

1 BRISTOL BAY FEDERAL SUBSISTENCE
2 REGIONAL ADVISORY COUNCIL MEETING

3
4 PUBLIC MEETING

5
6 VOLUME I

7
8 Naknek Assembly Chambers
9 Naknek, Alaska
10 February 20, 2006
11 1:00 o'clock p.m.
12

13
14 COUNCIL MEMBERS PRESENT:

15
16 Randy Alvarez, Chair
17 Nanci Morris Lyon
18 Dan Dunaway
19 Daniel J. O'Hara
20 Virginia Aleck
21 Boris Kosbruk, Sr.
22

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24 Regional Council Coordinator, Clifford Edenshaw
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1 P R O C E E D I N G S

2

3 (On record - 1:00 p.m.)

4

5 CHAIRMAN ALVAREZ: I'd like to welcome
6 everybody here to the Bristol Bay Regional Advisory
7 Council meeting. My name is Randy Alvarez and I happen
8 to be the chairman by default, I guess. I'll call the
9 meeting to order and we'll start off with the roll call.
10 Would you do that, Cliff.

11

12 MR. EDENSHAW: Yes, Mr. Chair. My name
13 is Clifford Edenshaw and I'm the coordinator for the
14 Bristol Bay Council. Daniel J. O'Hara.

15

16 MR. O'HARA: Here.

17

18 MR. EDENSHAW: Randy Alvarez.

19

20 CHAIRMAN ALVAREZ: Here.

21

22 MR. EDENSHAW: Pete Abraham. Pete
23 Abraham is absent, Mr. Chair. Pete called me last week
24 and was unable to because of some work related experience
25 with the housing over in Togiak. Virginia Aleck.

26

27 MS. ALECK: Here.

28

29 MR. EDENSHAW: Robin Samuelson. Mr.
30 Chair and Council, Robin, this is his last year and he
31 didn't reapply, so pretty much this would be the last
32 meeting for his appointment. I've spoken to he and
33 Robert in the past chose not to attend the last one.
34 Boris Kosbruk.

35

36 MR. KOSBRUK: Here.

37

38 MR. EDENSHAW: Dan Dunaway.

39

40 MR. DUNAWAY: Here.

41

42 MR. EDENSHAW: Nanci Morris Lyon.

43

44 MS. MORRIS LYON: Here.

45

46 MR. EDENSHAW: Alvin Boskofsky. Mr.
47 Chair and Council Members, Alvin Boskofsky is the newest
48 appointment to the Council and he's in Anchorage taking
49 care of some medical stuff, so he was unable to attend.
50 We have one vacant seat. The nomination period is closed

1 and we're in the process of interviewing applicants and
2 hopefully by the fall or at our next meeting we'll have a
3 full slate of the four seats. Actually, there's Robin,
4 the vacant seat and.....

5
6 MR. O'HARA: Andy.

7
8 MR. EDENSHAW: His was filled up this
9 year. Last year we only had two applicants and there
10 were three seats, so that's why we ended up with the
11 vacant seat. Mr. Chair, there is a quorum.

12
13 CHAIRMAN ALVAREZ: All right. Thank you,
14 Cliff. Next I'd like to ask Dan O'Hara if he'd do the
15 invocation.

16
17 MR. O'HARA: Gentlemen, take your hats
18 off. I'm sorry we have to do this in English. Pete
19 usually does it in Yupik. Lord, we thank you that we can
20 celebrate the wonderful resource from your hand and we
21 just ask, as we have this meeting today, that we be real
22 careful about taking care of the environment and the
23 recruitment stock and that we might continue to be able
24 to enjoy a good resource. We thank you that we can
25 appreciate so much, the beautiful creation and all that
26 involves for us today and we do pray for wisdom as we
27 deliberate some of the really important issues and how it
28 affects people's lives as well. We do pray for that
29 wisdom and we ask for kindness and consideration of one
30 another and we thank you in Jesus's name. Amen.

31
32 CHAIRMAN ALVAREZ: Thank you, Dan. Item
33 number 3 on the agenda, welcome and introduction of
34 Regional Council, Staff and guests. I guess we've done
35 the committee members. Maybe we can start with you.

36
37 MR. HILE: I'm Nathan, the court reporter
38 for the meeting.

39
40 CHAIRMAN ALVAREZ: Okay, Nathan, thank
41 you. Then we'll start with Orville over here and kind of
42 work each row and go until you get to the back.

43
44 MR. LIND: Orville Lind with the Fish and
45 Wildlife Service at King Salmon.

46
47 MR. RIDDLE: George Riddle, Bristol Bay
48 resident.

49
50 MR. KLUTSCH: Joe Klutsch, Bristol Bay

1 resident.

2

3 MS. GREFFENIUS: Laura Greffenius, Office
4 of Subsistence Management.

5

6 MR. LIEDBERG: Paul Liedberg, Togiak
7 National Wildlife Refuge.

8

9 MR. ANDERSON: My name is Norman
10 Anderson. I'm project coordinator for (away from
11 microphone). Thank you.

12

13 MR. BOSKOFISKY: Paul Boskofsky, Nancy
14 Lake resident.

15

16 MR. KNAUER: Bill Knauer, policy and
17 regulations specialist.

18

19 MR. EDWARDS: Mike Edwards, fish
20 biologist.

21

22 MR. EASTLAND: Warren Eastland, wildlife
23 biologist.

24

25 (Some introductions away from microphone)

26

27 CHAIRMAN ALVAREZ: Thank you. Now we all
28 know each other. If I forget your names, you can tell
29 me. All right. Cliff.

30

31 MR. EDENSHAW: Thank you, Mr. Chair. I
32 just want to encourage the individuals who are members of
33 the public if you'd like to address the Council in
34 regards to any of the proposals or issues that are in our
35 agenda, just go ahead and fill out one of those small
36 papers right here on the table. The books that we are
37 using here, everything that the Council is going to
38 address this afternoon and tomorrow is in these books.
39 Some of the paper copies on the tables are nothing more
40 than copies that I chose for some of this stuff, for the
41 wildlife proposals. So all of the information that's on
42 the table is in here with the exception of the sign-in
43 forms and testimony forms and we encourage all of you to
44 sign up on the sign-in sheet.

45

46 For those of you who are going to provide
47 testimony, there's a seat up here for you to come up and
48 please identify yourself by your name and if you're a
49 member of the public or an agency, if you'd state that
50 for the record. Thank you, Mr. Chair.

