we go by the same rules of order, so they have to formally be in a seat.

MR. CHRISTENSEN: Yeah.

CHAIRMAN O'HARA: Yeah, Robin?

MR. HEYANO: I think, Mr. Chairman, our past practice

has been to act on a recommendation coming from these two entities. I think that's what we've done in the past. We've never went out and actually seated people without.....

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CHAIRMAN O'HARA: On the out- -- from the outside?

MR. HEYANO:having a recommendation coming from these groups.

CHAIRMAN O'HARA: Okay. So would you prefer to have them come back with something from it?

MR. HEYANO: That would be my preference in keeping with past practices.

CHAIRMAN O'HARA: Okay. We'll have a -- We certainly hope that Alvin can make it to the meeting, and they really need to have a meeting, and bring something back to us. You will have?

MR. SAMUELSEN: Yeah.

CHAIRMAN O'HARA: Yeah. Okay.

MR. RABINOWICH: So (indiscernible).

CHAIRMAN O'HARA: So we'll wait until February then on this one.

MS. SAVAGE: So you don't even want to.....

CHAIRMAN O'HARA: No.

MS. SAVAGE:appoint Alvin at this time?

CHAIRMAN O'HARA: We won't touch it now. That's been our -- okay. Is that okay, or --? All right.

Sandy, did you have anything for us from the north?

MR. RABINOWICH: It's very similar, Mr. Chairman. If you flip a few more pages, you'll come to a similar list, but at the very top it will say Lake Clark National Park. And I'll let you -- are you finding it there? And everything that Susan just said applies here also. The three names at the bottom of the list, Mike Delkittie, if I'm pronouncing it correctly, Dave Wilder, and Timothy LaPorte. I think there's a couple letters missing in Tim LaPorte's name there, the way it's typed, but.....

CHAIRMAN O'HARA: Yeah.

MR. RABINOWICH: Those three terms are up, so they are up for re-appointment. The Governor has an appointment also, but that's not in your purview. And the same consequences, you can act today, or you can again wait. And they are scheduled I believe I said this morning either December or January. Lee was getting an SRC meeting together. So that

will be before your February meeting. And it's your choice to act or wait. 91

CHAIRMAN O'HARA: Okay. Andy, what are your thoughts? You've got three that are up for reappointment. Do you want to make a recommendation or have a meeting or what?

MR. BALLUTA: Who is this Mike Delkittie?

CHAIRMAN O'HARA: Yeah, Mike Delkittie, Dave Wilder and, you have that page there, and Tim LaPorte.

MR. BALLUTA: Uh-huh. And Tim LaPorte.

CHAIRMAN O'HARA: For appointment or reappointment. That would be reappointment. We can act on them today, or else -- is this what's come to us as a recommendation, or this -- these are the three that are up for reappointment?

MR. RABINOWICH: These are the three that are either up for reappointment, or replacement.

CHAIRMAN O'HARA: Okay. All right. What are your thoughts, Andy?

MR. BALLUTA: Well, I would think that maybe bring this back up to the.....

CHAIRMAN O'HARA: Have a meeting and.....

MR. BALLUTA: Have a meeting and.....

CHAIRMAN O'HARA:come back with a set of names?

MR. BALLUTA: Yeah. And reappoint these or replace them, whatever they.....

CHAIRMAN O'HARA: Okay.

MR. BALLUTA:whatever the village decide on this.

CHAIRMAN O'HARA: All right. Okay.

MR. BALLUTA: I think that will be the best.

CHAIRMAN O'HARA: Okay. That takes care of that agenda item. Thank you very much. Here are some extra copies. Helga?

MS. EAKON: Uh-huh.

CHAIRMAN O'HARA: There's extra copies here, too, if anybody needs one. Yeah.

Agenda here some place.

(Whispered conversation)

CHAIRMAN O'HARA: Here we go. We've taken care of that. All right. We are to the section in our meeting today where we deal with the proposals. And I'll open the floor to proposals, for changes in federal subsistence regulations. Anyone from the public that has any thoughts or concerns on proposals that might come before this Council today? I guess we've had that already from Quinhagak?

MS. EAKON: No.

CHAIRMAN O'HARA: No?

MS. EAKON: This is new.

CHAIRMAN O'HARA: Are there other -- yeah, but I mean there was a lot of public comment from them. We just asked if there's any members of the public that are interested in putting forth a proposal for the Council today? Okay. Regional Council proposals? Dave Fisher and -- you're on.

MR. FISHER: Yeah, thank you, Mr. Chairman. My name is Dave Fisher, I'm with the Fish & Wildlife Service from the Anchorage office, and I didn't think you were going to call on me there. It was getting kind of nip and tuck here today. I'll be real brief.

I was asked by Chairman O'Hara through our regional coordinator Helga to take a look at opening the moose hunting season in Unit 9(C), that portion -- I think Dan was referring to that portion sort of south of the Naknek River, and Unit 9(E). What he had in mind there was creating an earlier season, say from August 20th to September 15th, primarily for subsistence hunters.

And what I did is I went back and looked through all the other proposals that we had worked on, and looked at the biological data. I talked with Ron Hood, the refuge manager at Bercharof and Alaska Peninsula Wildlife Refuges, talked with Rick Poetter, his assistant, and in turn Rick talked with Dick Sellers.

And sort of to sum up, the moose population in those two units appear to be stable at this time. And Rod Hood didn't really any major impacts that would happen if the season was earlier. He was concerned possibly that it might bring in more hunters. Another concern he expressed was the fact that the caribou population, that Northern Alaska Peninsula caribou herd may be declining somewhat, but then after what I heard today, I guess it's stable around 12,000. But if the caribou population did happen to start to decline, there may be more pressure put on moose. But he didn't think there would be a significant impact as long as we did a good job of monitoring that harvest.

Mr. Sellers thought that possibly opening an earlier season may allow hunting on non-federal lands being a difficulty that exists in those areas where non-federal lands

versus federal lands exists, so that possibly could be a law enforcement problem, but other than that he didn't think it would be -- there would be a significant impact. 93

As far as the current seasons go, we know now that in 9(C) there is an earlier season for the subsistence users, and there is also an earlier season in 9(E). It's not of the magnitude of what we're looking at for our proposal here today.

I may ask Rick Poetter if I've overlooked anything, or if he has -- would have anything to add. Rick?

MR. POETTER: Yeah, Rick Poetter with -- Deputy Manager for Alaska Peninsula/Bercharof Refuges.

No, basically from my conversations, I did some checking with Orville Lind to see if he had any concerns, and we hashed out any that he might have had, and there weren't any basically. He had originally thought maybe there was some concerns from the villages, and it may have been from the Perryville/Ivanof area concerning the earliness of the season being the temperatures and the potential for lost meat, but that was it.

CHAIRMAN O'HARA: Uh-huh. And, Dave, if I might mention if -- do you have more to present?

MR. FISHER: No, I don't. That's about it. I guess it's up to you people what you want to do. I guess if you want to go ahead and introduce it as a proposal, we can -- we'll go ahead and.....

CHAIRMAN O'HARA: Well, I think after talking with Alvin and Bobby a little bit, I may have jumped the gun on that issue. And since they're going to be having a meeting coming up here in the next few months, why don't we see what the committee down there that you meet with say about that. Egegik was pretty favorable, but that's just one section of the refuge. So maybe we should just -- since I made the recommendation that we look at this, just ask if we can put it on hold until you guys meet. If there's going -- it's going to help you out considerably on subsistence to do that in that area, and get some input from Egegik, then, fine, we'll go ahead with it. But it sounded like there was some down sides to it, too, you know, increase the pressure on caribou and maybe more hunters coming in from the outside. Something I hadn't thought about. So let's get a feel for what the people really want instead of maybe something I think might be best for them.

MR. FISHER: Okay. We can I guess re-discuss it in February.

CHAIRMAN O'HARA: Yeah. That will be fine then. Thank you.

MR. FISHER: All right.

CHAIRMAN O'HARA: Appreciate your help on that.

MR. FISHER: I do have one other item, if I can just take.....

CHAIRMAN O'HARA: Sure.

MR. FISHER:maybe about 30 seconds of your time.

Each one of you have received a draft wildlife notebook that was put together in our office. And that was put together primarily to help the regional councils in each region in the state to better understand biological terms and wildlife management concepts. What I would ask is if you could give your comments on that and get them back to me. There is one council member that has already done that, so he is on my good side.

(Laughter)

CHAIRMAN O'HARA: Who could that be?

MR. FISHER: But if you could just write your comments on that, right on the draft itself, and send it back in an envelope that was provided, we'd appreciate that. And what we're looking at is hopefully trying to get some traditional knowledge on that, so if you can add to that, we would appreciate it, and any ideas or suggestions you have that we can make that better, because it's for you people. We're also going to try and add a glossary of terms, so when you get a staff analysis to look at, you see some terms there that you aren't familiar with, you may be able to go to that handbook and better educate yourself. Thank you very much.

CHAIRMAN O'HARA: Yeah. Thank you. Any questions, comments? Any other proposals coming from this body today?

Well, I have two that I'd like you to look at and consider today. One actually has come in that I think we should probably endorse as a council today. Do you have the one that -- Proposal 1, 2 and 3? The justification looks like this. This has gone -- I think you people in the audience have this before you. And, Helga, if you could come to the helm there? It's 9(B), Lake Clark, talking about the Lake Clark Preserve, and it names the communities there, and Andy, I'd like to have you help out any time you want there. Nondalton, Iliamna, Newhalen, Pedro Bay and Port Alsworth. They've talked about this bear season that they have. One from September through May 30th, and that if the skin and skull of a bear in Unit 9(B) is removed from the area, it must first be sealed by ADF&G representative in Port Alsworth, Iliamna, or King Salmon. At the time of sealing, the ADF&G representative shall not be required to remove the skin of the skull and front paws of the bear. And number three, the person taking a brown bear or black bear in Unit 9 shall salvage the edible meat or the hide or the fat of all three. Or all three. We have personally observed an increase in the

brown bear population in the area we live, and have traditional hunted. We feel that a person should not be discouraged from harvesting these animals. We believe that the animals in the Lake Clark National Park and Preserve are a public resource with nutritional and economic value. We realize that it is important to maintain a healthy bear populations determined by the local qualified biologists.

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And this is the proposal that they've asked this body to support today. What are your thoughts? Do we send this forth or do we want them to send it forth or what? Robert?

MR. HEYANO: I guess clarification, Mr. Chairman, the intent behind not requiring the removal of the skin of the claw or the front claws of the bears. What.....

CHAIRMAN O'HARA: What's the question?

MR. HEYANO: What's the intent or the reasoning behind deleting that requirement.

CHAIRMAN O'HARA: Well, if you shipped a bear out of the district, you have to take the claws and the head off. They don't want to touch -- they want to leave the skin totally intact when they take the animal.

MR. HEYANO: With the intent of shipping it out of the district?

CHAIRMAN O'HARA: Uh-huh.

MR. HEYANO: For economic value, correct?

CHAIRMAN O'HARA: Or whatever value, yeah.

MR. SAMUELSEN: Mr. Chairman, if we adopt this proposal today then -- Were you done, Robert?

MR. HEYANO: Well, I just want a clarification. You know, I could -- is the reasoning they want to leave the skull or skin from the skull and the front claws on is so that hide would have some economic value? Or is it such a thing that however they use the hide, that by doing this, it loses the value for them to use it? Or what exactly is the problem with being required to do this?

CHAIRMAN O'HARA: I don't really know, to be honest with you. I was given a proposal from Lake Iliamna to present to the Board today, and I don't know exactly why they do not want to cut the head land claws off, period. And for whatever reason they don't want to, I really don't know. If they want to use it for some economic reason other than what they've taken it for as subsistence, maybe that's their intent. I don't know. I can't read into it why they want it done, but they don't want to have to comply with taking the bear and cutting his head and claws off if they send it out of region.

Yeah, Andy?

MR. BALLUTA: Well, this taking of skin and the claws for sale is not subsistence to me. If it's going to be subsistence hunting bear for use of subsistence, it should be -- it should stay right in the area, right where it is. It's not -- I don't think any resident from the village want to take this skin and head and ship it out for sale. I'm pretty sure of that.

CHAIRMAN O'HARA: Yeah.

MR. BALLUTA: So I don't know if -- if it is, if they're going to do that, why, there's no sense in having subsistence at all for bear.

CHAIRMAN O'HARA: If you don't ship it out of the region, you don't have to cut the head and the claws off, so.....

MR. BALLUTA: Yeah. No.

CHAIRMAN O'HARA:that's the issue. If you take it out of -- yes?

MR. VAN DAELE: Mr. Chairman, Larry Van Daele, Fish & Game. I'd just like to remind you that the state law prohibits the sale of any part of a bear.

CHAIRMAN O'HARA: Oh, period?

MR. VAN DAELE: Period.

CHAIRMAN O'HARA: Uh-huh. Would you like to come up and address the Council?

MS. COILEY: Pippa Coiley with Fish & Game.

CHAIRMAN O'HARA: State of Alaska?

MS. COILEY: State of Alaska.

CHAIRMAN O'HARA: Uh-huh.

MS. COILEY: Without going to the regulations and checking, I believe what's happened is they've lifted -- in the past few years, the state and federal agencies have worked together to pass regulations allowing liberalized brown bear seasons, specifically for subsistence use and salvage of meat; therefore, they've deleted the sealing requirement. However, to limit the use of an area for subsistence brown bear hunt, for people who are primarily shall we call trophy hunting, they've said, if you're going to remove the hide from the area, then you do have to go through a Fish & Game sealing process. So they've almost lifted this, or I believe they have lifted this from the existing state and federal regulations in the Western Alaska Brown Bear Management area that goes as far as Togiak, and there's also a small brown bear manage- -- special brown bear management area in the

Chignik area where you have these regulations. However, it is specifically to harvest meat. You have to salvage the meat, which as you know in state regulations for hunting, brown bear meat doesn't have to be salvaged. 97

CHAIRMAN O'HARA: Well, now wait a minute.

MS. COILEY: Uh-huh.

CHAIRMAN O'HARA: If for subsistence reasons, what we're talking about, if you killed a bear for subsistence, you take the meat. That's the primary reason, not the hide.

MS. COILEY: Right.

CHAIRMAN O'HARA: Yeah. So.....

MS. COILEY: But what I'm saying is that, right, in sport hunting regulations.

CHAIRMAN O'HARA: Yeah, they don't have to take it.

MS. COILEY: You don't have -- right.

CHAIRMAN O'HARA: Yeah. Okay. Yeah. Okay. Good. Any questions for Pippa? Thank you.

What are the wishes of the Council? Do you want to address this? Okay. We have another hand in the audience.

MR. FISHER: What I want to do, I just want to just maybe clarify this.....

CHAIRMAN O'HARA: Give her your name so that she knows.

MR. FISHER: Yeah. Dave Fisher again here with Fish & Wildlife Service from Anchorage. On page 15 of our regulations, I think we touched on this a little bit before lunch, maybe if I just maybe read this into the record, it would.....

CHAIRMAN O'HARA: Sure.

MR. FISHER:hopefully clarify the issue. If the skin or skull of a bear taken in Unit 9(B) is removed from the area, it must first be sealed by an ADF&G representative in Port Alsworth or King Salmon. At the time of sealing, the ADF&G representative shall remove and retain the skin of the skull and front claws of the bear. So if you don't remove it from the area, then you don't -- everything can remain intact. You don't have to -- any questions on that?

CHAIRMAN O'HARA: Okay. Thanks. Do you want to address this as a council, or do you just want to let them in the Lake Country submit it themselves or what?

MR. HEYANO: Well, I think there must be a

CHAIRMAN O'HARA: No, they just don't want to comply with.....

MR. HEYANO: I know. I know.

CHAIRMAN O'HARA: the regulation of having to cut the heads and claws.....

MR. HEYANO: But if they're not going to move.....

CHAIRMAN O'HARA:off if they take it out of region.

MR. HEYANO: If they're not going to take it out of region, there's no.....

MR. CHRISTENSEN: They may want to take it out of region.

MR. HEYANO: Oh, you mean like to Anchorage? Yeah.

CHAIRMAN O'HARA: Uh-huh. Uh-huh. Did you have a comment, Robin?

MR. SAMUELSEN: Yeah, thank you, Mr. Chairman. Process-wise, there's no name on who submitted the proposal. I don't know where the proposal is coming from. It's coming from up Bay (ph) end (ph), I know that.

CHAIRMAN O'HARA: Uh-huh.

MR. SAMUELSEN: Which villages are supporting of it, which villages are not. But hypothetically I guess if we adopted the three proposals before us today based on the justification, then where does it go, Helga? Does it go before the Federal Subsistence Board?

CHAIRMAN O'HARA: It comes back before us?