1 CHAIRMAN ALVAREZ: Thanks, Cliff. Okay.
2 Number four on the agenda is review and adoption of the
3 agenda. Does anybody want to move to adopt the agenda.
4
5 MR. O'HARA: I so move, Mr. Chairman.
6
7 CHAIRMAN ALVAREZ: We have a motion to
8 adopt.
9
10 MS. MORRIS LYON: Second.
11
12 CHAIRMAN ALVAREZ: Nanci seconds.
13
14 MR. O'HARA: Mr. Chairman. The action
15 items will come after the public hearing, is that the way
16 we're going to be working today, just like it says on the
17 agenda?
18
19 MR. EDENSHAW: Yes.
20
21 MR. O'HARA: Call for the question.
22
23 CHAIRMAN ALVAREZ: The question has been
24 called for. All in favor of adopting the agenda say aye.
25
26 IN UNISON: Aye.
27
28 CHAIRMAN ALVAREZ: Opposed.
29
30 (No opposing votes)
31
32 CHAIRMAN ALVAREZ: Motion carries.
33 Number five, minutes of October 6th and 7th, '05 held in
34 Dillingham. I suppose everybody has had a chance to
35 review the minutes. Do we have a motion to adopt?
36
37 MR. DUNAWAY: Move to adopt.
38
39 CHAIRMAN ALVAREZ: Dan moves.
40
41 MS. ALECK: Second.
42
43 CHAIRMAN ALVAREZ: Virginia seconds. Any
44 comments.
45
46 MR. O'HARA: Question.
47
48 CHAIRMAN ALVAREZ: The question has been
49 called. All in favor of adopting the minutes of the 6th
50 and 7th, '05 signify by saying aye.

1 IN UNISON: Aye.
2
3 CHAIRMAN ALVAREZ: Opposed.
4
5 (No opposing votes)
6
7 CHAIRMAN ALVAREZ: Motion carries. The
8 Chair's report, we have a letter from the chairman of the
9 Federal Subsistence Board. Cliff, would you take care of
10 that.
11
12 MR. EDENSHAW: Thank you, Mr. Chair. All
13 of you should have in front of you a copy, which is dated
14 February 14th, and it's addressed to Mr. Alvarez, our
15 chair. This is in regards to the Board meeting that
16 Nanci attended on behalf of Randy. As most of you recall
17 from our last meeting in October, we addressed four
18 proposals, 03, 06, 07 and 08, which you can see on Pages
19 2 and 3 on the statewide proposal and the Board adopted
20 all three of the proposals for the region, numbers 06, 07
21 and 08. You can see on Page 1, under the statewide
22 proposal, all the councils recommendation and the Board's
23 action on Page 2, which was adopt as recommended by 9 of
24 the 10 councils. So those were the four fisheries
25 proposals and this is just part of the Board's
26 responsibility in sending out correspondence to the Chair
27 and the Council Members stating what actions they took on
28 all the proposals. So that was the extent of the
29 information on this. That's all I have.
30
31 CHAIRMAN ALVAREZ: Thanks. The next item
32 under six is the Council Members report. Any of the
33 Council Members have anything to report on or comment on
34 to the Chair of the Federal Subsistence Board?
35
36 (No comments)
37
38 CHAIRMAN ALVAREZ: Seeing none, we'll
39 move down to the 2005 annual report. Cliff, would you
40 take care of that.
41
42 MR. EDENSHAW: Thank you, Mr. Chair and
43 Council Members. At this time, between now and when the
44 meeting is adjourned, I'd like for the Council to provide
45 me any resource issues they have, which will be included
46 in the 2005 annual report. What I've brought before you
47 in this stack of papers, this is 28 communities in the
48 Bristol Bay region. At one time Dan Dunaway asked for --
49 for instance, if you look at the first one here, on the
50 far left-hand column under the community, it lists South

1 Naknek and that's about five pages long. Up at the top
2 it lists the community, the study year, the resources and
3 the fourth column, if you go down through all of these,
4 it lists every resource that the community, at the time
5 the individuals were interviewed, stated that they had
6 utilized.

7
8 This was in regards to Dan's concern
9 about the proposed mining project up there in the Pebble
10 Mine. What he wanted in the previous Council meetings
11 was a list of all the communities within the Bristol Bay
12 region, as well as the amount of resources they've used
13 in the past. If you look in the second column, that's
14 1992. That's the last year a study was done for this
15 community. If you go through the stack that I've
16 provided you, I printed out all the communities within
17 the Bristol Bay region and there was, I think, Twin Hills
18 and there was probably two that I wasn't able to print
19 out.

20
21 CHAIRMAN ALVAREZ: Thanks. Dan.

22
23 MR. O'HARA: This information that we
24 have on these pages come from the harvest reports that
25 have come in or when the Alaska Department of Fish and
26 Game puts out a permit use for catching salmon and sent
27 the card back in saying the number of fish we've used, is
28 that how we've gotten the statistics?

29
30 MR. EDENSHAW: Mr. Chair and Council
31 Members. This data was compiled from the community
32 profile database. I've been speaking with Ted Krieg in
33 the past and perhaps if Ted can come up here, I'm going
34 to relay some of the information I know in how I
35 retrieved this, but if there's something that I
36 mischaracterize perhaps he could clarify that for the
37 Council Members. This is done in part with community
38 household surveys, Mr. O'Hara. So if you look through
39 all the communities they were done. What I excluded in
40 here, if you look, for instance, the first page on the
41 top, it goes through the community, the year, the
42 resource, the use and harvesting, receiving and giving.
43 It talks about units and X total pounds.

44
45 I deleted probably about 20 columns where
46 they do a statistical analysis because, again, it is done
47 on household surveys and there was only a certain amount
48 of residents or households they interviewed, so they
49 wanted to make sure that the statistical analysis is in
50 par with when they conducted their interviews. Perhaps

1 Ted can elaborate on that. I didn't include all those on
2 here, but that's what's in the full -- for instance, if
3 I'd printed out the full copy of the South Naknek, it
4 would have had probably close to -- like this one here
5 has 12 columns. It would probably be over 30 columns in
6 terms of the statistical data.