MS. EAKON: Actually if you like the idea of these proposals, and you want to put your name on these proposals, this is just for the purpose of identifying it as such in the proposal booklet, which is going to be printed later on this months and distributed throughout the state. And then at your February '97 meeting, you could consider the merits, and make a recommendation to reject or adopt or modify or whatever. But Robin is very right, we do -- if you do not wish to put your name on this three proposals, we are going to need a proponent and address and a telephone number so that staff could, when we go back, contact the proponents if they have any need for more information.

CHAIRMAN O'HARA: Okay. We can do it one of two ways. We can support it or I'll send it back to them and let them go and support it.

The second proposal that you have there in front of

you is the one on outboards. I'll submit that myself and then it will come back to you guys and you can decide what you want to do. Because that come out of Nondalton, Mike Delkittie and (indiscernible). 99

MR. CHRISTENSEN: Well, it's a good one.

CHAIRMAN O'HARA: So would you prefer then just to send this back to Iliamna/Port Alsworth and tell them to go ahead and submit it themselves and we'll address it?

MR. SAMUELSEN: I think to be consistent with our past practices, Mr. Chairman, I think that would be the best way to do it.

CHAIRMAN O'HARA: Uh-huh. Okay. So we'll go ahead and do that then, and I'll go ahead and submit the second proposal. And it will appear in the books, and then we can act on it in the February meeting. That will be fine. Because I told Mike I'd be real interested in looking at this one to see -- you know, I think it's a pretty rough draft of what's happening at Tazimina. But from this we might be able to come up with something in the way of safety and taking care of the resource on that Tazimina. I think the Nondalton people are pretty concerned about it. We've got some pretty fast jet boats going up that river now, and it's a nice -- it's a nice river to float, and with some of the power they've got going up there, they need to address that issue. So.....

Any other proposals? You guys don't come to the table with any proposals? Does anybody else have any proposals today?

MR. SAMUELSEN: Mr. Chairman, BBNA contacted all the traditional councils in the Bristol Bay region, and at this time nobody wanted to submit proposals.

CHAIRMAN O'HARA: Okay.

MR. SAMUELSEN: In fact, we did it by fax and we did it by phone, and told them the time deadline, and we didn't get any response.

CHAIRMAN O'HARA: That's just fine. We don't need proposals for the fact.....

MR. SAMUELSEN: No.

CHAIRMAN O'HARA:for the purpose of proposals. Yes, sir, are you going to talk to us?

MR. ADERMAN: Yes, Mr. Chairman. Andy Aderman, wildlife biologist with Aniakchak.....

CHAIRMAN O'HARA: Andy, just one second. Alvin had a.....

MR. BOSKOFKY: On these regulations, the Chignik

area, a while back there was a deal on the subsistence regulations where they were allowed a bear every year. And it's not stating that in the regulations any more. I don't know if it was changed or not.

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CHAIRMAN O'HARA: Who's the biologist for the Chignik area? Dave? Or Susan? Excuse me, Andy, I'm sorry, we just - we'll get to you in just one brief moment there. Okay.

MS. SAVAGE: I cover the Aniakchak area, and not specifically Chignik. Dick Sellers would be the state biologist responsible for that area. I'm sorry, I did not hear the question.

MR. BOSKOFISKY: It was just for the subsistence hunt, it was shown as one bear every year, you know, and it doesn't show that in there any more.

MS. SAVAGE: Sometimes there is -- for 9(E) it says one bear by federal registration permit only, and since it doesn't say one per four years, I would assume it's one per year.

MR. BOSKOFISKY: You think so?

MS. SAVAGE: It just may have -- they may have simplified the language. It think if it was every four years, it would say, like above in, and see 9(B), it says, 9(B) remainder, one bear every four years. But it doesn't say that, so I believe that it's one per year. It's.....

CHAIRMAN O'HARA: So it's.....

MS. SAVAGE:I don't think it has changed.

CHAIRMAN O'HARA: He's covered then on that?

MS. SAVAGE: Yeah. And -- but by permit. You are -- Orville used to carry the permits both for Fish & Wildlife Service and for Park Service down in Chignik, and we haven't made an arrangement this year. I don't know if the Refuge has, but I know the Park Service hasn't, to have those available, but we can talk about that later if you have a need to get a permit from either of us, or know of someone who has a need, we can certainly make that arrangement.

CHAIRMAN O'HARA: Good. Thank you. Does that satisfy you, Alvin?

MR. BOSKOFISKY: Uh-huh.

CHAIRMAN O'HARA: Okay. Thank you, Sue.

MS. SAVAGE: Uh-huh.

CHAIRMAN O'HARA: Okay. Andy is next here. Sorry about that.

MR. ADERMAN: That's okay, Mr. Chairman. Again, Andy Aderman with the Refuge here in Dillingham. 101

I don't have any specific proposals that I'm presenting, but there are some existing differences between State of Alaska regulations and the current federal regulations that I thought I might bring to your attention, and then as Larry Van Daele had mentioned, the regulatory cycle for the Board of Game is taking proposals for this area, I believe up until December 20th?

MR. VAN DAELE: Yes, sir.

MR. ADERMAN: And he had already mentioned to you one possible proposal that he was going to send in to the Board, and that was the caribou season in 17(A) west of the river, to just have that an established hunt from October 1st to March 31st, two caribou. And Larry's also identified a number of chances to the trapping regulations. And I thought from the consistency standpoint, I might present some of these possible changes that may occur on the State side as food for thought, if you want to get them on the books to be addressed at the Federal Board level.

CHAIRMAN O'HARA: We would have to do that at this meeting?

MR. ADERMAN: Helga tells me that today is the last day for proposals, and again while I don't have -- I'm not going to submit these as proposals from myself or the Refuge, I thought I'd bring it to the attention of the Council, if they would care to make a proposal.

CHAIRMAN O'HARA: I think we only have one, and that's the one on caribou that's -- that Larry gave to us earlier. That's fairly cut and dry that you say you're going to go ahead and put in? We can't very well do a proposal unless we know what we're going to comply with or what are the regulation -- you know, what are the proposal guidelines we're going to comply with from the State side. Larry?

MR. VAN DAELE: Larry Van Daele, Fish & Game again.

As Andy mentioned, these are just proposals, it's a first step. And this is what I was saying before, to align, to know where we're going in the future. There's nothing cut and dried right now. I mean, it goes from me to my regional office. I also work with the Nushagak Advisory Committee and the Togiak Advisory Committee since it affects their areas. And it may be massaged any different direction between now and then. So just a heads up to know that that's in the works. As Andy's saying, we also have trapping regulations that are in the works.

We currently have a difference between or black bear seasons in that our black seasons on the state side are more conservative than they are on the federal side. That already exists. That's the one thing you may want to look at. I don't know.

But the other ones again, a heads up to know. It might be, you know, a temporary embarrassment to the federal system if the federal subsistence seasons, for instance, on trapping are shorter than the state general seasons. So.....

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CHAIRMAN O'HARA: Could be funny. Yeah. Any questions of Larry? Thank you. What are the wishes of the Council as far as these proposals that might parallel state proposals? Do you want to tackle them today?

MR. SAMUELSEN: How many is there?

MR. ADERMAN: All told, about 15.

MR. SAMUELSEN: Just on that sheet, or.....

MR. ADERMAN: Just on this sheet.

MR. SAMUELSEN:do you have a handout?

CHAIRMAN O'HARA: No, I don't think we have time to do that.....

MR. ADERMAN: The fur bearer ones, there are -- nine of them are fur bearers, and they can relatively be grouped into two proposals, one being the beaver, muskrat and otter, proposed season would be November 10th to February 28th. That would extend the beaver season, but it would decrease the muskrat and otter season.

CHAIRMAN O'HARA: What do our -- what's our present beaver proposal?

MR. ADERMAN: The present beaver proposal would be covered by this.

CHAIRMAN O'HARA: We already have a regulation on the book for beaver for subsistence. Oh, that's for sub- -- you're talking about trapping?

MR. ADERMAN: Right. And you'll be taking up Proposal 39 in your February meeting that asks for this same change. Also a bag limit change is in conjunction with that proposal.

The other grouping pertaining to fur bearers would be for arctic and red fox, lynx, martin, and mink and weasel and wolverine, and that would be to have a November 10th to March 31st season, which would increase the season by a month on the tail end. Currently the season goes until February 28th. This is for Unit 17.

CHAIRMAN O'HARA: Does the Council want to address these issues and make a recommendation that we.....

MR. SAMUELSEN: Do we have time?

CHAIRMAN O'HARA: Well, they sound to me like they're pretty easy. You've just given us the dates,.....