7

8 CHAIRMAN ALVAREZ: Dan.

9

10 MR. O'HARA: Mr. Chairman. The reason I
11 asked that -- and I appreciate Dan bringing this up
12 because it's going to be very useful if the mine ever
13 does get cranked up or anything else that does happen in
14 the area. For instance one year, a number of years ago
15 when I was on the state advisory board for the
16 Naknek/Kvichak Advisory Committee and we were on game,
17 Levelock had never harvested a moose or a caribou, so
18 they weren't even eligible under some subsistence
19 category to be part of the system in the statewide
20 program. I notice a few holes in Levelock even now. So
21 maybe you could tell us how we got up with some numbers
22 so if it comes down to use, they're going to be at least
23 in a column where they can get this fish and game.

24

25 MR. KRIEG: Mr. Chairman and Council. I
26 don't have those tables in front of me, but I'm familiar
27 with that. I can't give you dates. Subsistence Division
28 has a long history of doing household subsistence harvest
29 surveys. We started out with baseline surveys, which are
30 for all resources. All communities in Bristol Bay have
31 had at least one baseline survey done. We've been kind
32 of in the process, as funding becomes available, of
33 updating those baselines. I can say for certain the
34 whole Bristol Bay area has been covered for what we call
35 our large land mammal surveys. Those were done for the
36 Alaska Peninsula. We ended up with three study years. I
37 think '94-'95, '95-'96, '96-'97. Those three regulatory
38 years we had data for the north Alaska Peninsula. Then
39 we updated large land mammals for the remainder of
40 Bristol Bay in 2001.

41

42 Actually, we're in the process right now
43 as part of a -- Northern Dynasty hired Steven Brond &
44 Associates to do the cultural studies for the permitting
45 process. Steven Brond identified that subsistence
46 harvest surveys needed to be done and contacted
47 Subsistence Division. So we're subcontracting with him
48 to conduct subsistence harvest surveys. I've updated the
49 Council on that. Last year we did baseline surveys,
50 Subsistence Division, working with the local communities,

1 the village councils. We always get their approval
2 first. We hire people in the village to work with us.

3
4 Last year we conducted surveys in Pedro
5 Bay, Iliamna, Newhalen, Nondalton and Port Alsworth.
6 This year we're in the process of contacting villages and
7 getting approval for Kakhonak, Igiugig, Levelock. And
8 then on the Nushagak, Koliganek, New Stuyahok, Ekwok and
9 Portage Creek for baseline subsistence harvest surveys.
10 The baseline is all subsistence resources; fish, any type
11 of wildlife, caribou, moose, small mammals, beaver,
12 porcupine, plants, ducks and geese, everything.

13
14 CHAIRMAN ALVAREZ: Nanci.

15
16 MS. MORRIS LYON: That relates to my next
17 question, too, Ted, because I notice some of these
18 studies are over 20 years old.

19
20 MR. KRIEG: Right.

21
22 MS. MORRIS LYON: So do we have backup
23 information also available to supplement them should it
24 become necessary to just not compile?

25
26 MR. KRIEG: Right. I mean the baselines
27 were the starting points. As time has gone by, other
28 surveys have been done. I'm talking about what
29 Subsistence Division does as household surveys where we
30 go to the house. There's the permitting process where
31 people are supposed to be turning those in.

32
33 MS. MORRIS LYON: So we do have
34 supplement backup.

35
36 MR. KRIEG: And that brings up Dan's
37 question about Levelock in that maybe people aren't
38 getting their permits and maybe they're not turning them
39 in, but people are harvesting moose. When we go house to
40 house, we feel like we have face-to-face information from
41 those people that documents their use for that year.

42
43 CHAIRMAN ALVAREZ: Thank you, Ted.

44
45 MR. O'HARA: Last year there was like one
46 moose harvest at Newhalen and Iliamna. We know more than
47 that's happened and we need to know that more than that's
48 happened if we're going to cover a vegetation problem
49 with the Pebble Beach, you know. I mean these all are
50 related, so they're very important.

1 MR. KRIEG: That brings up a very good
2 point because we always try to encourage people to go
3 through the process of getting your permit and sending
4 those in because it is important. That number is needed
5 for subsistence for each community. If people aren't
6 responding, the powers that be go with the information
7 they have and it may be totally inaccurate.

8
9 CHAIRMAN ALVAREZ: Dan.

10
11 MR. DUNAWAY: First off, I want to thank
12 Staff. I hadn't realized what I was asking for to end up
13 with a Sears catalog, but it could be really useful and I
14 appreciate you going through the trouble to put it
15 together. My only other comment, on some of this big
16 game stuff, did I hear at the Nushagak Advisory Committee
17 that the State is getting a lot more tough on people not
18 turning in harvest tickets and your ability to get a
19 harvest ticket the next year or is that just special
20 registration hunts? Anyway, they're clamping down
21 tighter and tighter on some of these permits and other
22 paperwork. If folks don't do it, they may not be able to
23 get it another year.

24
25 This could be really useful when we're
26 trying to sort out what level of resource is at issue
27 here and that's why I was eager to have it. Again, thank
28 you very much for going to the trouble.

29
30 CHAIRMAN ALVAREZ: Thank you, Ted.

31
32 MR. EDENSHAW: I would like from the
33 Council further direction on this. But the one question
34 I had for Ted is last year there was a long book that Jim
35 Fall had sent out. Was that the draft on the lake
36 communities you just mentioned with the church on there?
37 Was that the most recent survey, that large mammal?

38
39 MR. KRIEG: If you're referring to the
40 11x17, that was the maps. But that's a good point. All
41 of these projects and the surveys that we do, they go
42 into our Subsistence Division technical paper series.
43 This information is all compiled in different reports
44 that are available and you can actually access them on
45 the Subsistence Division web page. Look for technical
46 papers.

47
48 CHAIRMAN ALVAREZ: Ted, you said you're
49 going to be working on getting new, updated information.
50 When will that be available because some of this stuff is

1 pretty old if you look at the years they were taken.

2

3 MR. KRIEG: For the five communities that
4 I mentioned up in Iliamna Lake and Lake Clark, that
5 report is close to being finished if it's not already. I
6 guess with this mine permitting stuff, it's working on a
7 tight time line. We're just in the process of getting
8 started with baseline surveys for the seven communities
9 that I mentioned. That should be out by the end of this
10 year or shortly after that. I can't say for sure. We
11 have to wait and find out. Then there's a next set of
12 communities that potentially might have baselines
13 conducted there also.