MR. SAMUELSEN: Yeah.

CHAIRMAN O'HARA:haven't you?

MR. ADERMAN: I mean, I guess as -- to get it on the books and then you can decide at your meeting in February.

CHAIRMAN O'HARA: In February. Yeah, I would do that. We're not taking away anything from our regions, are we, by complying with close to state regulations?

MR. ADERMAN: No, and that's -- I mean, that's one of the complexities of the dual management. If the state passes a longer martin season, as state residents in Bristol Bay Region, you can take advantage of the longer state season if there's a published.....

CHAIRMAN O'HARA: Yeah.

MR. ADERMAN:shorter federal seasons.

CHAIRMAN O'HARA: Yeah. I think we ought to go ahead and do it. Give us the numbers again, and let's see what this Council wants to do.

MR. ADERMAN: Okay. You already have the beaver proposal, but along with that would be muskrat and otter. The dates would be November 10th to February 28th.

CHAIRMAN O'HARA: Okay. What's the wishes of the Council on that one?

MR. SAMUELSEN: So move.

CHAIRMAN O'HARA: Second?

MR. BALLUTA: Second.

CHAIRMAN O'HARA: Is there any discussion on that? You understand that we're just kind of taking the federal and state paralleling each other. We might even get more time out of it.

All those in favor say aye?

IN UNISON: Aye.

CHAIRMAN O'HARA: Opposed?

(No opposing responses)

CHAIRMAN O'HARA: Next.

MR. ADERMAN: For arctic fox, red fox, lynx, martin, mink and weasel, and wolverine, the season would be November 10th to March 31st.

CHAIRMAN O'HARA: Oh, man, that's a long season.

Okay. All right. What's the wish of the Council?

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MR. SAMUELSEN: So move.

CHAIRMAN O'HARA: Second?

MR. BALLUTA: Second.

CHAIRMAN O'HARA: Everybody understand the --? All in favor say aye.

IN UNISON: Aye.

CHAIRMAN O'HARA: Opposed?

(No opposing responses)

MR. ADERMAN: Okay. This -- Larry just mentioned the black bear. The current black bear season is, under state regulations, August 1st to May 31st, with the harvest limit at two bears. The federal season right now is year round with a limit of three bears.

CHAIRMAN O'HARA: Okay. What's the wish of the council?

MR. CHRISTENSEN: When was them dates again, Andy?

MR. ADERMAN: The state season is August 1st to May 31st. Two bear limit.

CHAIRMAN O'HARA: I think we probably kill bear up there in June or July, don't we, too, and black bear in Lake Country? I don't think I'd support that.

MR. HEYANO: I think, Mr. Chairman, this only applies to Unit 17.

CHAIRMAN O'HARA: Oh, 17. Oh.

MR. ADERMAN: Yes, I'm sorry, Mr. Chairman, my comments to possible changes are only for Unit 17.

CHAIRMAN O'HARA: I didn't even know you guys had bears up there. I mean, brown.

MR. HEYANO: Black bear?

CHAIRMAN O'HARA: Do you have them?

MR. HEYANO: Oh, yeah.

CHAIRMAN O'HARA: Okay. That's -- what do you think, boys?

MR. HEYANO: Yeah, Mr. Chairman, that identical proposal was supported in -- by the Nushagak Advisory Committee a couple of years ago. And it had full support of the communities we represented, and I guess I would move for

CHAIRMAN O'HARA: Second?

MR. SAMUELSEN: Second.

CHAIRMAN O'HARA: Okay. Any discussion on this?

UNIDENTIFIED VOICE: Second.

CHAIRMAN O'HARA: There's a second already. All in favor say aye?

IN UNISON: Aye.

CHAIRMAN O'HARA: Opposed?

(No opposing responses)

MR. ADERMAN: Moving back to caribou, and this would pertain to subunit 17(B) and 17(C), an August 1st to April 15th season east of the Wood River.

CHAIRMAN O'HARA: August what? Is that August 1?

MR. ADERMAN: August 1.

MR. VAN DAELE: Larry Van Daele, Fish & Game.

With regard to the caribou season, what we'd like to do is liberalize it a little bit more on both sides of the Unit 17 area. What the potential proposal would be would be to bring the line from the Kakhonak (ph) River over to the Wood River in Unit 17(C), which doesn't mean a whole lot to you right now I can tell by your eyes glazing over, but that would liberalize the season a bit there, and also to liberalize that Unit 17(A) area that we discussed earlier.

The third thing that our proposal would do, currently the bag limit for caribou is five caribou; however, no more than two may be bulls. And what I intend to propose is eliminate that sex specific. Just make it five caribou, period.

CHAIRMAN O'HARA: Uh-huh.

MR. VAN DAELE: With all of these proposals, if the Board would wish, we have copies of my draft proposals that I submitted to my people in Anchorage, and to the advisory committee, and I could get you copies of those if you'd like, to look at. But basically that's it with the caribou. We'd liberalize it, a little bit of the area of 17(C), we've liberalized 17(A) west of the Togiak, and we would change the bag limit to be just five caribou, rather than five caribou.....

CHAIRMAN O'HARA: And the date's August 1 to what?

MR. VAN DAELE: August 1/April 15 for everything
except 17(A). 17(A) would be October 1 to March 31.

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CHAIRMAN O'HARA: To March 31, and how many animals?
Five?

MR. VAN DAELE: Two caribou.

CHAIRMAN O'HARA: Huh?

MR. VAN DAELE: Two caribou on.....

CHAIRMAN O'HARA: Two caribou.

MR. VAN DAELE:the Togiak side.

CHAIRMAN O'HARA: Okay. All right. And those are
going to be the two proposals you're going to be submitting?

MR. VAN DAELE: For caribou, yes, sir.

CHAIRMAN O'HARA: Uh-huh. Okay. Yes, Robin?

MR. SAMUELSEN: So, Larry, across the river here,
eastward, the Wood River would be open starting August 1 till
March 31st?

MR. VAN DAELE: Yes. No, east of the river would be
August 1 to April 15.

MR. SAMUELSEN: To April 15th.

MR. VAN DAELE: Over on this side. It would be the
same for all of 17(B) and most of 17(C). What would that do?
That would keep the area between the Togiak River and the Wood
River closed for protection of the Nushagak Peninsula herd.

CHAIRMAN O'HARA: Oh, okay. That's what
(Indiscernible, simultaneous speech).

MR. VAN DAELE: The area we have 26,000 caribou in
now.

MR. SAMUELSEN: But it will also open up east of the
river, right?

MR. VAN DAELE: Right.

MR. SAMUELSEN: That's currently closed.

MR. VAN DAELE: Well, yeah, it's open for a short
period of time.

CHAIRMAN O'HARA: Would that be (B)?

MR. VAN DAELE: That would be 17-Charlie, 17(C).

MR. SAMUELSEN: (C).

CHAIRMAN O'HARA: The short season.

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MR. HEYANO: No, it will be from August 1 to.....

CHAIRMAN O'HARA: I think we're getting into something we don't need to get into here.

UNIDENTIFIED VOICE: April 15th.

MR. HEYANO: April 15th, yeah.

CHAIRMAN O'HARA: In seven.

MR. HEYANO: Mr. Chairman?

CHAIRMAN O'HARA: Okay. Yeah?

MR. HEYANO: You know, I don't think the opening or closing dates or the area is very relevant at this time. What I understood us to be going through this exercise is to have a proposal on the book so that we can address and re- -- address the issue and redefine it or have an opportunity to act on it at a later date, so, you know, to me as long as whatever proposal it is that allows us an avenue to discuss the issue in the February meeting is the.....

CHAIRMAN O'HARA: So you're.....

MR. HEYANO:important thing for me.

CHAIRMAN O'HARA: You're in favor of putting this on the floor to look at?

MR. HEYANO: Sure. I think all of them. You know, if Larry obviously has some proposals that will allow us to take the issue up at a later date, and I think that's the only important thing at this time as far as dates and areas and numbers and.....

CHAIRMAN O'HARA: We do have a caribou regulation already to help out in that refuge over there, so that -- you know, at least we're covered, so that's fine with me. Let's have a motion then, if you'd like to do that?

MR. SAMUELSEN: So move.

CHAIRMAN O'HARA: Second?

MR. HEYANO: Second.

CHAIRMAN O'HARA: Okay. First moved and second. Any questions on the dates, bag limits? All in favor say aye?

IN UNISON: Aye.

CHAIRMAN O'HARA: Opposed?

(No opposing responses)

CHAIRMAN O'HARA: Boy, they get real agreeable late in the afternoon. 108

MR. ADERMAN: Did you want to.....