14

15 CHAIRMAN ALVAREZ: Thanks. Any more
16 comment on this. Boris.

17

18 MR. KOSBRUK: I just had a question for
19 Ted. Do you work with the State in Anchorage?

20

21 MR. KRIEG: I'm out of Dillingham,
22 Subsistence Division.

23

24 MR. KOSBRUK: So you communicate with
25 them.

26

27 MR. KRIEG: Yes, I do.

28

29 MR. KOSBRUK: I've said it before and
30 I'll say it again just to remind you that reports in the
31 past two years have been wrong. There was a catch report
32 of 5,000 cohos and we didn't have nothing. It's
33 unbelievable. That started in '95 when I first testified
34 in Kodiak. The chairman of the board was up there and he
35 looked at a piece of paper, I'm guessing it was the
36 subsistence report on Perryville. He said I don't see no
37 problems here and he threw it down. That was it. That
38 was wrong. It gives the wrong impression to the Board.
39 That information is bad. I keep a close eye on it now.

40

41 MR. KRIEG: Boris, all I can say to that
42 is we only document what people tell us. We don't put
43 out numbers. We don't make up numbers.

44

45 MR. KOSBRUK: That's what I'm trying to
46 figure. It goes through the Council. Because somebody
47 is lying some place and that's not right. It's hurting
48 the community. It's hurting very bad. We had no
49 subsistence for 10 years, yet there's reports that we're
50 getting 5,000 cohos. From where? I got most of my fish

1 from Chignik Lake. It's bad and we need to check it out.
2
3 MR. KRIEG: We've been aware of that and
4 all I can say is we're real careful about what we
5 document. We're going on what people are reporting on
6 their harvest.
7
8 MR. KOSBRUK: I'm recommending that you
9 guys should have them go through the Council when they
10 get through with their permit or subsistence, turn it in
11 for a RAC report.
12
13 MR. KRIEG: We're always willing to try
14 to work with the Councils.
15
16 MR. KOSBRUK: I report back when I get
17 back. I report to them.
18
19 MR. KRIEG: The way it's set up, people
20 get their permits and report back to us and then we
21 compile that data. We always try to make it work out so
22 we get the best data.
23
24 CHAIRMAN ALVAREZ: Thank you, Ted. Is
25 there any more comments on this? Cliff.
26
27 MR. EDENSHAW: I just want to reiterate,
28 Mr. Chair and Council, that between now and when the
29 meeting adjourns perhaps you can give me some more
30 direction in terms of where you'd like to see the data
31 that I collected. Just what Nanci and Ted commented on,
32 we could supplement this with updated information that
33 they've collected not only each year for fishing, large
34 land mammals, whether it's moose or caribou, harvest that
35 they do on a yearly basis, but those can be supplemented
36 and put in here. I would convey to the Council that from
37 here on out, if I come to the Council with an updated --
38 for instance, for those lake communities that Ted just
39 mentioned, it would include all of the other columns that
40 I deleted because we have to show the scientific work
41 that they do in terms of updating the information. So it
42 would include all the other information. I only included
43 this because I knew in the future that I'd have to
44 include that.
45
46 CHAIRMAN ALVAREZ: That would be good
47 then if we could receive that as part of our paperwork
48 and review before the meeting. Anybody else?
49
50 MS. ALECK: I have a question for you.

1 CHAIRMAN ALVAREZ: Virginia, go ahead.
2
3 MS. ALECK: Maybe before any of this
4 information is documented and sent out maybe better
5 information you can get from the Council would tell you
6 if the numbers are right. I'm not too sure what would
7 make it work better.
8
9 MR. KRIEG: Mr. Chairman. Virginia,
10 that's our policy. That's what we do now. Any of our
11 surveys we go back to the community and present that data
12 to let the Council and community members look at it and
13 verify that we're on track with that.
14
15 CHAIRMAN ALVAREZ: That would be good
16 because the deal Boris was mentioning about the 5,000
17 coho harvest at the public meeting where he attended and
18 they didn't think they had a problem. Well, if that was
19 the case, Boris wouldn't have had a bad report on that.
20
21 MS. MORRIS LYON: Also, Mr. Chair, I
22 would say I see large problems coming in the future if
23 that's documented and hasn't been so. I mean I think it
24 just stops our efforts in trying to protect a resource
25 for a longer amount of time when we need to be getting on
26 it right away. I commend you for changing your policy to
27 that and I hope it will alleviate some of the problems in
28 the future.
29
30 MR. KRIEG: Yeah. And, once again, all I
31 can say is that we don't make up numbers. We document
32 what people are telling us. If something doesn't seem
33 right, we don't put it down without checking. I don't
34 know what else to say. There's been a lot of discussion
35 about that in the past, apparently. Perryville and
36 Chignik, I've worked down there in the past, but that's
37 not really my area for subsistence salmon, so I'm not the
38 expert on that. There's other people that could answer
39 that better. I know that very concern has come up.
40
41 CHAIRMAN ALVAREZ: Cliff, do you have
42 anything else on the annual report?
43
44 MR. EDENSHAW: No, Mr. Chair.
45
46 CHAIRMAN ALVAREZ: Dan.
47
48 MR. DUNAWAY: Mr. Chair. One other thing
49 though is to keep in mind and it caught me in my career
50 once in a while is sometimes when you really go through

1 the statistics sometimes your intuition isn't right. Not
2 to argue with you, Boris, but I know a few times my
3 intuition was way off when you discover that Manokotak
4 and Togiak took a lot more dollies to eat than the
5 sportfish biologists ever dreamed about and it really
6 made us sit up and take a look and actually pretty
7 quickly adjusted the sportfish bag limit for dollies to
8 kind of compensate for the subsistence take. Sometimes
9 that's one of the reasons to collect the data too, is you
10 might find out something sneaking up on you that you just
11 didn't realize. But I'm really not speaking to the
12 particular concern you have. Something to keep in mind.

13

14

CHAIRMAN ALVAREZ: Okay. Thank you.

15 We'll move on to the next item number seven, which is
16 open the floor to public comments on the Federal
17 subsistence program. So the proposals that are before us
18 or anything else, if anybody wants to comment before the
19 committee fill out a card like Cliff had said and hand it
20 to him. We have one here, Joe Klutsch. Do you want to
21 comment now, Joe, or wait until later? We'll take your
22 comments right now. That would be good.

23

24

MR. KLUTSCH: Thank you, Mr. Chairman.

25 Again, for the record, my name is Joe Klutsch. I'm a
26 resident of King Salmon and lived in the region here for
27 I think 33, 34 years now. Hunting throughout the Bristol
28 Bay, Alaska Peninsula region. I appreciate the
29 opportunity to be able to address the Council. Once
30 again, it's really been a privilege to have been involved
31 over all these years with the process of managing the
32 wildlife resources. I've served 26 years on the
33 Naknek/Kvichak Advisory Committee, going back to when Dan
34 was chairman and I really learned a tremendous amount
35 about the process and a lot from Staff and, of course, my
36 field observations.

37

38

I'll begin my comments with Proposal
39 WP06-22. This is the proposal that would close the Unit
40 9(C), 9(E), northern Alaska Peninsula or the caribou
41 season. I guess what this comes down to is I read the
42 proposal. I had some difficulty understanding what the
43 intent was. Since that was determined, the Tier II
44 population several years ago and as the herd has
45 continued to decline both the Fish and Wildlife Service
46 and the State have continued to limit the availability of
47 those Tier II permits and then shut it down all together
48 last year. Although the season remained open, there
49 weren't any Tier II permits issued. At the same time
50 we've had some Mulchatna caribou that come down during

1 the winter months and cross into Unit 9(C) and some of
2 them access the Federal land on the north part of Katmai.
3 If I read this right, this would close that season.
4 Right now, if I'm understanding this right, the State has
5 the option to leave that open. He can do -- I don't know
6 if it's an emergency order. I'll let the Staff explain
7 how they do it. But they can open that season now and it
8 appears to me that this proposal would prevent that from
9 happening in 9(C).

10

11 The last thought I had on it was if the
12 Fish and Wildlife Service and the State have the
13 authority to eliminate or restrict Tier II, I'm wondering
14 what could be accomplished by formally taking the season
15 off the books. I don't know what the answer is. I'm
16 posing a question on that.

17

18 CHAIRMAN ALVAREZ: We'll comment when you
19 get done.

20

21 MR. KLUTSCH: Okay. On WP06-24, as I
22 read the proposal, the rationale seems to make sense to
23 me. We're talking about, I believe, five authorized
24 antlerless permits during the winter hunt that have been
25 available. Given the status of the population, it seems
26 to me that the last component of the population you want
27 to harvest is successful mothers and calves since
28 recruitment is a major issue, which benefits everybody
29 over the long term. It does cause an inconvenience for
30 people who hunt who may prefer a cow or a calf for meat
31 and it may be the first ones that they come on. My
32 personal view is that over the long term it will benefit
33 the population by allowing more recruitment of moose into
34 the system. We know that predation has always been a
35 factor here. Any successful mothers with kids I think we
36 want to protect them.

37

38 The next proposal WP06-26, this would
39 close Federal areas in Unit 9(C) and (E) to eliminate
40 non-subsistence hunting. Only Federally-qualified
41 residents could hunt on Federal lands. As I say here,
42 the decline of the Northern Peninsula herd has been a
43 concern to all of us and created an additional concern
44 for the moose populations and I can assure you I share
45 these concerns, but don't believe at this time a closure
46 restriction on non-subsistence is warranted. What I say
47 here in the letter I've submitted to both the Regional
48 Council and the Federal Subsistence Board in the past, I
49 believe 1995 and '97 and throughout the years when
50 similar proposals for closure were addressed.

1 Title VIII stresses the continuation of
2 opportunity. Whatever the Council recommends and the
3 Board decides to do, it must be consistent with
4 management of fish and wildlife in accordance with
5 recognized scientific principles. Any closure proposal
6 must be supported by substantial evidence and the
7 evidence must show -- and I've listed, one, that the
8 health of the population would be jeopardized by
9 continuation of non-subsistence hunting; two, that
10 continued opportunity to meet subsistence needs would be
11 jeopardized by non-subsistence hunting; three, the
12 proposed subsistence season and bag violates recognized
13 principles of fish and wildlife conservation. With
14 respect to this particular closure proposal, I don't
15 believe these criteria can be met.

16
17 The recent trend surveys do not indicate
18 that the health of the population is in jeopardy. Lower
19 than desired calf survival has always been a factor of
20 concern in GMU 9 primarily due to predation. This isn't
21 a recent development. Harvest levels by non-resident and
22 non-area residents has not increased as a percentage of
23 the total harvest. It's actually within the parameters
24 it's been for 20 years. If not, it's declined some in
25 recent years. Most non-resident hunting is done far from
26 the villages in areas that are logistically very
27 difficult to access. Bull to cow ratios are well within
28 acceptable levels.

29
30 Non-resident hunting season is only 11
31 days and the hunters there are restricted to bulls with
32 50-inch spread or three brow tines, which constitute old
33 age class animals that many locals say they don't prefer.
34 Federally-qualified residents may hunt from August 20 to
35 September 20 and December 1 to January 20 without the
36 antler restriction. These seasons allow for 79 days of
37 hunting opportunity much of which is at times when
38 traveling to hunt is the best.

39
40 Competition with air taxis and guides
41 should not be a factor during, at a minimum, 68 days of
42 the hunting seasons. Additionally, most guides,
43 particularly those permitted to operate on Federal lands
44 are keenly aware of the need to avoid conflicts with
45 local users. They do care properly for the meat and
46 share it with people in the villages.

47
48 We worked extremely hard, it took us
49 probably, I guess, seven or eight years in conjunction
50 with the Fish and Wildlife Service and the National Park

1 Service to design systems for permitting guides on
2 Federal land that limits the number of guides and the
3 scope of their activity and holds us accountable at every
4 threshold for the activities that we do out there.
5 There's not much that they don't know that we don't have
6 to submit in a report in some form or another pre-season
7 and post-season. State land is a little different
8 situation right now. Our hunter's association is working
9 through the Department of Natural Resources to see if we
10 can design a permitting system that would limit the
11 number of guides qualified to operate on State lands.

12
13 Additionally, kind of the wild card in
14 the deck has been transporters or air taxis. The level
15 of accountability there in the past has been poor to say
16 the least in many cases and I'll address something later
17 in my comments. We do have a new regulatory entity that
18 the legislature reauthorized that we think we can deal
19 with some transporter issues.

20
21 As I read the proposal, it seems there
22 must have been a typographical error because the proposal
23 stated 228 moose were taken in the Chignik area by non-
24 subsistence hunters in 2002. That's more than were taken
25 in three years by total harvest throughout the entire
26 unit, so that must be a typo. I notice in the green book
27 the non-resident and general resident harvest is averaged
28 in the data in here. It corresponded with the data that
29 I had had from several years ago, resident harvest
30 average about 86 annually throughout all of GMU 9.