CHAIRMAN O'HARA: That's it? Andy?

MR. ADERMAN:talk about your brown bear and moose?

MR. VAN DAELE: Uh-uh (negative). No, I don't want to talk about anything. It's late.

(Laughter)

CHAIRMAN O'HARA: You don't want to talk about moose?

MR. VAN DAELE: You know, this might be the time to bring this up real quick. I don't know what the protocol is with the Federal Board, but it might be worthwhile to discuss the possibility of if the state season is more liberal, the federal season will mirror that. And that would eliminate an awful lot of this juggling and trying.....

CHAIRMAN O'HARA: Yeah.

MR. VAN DAELE:to figure out all these different little proposals and different times, just.....

CHAIRMAN O'HARA: Yeah.

MR. VAN DAELE:propose that as basically a blanket statement. If there are certain instances where you don't like that, then you can discuss it, but.....

CHAIRMAN O'HARA: Uh-huh.

MR. VAN DALE:it might help. I don't know. If you want to get into each and every proposal that -- like I say, it's real preliminary right now, but if you want to get into each and every proposal today, and the rationale behind it, I'm willing to do that, but I really don't think you want to do that. So.....

CHAIRMAN O'HARA: I don't know if I want to jump into bed with you either saying we're going to do everything that you guys do. Or is that just an option? I mean, how many things are we talking about, Larry?

MR. VAN DAELE: Oh, we're talking about six proposals that I have for Unit 17. If we want to get into that, I'm sure Dick Sellers has some that's he's proposing, too, as well as other folks. It's premature right now is what I'm saying, is.....

CHAIRMAN O'HARA: Yeah.

MR. VAN DAELE:we don't know until the March

Board of Game meeting what's going to happen. And I'm definitely not asking you to jump in bed with me. I wouldn't want that either. What I'm saying is in most cases, statewide I believe that if the State feels you can liberalize a season a lot more than the feds do, most of the times the federal subsistence regulations will mirror that. And that might be something to consider in the future. I don't know. A whole different subject. Sorry.

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CHAIRMAN O'HARA: Yeah. No, it's up to the Council if they want to tackle that today. No? We'll put that on hold.

MR. SAMUELSEN: No words.

CHAIRMAN O'HARA: We'll put that on hold. But that's a good comment. It's not something we're going to take lightly. We appreciate that.

Andy, is that all you have?

MR. ADERMAN: I guess, if you guys don't want to hear any more, that's it.

CHAIRMAN O'HARA: Well, what have you got?

MR. ADERMAN: Possible change to brown bear season in 17(B) in the spring, April 15th to May 25th.

CHAIRMAN O'HARA: What is the dates?

MR. ADERMAN: April 15th to May 25th. And this would also be for 17(C).

CHAIRMAN O'HARA: And that would be complying now with state regs?

MR. ADERMAN: With the possible state regs.

CHAIRMAN O'HARA: With the possible state regs. Is that something Larry's going to be proposing? Why?

MR. VAN DAELE: Spring bear season currently starts on May 10th in all of Unit 17. May 10th is transition time, it's spring break-up, and it's very difficult for people to access bear hunting areas either by aircraft or by boat, or even snow machine at that time of year. Our spring harvest has been very low because of that, and I feel that bear populations are healthy enough to allow a greater harvest in the spring.

CHAIRMAN O'HARA: That's a liberal moving (Indiscernible, simultaneous speech).....

MR. VAN DAELE: Right. By moving the season back to April 15th, you'd have better snow conditions, and chances are you'd take mostly boars,.....

CHAIRMAN O'HARA: Uh-huh.

MR. VAN DAELE:mostly male bears, because they're the first ones that come out of the den. So that's the rationale behind that liberalization. 110

CHAIRMAN O'HARA: I think it's a good idea.

MR. HEYANO: Why not 17(A), to include it?

MR. ADERMAN: I'd have to check here quick, Robert.

MR. VAN DAELE: 17(A) should be included in that, too. It should be all.

MR. HEYANO: I guess, Mr. Chairman, in the whole -- my understanding of this whole exercise was just so we had a proposal so we can discuss the issue,.....

CHAIRMAN O'HARA: Uh-huh. Yeah,

MR. HEYANO:you know, whether or not I agree with the dates or what the proposal says, by voting for adoption, it doesn't indicate -- my vote at this time doesn't indicate I'm in support of the proposal, just that at a later date we would at least get to discuss the issue.

CHAIRMAN O'HARA: Uh-huh. Okay.

MR. SAMUELSEN: You don't have to keep telling us that.

CHAIRMAN O'HARA: All right.

MR. HEYANO: Well, we always seem to get hung up on the technicalities. It doesn't.....

MR. SAMUELSEN: Move for adoption.

CHAIRMAN O'HARA: Okay. Second?

MR. HEYANO: Second.

CHAIRMAN O'HARA: All those in favor say aye?

IN UNISON: Aye.

MR. ADERMAN: This is also for brown bear, and this is in the fall season, September 20th to October 10.

CHAIRMAN O'HARA: What units?

MR. ADERMAN: I guess it would be for 17(C).

MR. VAN DAELE: No, I don't have anything for fall seasons.

MR. ADERMAN: You don't have?

MR. VAN DAELE: No, I don't have anything for fall

seasons. Those are correct, those fall seasons.
(Indiscernible, simultaneous speech)

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CHAIRMAN O'HARA: Okay.

MR. CHRISTENSEN: They just have to go to the dump here and shoot 50 or 60 of you guys' bears. I remember one time they counted 60 bears.

CHAIRMAN O'HARA: Shoot any time you want. Killed seven (Indiscernible, simultaneous speech). I don't know why we're worried about.....

MR. ADERMAN: Okay. Yeah, the fall seasons are correct. I apologize.

CHAIRMAN O'HARA: What's that?

MR. ADERMAN: The fall seasons are correct as they are.

CHAIRMAN O'HARA: As -- okay. Anything else, Andy?

MR. ADERMAN: Well, and your moose, I didn't have that in front of me.

MR. VAN DAELE: With regard -- do we want to talk about moose and sheep, too, while we're here?

CHAIRMAN O'HARA: Sure.

MR. VAN DAELE: Okay. We're going for it. Okay. Sheep would be very easy. With sheep I'm proposing closing all sheep hunting in Unit 17. The rationale for the closure of all sheep hunting in Unit 17 is there are no sheep in Unit 17, with the exception of Lake Clark National Park, which doesn't have a state season. What it does, it just -- it's lying to the hunters basically by having a sheep season.

The other proposal has to do with moose, and that would be a fine-tuning proposal. Currently we have a State registration hunt which allows the harvest of any bull from August 20 through September 15. We have seen a dramatic increase in the number of hunters, and in the moose harvest here in Unit 17, so I'm proposing that we shorten that registration period to be August 20 to August 31 only for any bull. The September 1 to September 15 season, and the December season would go into our spike fork, 50 regime, and 50-inch or greater for the nonresidents.

CHAIRMAN O'HARA: That's four 17?

MR. VAN DAELE: That's for Unit 17(B) and (C).

CHAIRMAN O'HARA: Okay. Without.....

MR. VAN DAELE: 17(A) is currently closed.

CHAIRMAN O'HARA: Without discussing the technicality, what's the wishes of the Council?

MR. HEYANO: Only one question on that, while we're only addressing the registration hunt, will that be broad enough to give us leeway to also address season dates? Or would the discussion have to be just on the registration?

MR. VAN DAELE: With the State Board of Game, you can pretty much launch any direction you want once you have a proposal. I'm not sure how the Federal Board proposals work on that.

CHAIRMAN O'HARA: I don't know.

MR. SAMUELSEN: Mr. Chairman?

CHAIRMAN O'HARA: Uh-huh.

MR. SAMUELSEN: I mean, this is all on state land, Larry. Why are we talking about it here? We should be talking about this next week.

MR. VAN DAELE: We will be, Robin. You guys wanted to talk about it. I wanted to go sit down.

CHAIRMAN O'HARA: Well,.....

MR. HEYANO: I think, Mr. Chairman, because the situation is, and you're going to tell me not to say it again, but the situation is is that at this meeting, if we don't submit any proposals,.....

MR. SAMUELSEN: We'll be out of compliance.

MR. HEYANO:opening up the avenue to adjust moose seasons, or the current moose harvest on federal lands, it's going to stay the old way. And it's obvious I think listening to the people in this area and from the biologists is that there is going to be a change in the moose regulations. Exactly what it is, I can't tell you. But if we don't have a proposal in there at this -- at the end of this meeting, then we don't have the opportunity to adjust on federal land.