31
32 The proposal, as I said, states that air
33 taxi's and guides could go to State lands to hunt which
34 might and would undoubtedly benefit some residents of
35 Chignik since you primarily access Federal lands there at
36 the villages on the Bristol Bay side, the Bering Sea
37 side, are almost entirely surrounded by State lands, so
38 that could have an impact.

39
40 As far as all the combined evidence, I do
41 not have the current household survey data that we were
42 just listening to and I would like to see that. I know
43 that in the last cycle, in 2001-2002, the reported
44 harvest by village residents was relatively low and the
45 household surveys going back 15 or 20 years indicated, I
46 believe, a dozen or less moose annually that were
47 reported.

48
49 All this being said, it doesn't mean that
50 I don't feel the concerns right now. I genuinely do. I

1 would like to see more calves out there. I would like to
2 see fewer wolves out there. I would like to see better
3 accountability for both guides and transporters. I think
4 we can accomplish those goals without having to go to the
5 extent to close non-qualified seasons.

6
7 Last year the legislature passed a bill
8 that re-establishes a big game commercial service board
9 and it was members of the guiding industry and our
10 association that pressed to have that passed. It took us
11 three attempts to get that through the legislature and we
12 finally did get it done. As I said, we're going to be
13 dealing with a whole spectrum of regulations that I think
14 could really improve. I know will improve the
15 accountability and issues related to people that are
16 involved in providing services out there.

17
18 We asked and requested the governor
19 appoint a gentleman who I think is a great representative
20 on this board, Ralph Anderson from Dillingham. He was
21 present at the first meeting which was held in December
22 and everyone was really impressed with how efficient he
23 was and he chaired a subcommittee and he is tuned in to
24 this subject, so I think that there's a great link there
25 with people of the region to deal with these issues.

26
27 All that being said, I really look
28 forward to working with you and the Federal land managers
29 to make sure we have good, healthy populations in years
30 to come.

31
32 CHAIRMAN ALVAREZ: All right. Thanks,
33 Joe. I'll start with that comment on Proposal 22. The
34 proposal is aimed at closing North Peninsula Caribou Herd
35 and their areas. My understanding is that doesn't close
36 the Mulchatna caribou when they come down into 9(C). Why
37 we did this is because it eliminates the need for the
38 Federal Board or us to take this up every six months or
39 every season to close the caribou down. It closes it
40 until the herd would come back enough to have an open
41 hunting season and then we can open it again. It just
42 eliminates having to do it every year. I was concerned
43 when we did this at how much problem would it be to open
44 the season back up, but apparently it's just the same
45 process as doing the closure. I didn't want to have to
46 go through a whole bunch of stumbling blocks to do this,
47 but they put my mind at ease. Apparently it's kind of
48 the same process as closing it.

49
50 As for your other proposals here, the one

1 that closes the cow season up at Big Creek on Federal
2 lands, we're going to have a lot of discussion on that
3 coming up and also the proposal for closed non-
4 subsistence in 9(E). That was put in by the Chignik
5 Village Council and we're going to have quite a bit of
6 discussion on that. For my opinion, I don't know how to
7 go on that one yet because that one is a new one. We
8 haven't discussed that yet before a committee, so we will
9 probably have quite a bit on that.

10

11 Anybody else want to comment on Joe's
12 report. Dan.

13

14 MR. O'HARA: Joe, appreciate you coming
15 before us today. You alluded to something that I think
16 is something we might want to launch into in the coming
17 year or years. That would be to put a predator control
18 program into 9(E). Would you support a reduction in
19 wolves and maybe liberalize the bear season to help a
20 little bit? Sometimes you have to kill off a lot of
21 animals to try to accommodate a population that's been
22 troubled and that's just as bad. You can't justify
23 killing a whole lot of things off. What are your
24 thoughts along that line?

25

26 MR. KLUTSCH: Mr. Chairman. Frankly, I'm
27 skeptical of the State intensive management law and the
28 problems that the State Board of Game has had in
29 implementing that law in places and the controversy that
30 it's created. Let me separate out the issue of wolf
31 predation. Most people that have been out there and
32 around generally agree we're seeing a lot more wolves now
33 than we were seeing 10 or 20 years ago, up until that
34 Airborne Hunting Act went into effect to have animals
35 available for human consumption. We don't want to see
36 all the wolves eliminated, but you can't have so many
37 wolves that there isn't anything left and there's not a
38 harvestable surplus for humans. You need some kind of a
39 balance there.

40

41 The methods and means restriction on wolf
42 hunting, the land and shoot method seems less than
43 effective, not very cost-effective. Ultimately, an
44 amendment or a change in the Federal Airborne Act would
45 fix this thing because there was always a couple guys in
46 the villages that just hunted wolves. They didn't wipe
47 them all out, but they harvested enough that it worked
48 out well. You guys know what I'm talking about here.

49

50 MR. O'HARA: The other question I asked

1 you was liberalizing the bear season maybe because
2 they're quite a predator as well.

3

4 MR. KLUTSCH: On that regard, I am
5 concerned. We've had a management plan in place for
6 brown bears on the Alaska Peninsula for many years and it
7 is working. There are an abundance of bears, I think,
8 primarily due to the number of fish that we've had into
9 the watershed down below. This is a big subject. I know
10 the Board of Game has struggled with this as regards
11 grizzly bears in Unit 16, 13. I could go on.

12

13 Personally, I believe there are certain
14 bears that are adept at catching calves and killing
15 moose. They learn it and they're the good ones. A
16 wholesale increase in the harvest of bears might not
17 necessarily target the culprits. I'm not sure that it
18 would have that great of an effect. You made the
19 comment, and I would agree with you, Dan, that when you
20 get into some of this you have to put a pretty good dent
21 in them to show a measurable difference in your prey
22 populations. I've been content with the shorter seasons
23 on bears and actually advocated for the later fall season
24 and the shorter spring season to keep that harvest level
25 within the parameters that Dick Sellers thought worked.

26

27 I would, if I may, add one last comment.
28 I'm skeptical about the bears. On wolves we did get the
29 Board of Game to extend the wolf season through the end
30 of May and I think that's going to be beneficial. It's
31 not going to take a whole lot more wolves but it's going
32 to offer some additional opportunity for wolves at kind
33 of an important time of year and I know we're going to
34 see some additional wolves harvested in the areas you
35 mentioned.

36

37 MR. O'HARA: You put on the moose call
38 and the wolves come running in September. You could get
39 wolves and moose at the same time. There's ways we can
40 do it. The hunters who want wolves and the guides who
41 want to guide for wolves and that type of thing without
42 shooting from the air, I think there's things we need to
43 look at to do that.

44

45 The other question is closure of 9(E) to
46 non-qualified subsistence users, which is shutting down
47 the moose season completely to those who are not
48 qualified Federal users. This is going to be extensively
49 discussed when we get into this proposal later on, but
50 since we have you up here to answer a couple questions.

1 I've flown into your camp. I've scared
2 myself and your passengers going there and it's not very
3 fun. Nobody from Chignik wants to go there, I guarantee
4 you that. People from Port Heiden can come up the side
5 of the mountain on the Bering Sea side and hunt the
6 Aniakchak with a four-wheeler. They just don't go down
7 into the Meshik area. And people from Chignik are not
8 going to go up to the Meshik and kill moose up there for
9 subsistence use. You'd have to have a quarter-million-
10 dollar airplane to go do that, so that's not a practical
11 thing to do. But the problem we have is that the people
12 in the Chignik area, Perryville, Ivanof, up through the
13 Bay Lake and lagoon, Black Lake, Chignik Lakes and those
14 areas, you have some very qualified people coming, drop-
15 off hunters and guides and everybody else coming in there
16 and hunting those areas.

17
18 Something is going to have to happen
19 where there's going to have to be a zone to give the
20 residents of that area an opportunity to hunt because
21 they don't have the ability to go up into the Meshik and
22 all the way down to Wildman and some of those areas to
23 hunt moose. You know that as well as I do. They don't
24 have that kind of money, they don't have that kind of
25 equipment.

26
27 So somewhere along the line somebody is
28 going to have to make a concession on saying as drop-off
29 guides or guides who are there, and you alluded to it
30 just a little bit. I don't want to put words in your
31 mouth. But somewhere along the line we're going to have
32 to draw a circle saying, hey, this is going to be truly
33 for the subsistence people on Federal lands or we're
34 going to have to deal with the whole issue. What are
35 your thoughts?

36
37 MR. KLUTSCH: Mr. Chairman. As I
38 indicated in the letter that I wrote and I think what I
39 said in my testimony, I think that was the reason going
40 back about 10 years ago we expanded the seasons into
41 August and expanded them instead of December 1 through
42 December 31, expanded them halfway through January to
43 provide for that additional opportunity when the going
44 was good. I did notice some data in the book regarding
45 guided harvest in that portion of Unit 9(E) that you're
46 discussing here and I think the highest reported harvest
47 on Federal lands was six moose. I did not see data on
48 transporter or air taxi harvest, but I know that there
49 are options within operational plans that we as guides
50 are permitted who are permitted on preserve and refuge

1 lands to regulate level of effort. Again, my feeling is
2 that's why the seasons were designed that way, to afford
3 that additional opportunity.
4
5 MR. O'HARA: That's not the answer I was
6 looking for. Thank you, Mr. Chairman.
7
8 CHAIRMAN ALVAREZ: Anybody else.
9
10 (No comments)
11
12 CHAIRMAN ALVAREZ: Thank you, Joe. If
13 anybody else wants to testify on any of the proposals
14 coming up, they should submit a card. The next is number
15 eight, wildlife proposal review and Council
16 recommendation. If you'd look in the box, there's the
17 procedure we're going to use when we do these individual
18 proposals.
19
20 MR. EDENSHAW: Mr. Chair.
21
22 CHAIRMAN ALVAREZ: Cliff.
23
24 MR. EDENSHAW: I just wanted to tell Joe
25 that Laura Greffenius, our Staff biologist for the
26 region, when she's done with the proposals that the
27 Council goes through and makes their recommendation,
28 you'll have an opportunity to bring back any questions
29 you have of Laura because she's the biologist who drafted
30 up the Staff analysis. Certainly there's an opportunity
31 for you or anyone else. Plus we have Lem Butler and some
32 of the other refuge staff here in case you have any
33 questions regarding the biological analysis.
34
35 CHAIRMAN ALVAREZ: Okay. Thanks, Cliff.
36 The introduction of the proposal and the analysis.
37
38 MS. GREFFENIUS: Are you ready for me to
39 start?
40
41 CHAIRMAN ALVAREZ: Yes, I am. State your
42 name and proceed.
43
44 MS. GREFFENIUS: Good afternoon, Mr.
45 Chair and Members of the Council. My name is Laura
46 Greffenius and I'm a wildlife biologist in the Office of
47 Subsistence Management. So the first two that we'll be
48 discussing, Proposals 01 and 02, these are statewide
49 proposals, so all 10 Councils throughout the state will
50 be hearing these and making recommendations for what they

1 want to recommend to the Federal Subsistence Board.

2

3

4 Proposal No. 01 begins on Page 19 of your
5 book. This proposal addresses the commercial sales of
6 handicrafts made from bear claws. Some of you may
7 remember that last year there was a proposal that was
8 before you. It was also a statewide proposal and that
9 went before the Federal Subsistence Board and it was on
10 this same issue. The one that we're talking about now is
11 a portion of that that did not get voted on by the Board.
12 It is coming before the Councils again and I will go
13 through that portion because some of the language and
14 regulation language changed, so now it's an opportunity
15 for the Councils to address that specifically.

15

16

17 We will begin here. This one addresses
18 handicrafts made from bear claws. As I said, last year
19 we had a proposal that addressed several elements of the
20 bear handicraft regulations and the Federal Subsistence
21 Board adopted most elements of that proposal. For
22 example definition of handicraft, definition of skin,
23 hide, pelt and fur, and language that clarified claws can
24 we used in handicraft for sale. However, they deferred
25 the part of the proposal that addressed commercial sales
26 to allow the Councils to review the Board's modified
27 language.

27

28

29 So, just as a reminder, handicrafts made
30 from black bears harvested on Federal lands statewide can
31 be sold. Handicrafts made from brown bear can only be
32 sold if the bears were harvested on Federal lands and
33 Eastern Interior, Bristol Bay and Southeast Regions. The
34 Board is considering a regulation that limits commercial
35 sales of bear claw handicrafts because an opportunity to
36 sell large quantities of bear claw products may create an
37 incentive for poaching. State regulations allow the sale
38 of handicraft made from brown and black bear fur, not
39 claws; therefore, handicrafts with claws can only be sold
40 under Federal regulations.