CHAIRMAN O'HARA: Okay. So move then.

MR. SAMUELSEN: Right. Housekeeping. So move.

CHAIRMAN O'HARA: Okay. Second?

MR. BALLUTA: Second.

CHAIRMAN O'HARA: All those in favor say aye?

IN UNISON: Aye.

CHAIRMAN O'HARA: Opposed?

(No opposing responses)

CHAIRMAN O'HARA: What else do you have in that.....

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MR. ADERMAN: The last thing I have.....

CHAIRMAN O'HARA:bag of tricks?

MR. ADERMAN:is in regard to our meeting tomorrow with the Nushagak Planning Committee, depending on the outcome of that, they may want to submit a proposal, and I will get that into Dave. So if you see a proposal related to Nushagak Peninsula caribou, I'm letting you know right now.

CHAIRMAN O'HARA: Okay. We'll take a break at this time, and come back. And we have another item to take care of before we adjourn, and that's customary and traditional use determinations. Pat McClenahan is going to handle that. Thank you.

(Off record)

(On record)

CHAIRMAN O'HARA: Okay. We'll call the meeting back to order. Now we're getting down to nitty gritty. We'll have -- we'll come back to proposals here, because we have one more given to us, but before we do that, Pat McClenahan has a report that she'd like to give to us under update on customary and traditional use determinations. And if you would talk to us, please, Pat?

MS. McCLENAHAN: Earlier I gave you a handout that looks like this. It had a tab on it.

CHAIRMAN O'HARA: Okay.

MS. McCLENAHAN: It was a green tab. And I'm sorry I don't remember what number it was.

MS. EAKON: 9(I)

MS. McCLENAHAN: 9(I). Thank you, Helga.

CHAIRMAN O'HARA: 9-5?

MS. McCLENAHAN: 9(I).

MR. SAMUELSEN: 9-6, 9-3.

MS. McCLENAHAN: That's it.

MR. SAMUELSEN: 9-6?

MS. McCLENAHAN: 9(I) I believe.

CHAIRMAN O'HARA: It's in our packet?

MS. McCLENAHAN: I gave it to you a little earlier as a handout.

MR. SAMUELSEN: Oh, as a handout.

MS. McCLENAHAN: Yeah. And it has holes in it.

MR. HEYANO: Yep. Right here. It's loose.

MR. SAMUELSEN: It's loose.

MS. McCLENAHAN: Yes. I'm Pat McClenahan, in case you didn't get that.

This is the report on the backlogged analyses for cultural and traditional use -- customary and traditional use of resources for Region 4.

There's one that we overlooked, and should be added first. And that is Proposal 35, Unit 9, customary and traditional use for sheep. You took action on that at your last meeting, but you modified it, and you asked that staff would research Kakhonak's use and harvest areas, and also Igiugig's. And so I will add that to the customary and traditional analyses.....

CHAIRMAN O'HARA: Okay.

MS. McCLENAHAN:that I'll be doing. If you have a priority for that, I'd like to know that, and I'll put it in in the appropriate place.

CHAIRMAN O'HARA: Where is this at in our priority list as far as what we're going to do with the Council here? We had it as one of our main concerns at the last meeting. Do you want to keep it as a priority? I think we should. Okay.

MS. McCLENAHAN: Okay. High priority.

At the moment, I'm working on the first one that's listed on your list here, all freshwater fin fish, including rainbow trout. And I'm about three-quarters of the way finished with it. I anticipate being finished with it perhaps next week, including maps. And then it will go its usual route to be reviewed.

The next thing that I'll be tackling is brown bear, Unit 9(A), 9(B), 9(C), 9(D) and 9(E). And the proposed change is Unit 9, brown bear, residents of Unit 9. We were -- you had tabled that awaiting further analyses, further data. And that data I think was forthcoming in the BBNA report. It's in its final draft. Actually it's the final report should be out within the next couple of weeks I imagine. So I'll be using that and any other data that has come to light to finish this, if this is still -- if this is a timely manner in which to deal with it. We will be having some more data perhaps forthcoming within this next couple of seasons. Do you want me to proceed now or would you like me to rate for those data?

CHAIRMAN O'HARA: What's the wish of the Council?

Yeah?

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MR. BOSKOFISKY: On this 9, here's where I seen that one bear every four regulatory years.

MS. McCLENAHAN: Oh, I see. Uh-huh.

MR. BOSKOFISKY: That's where I spotted that at.

MS. McCLENAHAN: Uh-huh. It may be a mistake in -- I'm not sure.

MR. BOSKOFISKY: Yeah, and it's residents of Chignik Lake are not being heard (ph). And that's supposed to be one every year.

CHAIRMAN O'HARA: Okay. Pat, restate the question that you want us to deal with on brown bear?

MS. McCLENAHAN: It's possible that Bristol Bay Native Association may be continuing their study that -- of large mammals.

CHAIRMAN O'HARA: Uh-huh.

MS. McCLENAHAN: We're not sure. Do you want to -- do you want me to proceed with the data that I have now, or do you want me to wait.....

CHAIRMAN O'HARA: What do you think,.....

MS. McCLENAHAN:for other data?

CHAIRMAN O'HARA:Council members? Do you know what BBNA is doing, Robin?

MR. SAMUELSEN: Going to do, yeah. Where's Ted?

MS. McCLENAHAN: Ted stepped out.

MR. SAMUELSEN: Do you have an update now to proceed?

MS. McCLENAHAN: We have a year's data, and we can work with that and see what it brings out. I could alert you to data as it is. Once that I get started with the analysis, I could tell you what the trend is, and if you feel that that is sufficient,.....

MR. SAMUELSEN: Mr. Chairman, I think.....

CHAIRMAN O'HARA: Yeah?

MR. SAMUELSEN:it's important to start the process, and we'll have ample opportunity to postpone action if we don't like the data that is presented to us, and wait for further data done by BBNA.

MS. McCLENAHAN: That's true.

CHAIRMAN O'HARA: Okay. Let's do it.

MS. McCLENAHAN: So I'll proceed.

CHAIRMAN O'HARA: Yeah. Go ahead.

MS. McCLENAHAN: That will be next then.

The third one is black bear, Unit 17(A), (B), and (C). That was deferred in 1996. That was for -- to change, to add to Unit 17(A) and (B) the residents of Akiak and Akiachak. And also there was another one that said Unit 18 residents.

I should explain that when we receive several proposals and they're similar, we try to group them and handle them at one time. And this is what we've done in this case.

The next one is moose, Unit 17(A) and (B). This analysis is not complete. It's very close to being completed, but we changed the way that we're doing analyses a little bit, and I've added to my workload Units 19 and 21 as well. So I have to go back now and look at those two in relationship to this. And also to do maps.

CHAIRMAN O'HARA: Yeah. Good.

MS. McCLENAHAN: The next one, beaver, Unit 17. This is to expand the season and increase the harvest limit, which is not a customary and traditional use topic, and I'm not sure why that's on this list. Was there something else with beaver that we were supposed to be looking into?

CHAIRMAN O'HARA: I don't remember. I don't think so.

MS. McCLENAHAN: Okay. All right.

CHAIRMAN O'HARA: Yeah.

MS. McCLENAHAN: These other proposals had no particular priority, but will be addressed in this order, if it's all right with the Council, as soon as I've finished with those first ones: Caribou, Unit 17(A) and (B), 19 and -- this is for, let's see, residents of 17(A), (B), and 18. And we're adding to that Units 19 and 21 as well to my workload. And then brown bear, Unit 17(A) and (B), adding residents of Akiak and Akiachak. Fur bearers, Unit 17, we're going to do a board global review of c&t uses for fur bearers in respect to this.

CHAIRMAN O'HARA: Uh-huh.

MS. McCLENAHAN: Are there any questions about the backlog?

CHAIRMAN O'HARA: Any questions, Council members? Everybody satisfied? Is that it, Pat?

MS. McCLENAHAN: Thank you very much.

CHAIRMAN O'HARA: Okay. Thank you. Okay. We do have one proposal that came to us from Andy, and I've got to find it here now real quick like. Did everybody get a copy of this federal subsistence proposal given out to you?

Andy, would you like to speak to this proposal?

MR. BALLUTA: Yeah, I'll go ahead and.....

CHAIRMAN O'HARA: Go ahead.

MR. BALLUTA: This proposal came from Newhalen Tribal Council, who would like to submit a proposal identifying key subsistence area and protect for further use net in the lagoon across from Newhalen River (ph), Newhalen. They want to seine near the mouth of the river, like lower to Larry Creek and Pete Andrew creek. Seine is identified and use of seine, method is advantage, are not many lost fish. They -- you know, seining, beach seining, you can beach seine and take as many fish as you need, and lift up your seine and let go the rest of it. With the gill net, you set out your gill net and if you catch too many fish, you have to take it all. That's waste of salmon right there, that's waste of fish. But this is what they are proposing.

Also you can -- and (c) that protecting Kvichak River, which provides stock for Lake Clark, one with special harvest area is Naknek River fish and use of all drainage, Egegik, Ugashik and Nushagak will be placed in this river, heading under Kvichak -- well, they're saying that if during the salmon season, the commercial fishing, if they're going to pull Naknek fishermens into the river, they should go and pull Egegik and Ugashik and all the rivers into the river, too, so it will give the salmon a chance to go by into -- this year we didn't have no fish in the Lake Iliamna. Lake Iliamna was pretty low on fish this year, and Lake Clark. Lake Clark was hit the most. Like Tazimina River that we was talking about here earlier. I think there was sport fishermens up there and they counted about 30 fish, and usually that Tazimina River is a great spawning river. And I think they count 30 fish in that river for the season this year. That's no fish at all. There was no fishing spawning in that creek, in that area at all this year.

So this is what Newhalen Tribal Council submitted for.....

CHAIRMAN O'HARA: Have they submitted this -- have they submitted the proposal?

MR. BALLUTA: What?

CHAIRMAN O'HARA: Have they submitted the proposal?

MR. BALLUTA: Yeah, the Newhalen Tribal Council. No, they just send this with me, you know, down to.....

CHAIRMAN O'HARA: So what would you like us to do?

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MR. BALLUTA: Well, I don't know.

CHAIRMAN O'HARA: You don't know. So what's the next step?

MR. SAMUELSEN: Mr. Chairman?

CHAIRMAN O'HARA: Yeah? Uh-huh.

MR. SAMUELSEN: I think we address the methods and means. I don't even know if we could do that under (a) since we are not managers of navigable water. It looks like (c) is completely out. The same for the reason of 1(A) and (B). We could address number 2, and maybe we could have some staff up here to see if I'm correct in that assumption.

CHAIRMAN O'HARA: Might as well, Dave.

MR. SAMUELSEN: Do we control the waters in front of Newhalen where we could allow ground hauling seining near the mouth of the river, Dave?

MR. FISHER: Can you repeat the question, please?

MR. SAMUELSEN: Have you seen this proposal?

MR. FISHER: No, I haven't. I'm just -- you kind of caught me off guard.

MR. SAMUELSEN: Pardon?

MR. FISHER: I say you kind of caught me off guard.

MR. SAMUELSEN: Oh, okay.

CHAIRMAN O'HARA: Did you see the proposal? Here you go.

MR. FISHER: Well, I don't believe we're entertaining any fisheries proposals at this time.

CHAIRMAN O'HARA: We don't have any jurisdiction on the fishery proposals.

MR. FISHER: Could someone else here help me out and correct me if I'm wrong?

MS. FOX: That's correct.

MR. FISHER: Peggy, is that correct?

MS. FOX: That's correct.

MR. FISHER: I am correct then.

CHAIRMAN O'HARA: Okay. Go to number.....

MR. SAMUELSEN: So (A), (B) and (C) we don't have to act on. However, number two we could act on number 2 recommendation? 119

MR. FISHER: Yes.

MR. SAMUELSEN: How about the bird?

MR. FISHER: Are they talking ptarmigan or grouse or what are they talking there?

CHAIRMAN O'HARA: I think April and May you're talking about a spring hunt.

MR. BALLUTA: I think they're talking about migratory birds.

CHAIRMAN O'HARA: Yeah.

MR. FISHER: Migratory birds?

MR. BALLUTA: Yeah.

MR. FISHER: We don't -- we wouldn't be working on anything on migratory birds. That's Migratory Bird Office handles that.

CHAIRMAN O'HARA: We have no jurisdiction over migratory birds?

MR. FISHER: No.

CHAIRMAN O'HARA: So we can't -- we can deal with the moose, but we can't deal with the birds?

MR. FISHER: That's correct.

CHAIRMAN O'HARA: Okay. Yeah, Robin?

MR. SAMUELSEN: Andrew, I think most of your proposal is directed towards -- not at this Council, but the Alaska Board of Fish.

MR. BALLUTA: Uh-huh. Yeah, that's -- I suggested that to them, but they gave me this to bring down. I can take it back to them and tell them that they should take this to Alaska.....

MR. SAMUELSEN: Board of Fish.

MR. BALLUTA: Board of Fish, yeah.

CHAIRMAN O'HARA: Do you have any idea what they wanted in the way of moose there? Excuse me, Robert, you had your hand up there.

MR. BALLUTA: Well, they want moose. I think they just wanted the same season like this December season.

CHAIRMAN O'HARA: Uh-huh.

MR. BALLUTA: Yeah.

CHAIRMAN O'HARA: Don't they have a December season up there?

MR. BALLUTA: Yeah, they've got December season, you know, they just put that in for.....

CHAIRMAN O'HARA: You don't know what dates they want for the moose?

MR. BALLUTA: Yeah, I think the same dates. I think that's what they want. But they were.....

CHAIRMAN O'HARA: They want a cow moose season in December? An antlerless -- yeah, Robert?

MR. HEYANO: Yeah, Mr. Chairman, I guess currently they have a December or winter moose season for the month of December, but it's -- it has to be a bull moose. I think what they're asking for here is a cow moose season. And I think as you remember from past meetings, there's some concern about the moose population on federal land in Unit 9(B). And I think we need to see that information before we would recommend a cow moose hunt.

The other thing is, Mr. Chairman, this body can't allow hunting privileges for one race of people versus others. My understanding is we're delegated to provide subsistence opportunities for rural residents, irregardless of race.

CHAIRMAN O'HARA: That's right. Okay. Well,.....

MR. HEYANO: And I think the subsistence permits could be accepted by the State for sport fishing and hunting and trapping has a lot of merit. I think that's an excellent idea.

CHAIRMAN O'HARA: How would it work?

MR. HEYANO: Well, I guess if I understand the intent correctly, instead of a subsistence user going buying a sport fishing, hunting and trapping license, he would have be issued a subsistence permit. You know, I think that's -- you know, one thing that it does is that you don't get counted as a sport fisherman or a sport hunter when somebody's counting numbers. You'd be counted as a subsistence user.

CHAIRMAN O'HARA: Well, we have ten minutes -- nine minutes to make a proposal.

MR. HEYANO: Well, I think once again this has to be a state proposal, because it's dealing with the state regs.

CHAIRMAN O'HARA: Okay. So we're not going to deal

with 1(A), (B), or (C) because we can't, it's not within our jurisdiction. Okay. And then number two, we can't deal with the..... 121

MR. SAMUELSEN: Migratory birds.

CHAIRMAN O'HARA: Migratory birds, because it's not within our jurisdiction. The only thing we can deal with is moose, and this body does not want to deal with an antlerless season in December because of the low.....

MR. SAMUELSEN: Population.

CHAIRMAN O'HARA:population. So the only thing we can deal with then is where they want to make a proposal on the subsistence permit for the Alaska Department of Fish & Game for sport hunting. That a subsistence permit be used in place of a sport hunting/fishing license. Is that right?

MR. HEYANO: That's how I read the intent of the language.

CHAIRMAN O'HARA: Okay. Does this body want to make that proposal then? I think it's a good idea.

MR. SAMUELSEN: I do, too, but I think some thought needs to go into it.

CHAIRMAN O'HARA: Well,.....

MR. SAMUELSEN: And I think that a subsistence permit could be crafted, could be adopted by the federal management regime as well as the state, dealing with subsistence users and use.

CHAIRMAN O'HARA: Uh-huh. Helga, if you could come up to the podium there, the table with Dave, and let's just look at this for a very brief moment. We don't have very much time. But I think this is a good idea. Is there an emergency procedure for getting a proposal in after the cut-off date?

MS. EAKON: No, we're really stretching it. Actually the period closed October 25, and.....

CHAIRMAN O'HARA: Because of weather we are able to do this?

MS. EAKON: Yeah, on this very day, so I.....

CHAIRMAN O'HARA: Okay.

MS. EAKON:feel kind of awkward to extend it unilaterally without authority.

CHAIRMAN O'HARA: No, we can't, but I was just wondering if there's -- is there -- it says somewhere a proposal can't come in later than today?

MS. EAKON: Well, under an emergency like situations

~~instead of this -- under the state system you call them E.O.s,~~ 122
under our system we call them special actions.

CHAIRMAN O'HARA: Uh-huh.

MS. EAKON: When they come up, when there's such an extraordinary nature, but besides, Dave just passed me a note and said this really needs a lot more work done.

CHAIRMAN O'HARA: Yeah. I would say we -- it's a great idea, but I don't think we're going to get it in this year. Just to throw it open there, you know, wide open, it may come back as something that we don't want to see, and we might not recognize. So I think we better.....

MR. SAMUELSEN: Can we.....

CHAIRMAN O'HARA:I don't think we can do anything about this proposal.

MR. SAMUELSEN: Okay. Can we ask staff to have -- to look into the feasibility of having a federal subsistence permit which would encompass sport fishing, hunting and trapping?

CHAIRMAN O'HARA: All right. If somebody could second that motion?

MR. HEYANO: Second.

CHAIRMAN O'HARA: Yeah, that's a good idea. Okay. We're going to have them draft some language on this issue. You know, I appreciate Newhalen coming to us with us, but I think it's something bigger than we can handle in our period of time today.

You're the one that's got to go back and tell them, Andy, so I hope they don't beat you up too bad.

MR. BALLUTA: I hope not.

(Laughter)

MR. BALLUTA: Come back with nothing.

CHAIRMAN O'HARA: If you come back all beat up next February, we'll know something went wrong.

MS. EAKON: That's your work, that's your job.

CHAIRMAN O'HARA: Okay. We've got that in the form of a motion. Everybody in favor say aye?

IN UNISON: Aye.

CHAIRMAN O'HARA: Opposed?

(No opposing responses)

CHAIRMAN O'HARA: Okay. I think that's all we can do with this proposal today.

Only other item that we have to deal with today would be the time and place of the next meeting. And I would suggest probably Naknek would be the next.....

MR. SAMUELSEN: Leave it to the call of the Chair.

CHAIRMAN O'HARA: All right. Any other business that needs to come before this body before we go?

MS. EAKON: There were a couple of Board-directed items, and if you looked at those, one was the rural language in the charter. Did you have a chance to read? This is the one where Robert Heyano joined us by teleconference this past summer. In the beginning rural residency within the region was not a requirement in the charter and it was inadvertently put in in 1994, so the Board has left it out because there is a legal opinion that says there's no authority to require rural residency within the region as a prerequisite to being sitting on your Council. All of the nine other councils have spoken on the issue. The Board would like your opinion on this.

CHAIRMAN O'HARA: You've got the floor, Robert.

MR. HEYANO: Thank you, Mr. Chairman. I guess I participated by default. You were tied up and Robin was tied up, and Helga got a hold of me, and if you recall, we discussed this issue in Naknek I believe, but actually didn't take a position on it.

CHAIRMAN O'HARA: Uh-huh.

MR. HEYANO: And I made that clear to the -- during the teleconference. But I also gave my opinion as a member of this group, and I thought that we want to see rural residency as a requirement, even though we discussed that. The way it's currently written, if you had knowledge, well, somebody from an urban area can read enough material and never been out here and become knowledgeable. And I think during some of our discussion focuses on that it's important to actually to have people who reside and live in the area to sit on these councils.

CHAIRMAN O'HARA: I don't think that's difficult to deal with. Yes?

MR. SAMUELSEN: Yeah, Mr. Chairman, I would support the rural residency requirement. I know some advisory committees that's got to have teleconferences with Seattle to have a quorum.

CHAIRMAN O'HARA: Oh, yeah.

MR. SAMUELSEN: State advisories. And it really

hampers the effectiveness of that advisory board, so I'd support the so I'd support the rural.

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MS. EAKON: In support -- in which case, a simple motion with a vote, Mr. Chair, would suffice.

MR. SAMUELSEN: So moved.

MR. HEYANO: Second.

CHAIRMAN O'HARA: Okay. The motion is that we would have a rural requirement to serve on this Council. All those in favor say aye.

IN UNISON: Aye.

CHAIRMAN O'HARA: Opposed?

(No opposing responses)

CHAIRMAN O'HARA: Okay. The ayes have it. Anything else, Helga?

MS. EAKON: And the question, Board direction question was a question of alternates to your regional council. Eastern Interior was the one who first brought this up, because they have a problem with a quorum. You can go either one of two ways: Support a shadow council, or have two at-large floating alternates. Divide Bristol Bay into two, and say, okay, we support the idea of having alternate A in case someone can't make it to the meeting.

MR. SAMUELSEN: I can give you my thoughts on it, Mr. Chairman.

CHAIRMAN O'HARA: Sure. Do so.

MR. SAMUELSEN: Yeah. My thoughts are that when you sign up for something, you make every attempt to attend it. and I think with the -- when the federal management came in after McDowell, you know, everybody said the resource is going to go to hell. We've proved them wrong. The federal system is working out real well. I think it's because of the consistency of groups like the Bristol Bay group that show up continuously. I think our attendance record is second to none in the state, because everybody shows up for the meeting. We start getting alternates, policy's going to start deviating where we're trying to be consistent. The new people will be coming on board with very little background information, and with the advent of possible fisheries coming on, I'd hate to see alternates, and, you know, I think it would be creating nothing but mass confusion.

CHAIRMAN O'HARA: All you guys are going to show up, aren't you?

MR. SAMUELSEN: And poor judgment.

CHAIRMAN O'HARA: You are going to show up every

MR. BALLUTA: Sure.

CHAIRMAN O'HARA: You guys are all going to show up? We're all going to show up, because I think it's a privilege to serve on this board. I really do.

MS. EAKON: Okay.

CHAIRMAN O'HARA: I think it's a high priority to serve on this board, and I want to make every effort I can to be here, so I don't think we need an alternate. We're always going to have a quorum.

MS. EAKON: A summation of your comments will suffice. And in regards to your next meeting, I did pass out the calendar, and you did say at the call of the Chair, so I guess I'll coordinate closely with Dan to make sure that it's a good date for the region over at Naknek.

CHAIRMAN O'HARA: Yeah. And I would recommend that you come in on the 8:00 o'clock PenAir flight, and we start the meeting at 1:00 o'clock, and have a day and a half. And if we have to stay another day, we have to stay another day, we will, but probably just probably just having an evening meeting is not enough time to get the work done, because we're just a few hours short of really having a thorough meeting.

MS. EAKON: Uh-huh.

CHAIRMAN O'HARA: That would mean you federal people are going to have to get up at 6:00 o'clock in the morning and go to King -- go out to the airport. The PenAir flight leaves at 8:10. We can be set up at the -- you know, if we do have it in Naknek or -- by 1:00 o'clock.

MS. EAKON: Okay.

CHAIRMAN O'HARA: We'll try to get this Council -- you know, the chambers of the assembly in Naknek if we can.

MS. EAKON: Okay.

MR. BOSKOFKY: Yeah, make sure PenAir is down there to pick me up.

CHAIRMAN O'HARA: Day in advance. Oh, yeah. Yeah, you're going to have to come the night before.

MR. BOSKOFKY: Yeah. Probably.

CHAIRMAN O'HARA: Yeah. Or you'll be two days late. Anything else, Helga?

MS. EAKON: No, Mr. Chair, that's good. All of the other items could be deferred. And I do apologize to Cynthia Wentworth for travelling with her baby all this time and having to postpone her presentation. I feel real bad about

that.

MS. WENTWORTH: Well, if anyone wants to just see it after, I'll be glad to show it to them, (indiscernible) overhead.

MR. SAMUELSEN: Okay. Move to adjourn.

MR. BALLUTA: Second.

CHAIRMAN O'HARA: Out of here.

(END OF PROCEEDINGS)

C E R T I F I C A T E

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

I, Salena Hile, Notary Public in and for the State of Alaska and Reporter for R & R Court Reporters, Inc., do hereby certify:

THAT the foregoing pages numbered ** through ** contain a full, true and correct Transcript of the Bristol Bay Subsistence Regional Advisory Council, Volume II, meeting taken electronically by me on the 13th day of November, 1996, beginning at the hour of 8:30 o'clock a.m. at Dillingham, Alaska;

THAT the transcript is a true and correct transcript requested to be transcribed and thereafter transcribed by Meredith L. Downing and me to the best of our knowledge and ability;

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

DATED at Anchorage, Alaska, this 29th day of November, 1996.

Notary Public in and for Alaska
My Commission Expires: 11/5/98