40

41

42 The Board's proposed language would not
43 prohibit a subsistence user with a business license from
44 selling their handicrafts to individuals, such as a craft
45 show; however, it would not allow these handicrafts to be
46 sold to a business and it does not allow a business to
47 buy the bear claw handicrafts. So, again, a person who
48 made something could sell that at a craft show but not to
49 a business and the business would not be able to buy the
50 bear claw handicrafts. Gift shops selling handicrafts
under consignment would also be prohibited if the gift

1 shop is generating a profit from this activity. This was
2 an interpretation from our solicitor's office.

3

4 This regulation will remove commercial
5 incentives for harvesting bears, thereby providing
6 additional protection from over harvest of bear
7 populations. The Board's intent in allowing the sale of
8 bear handicrafts is to provide for the customary and
9 traditional making and selling of handicrafts from bears
10 taken for subsistence, not to provide a commercial
11 incentive to harvest bears.

12

13 The State has recently adopted
14 regulations to provide a commercial incentive to harvest
15 bears in specific areas. A regulation adopted by the
16 Board of Game in January will allow bear hides with claws
17 attached from bears harvested in active brown bear
18 predator control areas, such as Unit 20(E) and Unit 12,
19 to be sold through the use of (airplane flying over).
20 This is not a handicraft regulation. It applies to raw
21 and tanned bear hides with claws attached.

22

23 On Page 24 is the Staff recommendation.
24 I'll refer you to that since it has a modification. The
25 Staff recommendation for this proposal is to support
26 after removing the proposed exemption for Southeast
27 Alaska. So the modified regulation is written out there
28 on Page 24.

29

30 The proposed Southeast exemption will
31 result in difficulty with enforcement of the regulation.
32 Allowing commercial sales of bear claw handicrafts taken
33 in any part of the state without a tracking system will
34 have a significantly detrimental affect on the ability of
35 enforcement officers to differentiate between legitimate
36 sales and the commercial sale of products from poached
37 bears, bears harvested under State regulations and brown
38 bears harvested under Federal regulations in Eastern
39 Interior and Bristol Bay Regions.

40

41 Subsistence users in Southeast Alaska
42 should be able to carry out their customary and
43 traditional making and selling of bear claw handicrafts
44 from bear taken for subsistence uses without selling to
45 businesses or becoming a significant commercial
46 enterprise.

47

48 Mr. Chair, that concludes my presentation
49 for number one. Thank you.

50

1 CHAIRMAN ALVAREZ: Thank you, Laura. Any
2 comment for Laura.
3
4 MR. O'HARA: Mr. Chairman. Laura, last
5 year when we went before the Federal Board various
6 regions bought off on it and some didn't. Bristol Bay
7 was one of the ones who did buy off on the sale of these
8 bear parts. What it says, I guess, is you cannot sell
9 your bear products to a commercial operator but you can
10 sell it to an individual, is that what you're saying? I
11 don't really understand that. What page are you dealing
12 with all that on in our book?
13
14 CHAIRMAN ALVAREZ: That's what I was
15 wondering about. You're saying that a person that makes
16 an item out of bear claws can't sell it to a gift shop or
17 a store. You're saying they have to sell it directly to
18 the customer instead of going to a gift shop first.
19
20 MS. GREFFENIUS: Exactly. And not
21 selling it to a business. Let me find it specifically.
22
23 MR. O'HARA: You said Page 24, which we
24 have 24.
25
26 MS. GREFFENIUS: I was referring to the
27 preliminary conclusion. The Staff recommendation is to
28 support the proposal with modification. That has the
29 modification for the exemption for Southeast.
30
31 MR. O'HARA: And Southeast said they're
32 going to sell to a store if they want to?
33
34 MS. GREFFENIUS: Our recommendation is to
35 not have that be stated that Southeast can do that
36 because it would create some challenges as far as
37 enforcing that.
38
39 CHAIRMAN ALVAREZ: Anybody else? Dan
40 Dunaway.
41
42 MR. DUNAWAY: I think the more I listen
43 to this, the more confused I get. One part of my
44 question again is this, if a person were to consign them
45 to a gift shop, that would be okay if the gift shop
46 didn't make any money off that consignment, but if they
47 started making a lot of money, say more people started
48 selling claws there, then that wouldn't be permissible.
49 Is that what I understood you to say about a consignment
50 sale?

1 MS. GREFFENIUS: Exactly. So what it
2 amounts to is not promoting, generating a profit, but a
3 gift shop consignment might be operating as a way for
4 somebody to sell their handicrafts but they wouldn't
5 necessarily be making a profit. It depends on how they
6 operate. So this was an interpretation from our
7 solicitor.

8
9 MR. DUNAWAY: So you're going to go to
10 different gift shops and go through their books to sort
11 this out or how is this going to be enforced if it were
12 to pass?

13
14 MS. GREFFENIUS: That's a very good
15 question.

16
17 MR. DUNAWAY: I could imagine like a
18 village council that could consign stuff, but I think
19 Fourth Avenue, Anchorage gift gauntlet down there these
20 days, I imagine those would be places you'd want to
21 watch. I'm having a hard time imagining how this would
22 really get followed up.

23
24 My second question I wanted to ask,
25 you're concerned about an inconsistency between Southeast
26 and the rest of the Federal lands. What about the
27 difficulty of enforcement with say takes on non-Federal
28 lands versus takes on Federal lands. What kind of
29 tracking system do you imagine to determine where these
30 claws came from and so on? I'm not sure if I'm being
31 very clear there.

32
33 MS. GREFFENIUS: Yeah, your question is a
34 good one. I'm not in the law enforcement realm, so I
35 don't know what their methods are for tracking that.

36
37 MR. DUNAWAY: I think if you're
38 supporting it you'd have some mechanism in mind or be
39 aware of it to know how that's going to be done.

40
41 My last question. Do you have any sense
42 of what the bear claw market is? Is it huge or is it
43 moderate?

44
45 MS. GREFFENIUS: I don't know. In this
46 part of the state, do folks make handicrafts from bear
47 claws? I think it varies in different parts of the
48 state.

49
50 MR. DUNAWAY: And so restricted. So you

1 don't have any anticipation, if this regulation passes,
2 what kind of market you might see?

3

4 MS. GREFFENIUS: Well, the intent is that
5 if people take bear for subsistence purposes, then they
6 can make something from the bear claws. There's no
7 incentive that there would be a market. That's the whole
8 idea, dissuading that.

9

10 MR. DUNAWAY: If somebody pays 10 bucks
11 for a bear claw or 150, that's a big difference in how
12 much incentive is out there. I wondered if you had any
13 sense from violations that have been found or a black
14 market that's been known to go on or thought to go on,
15 either way, what the demand is for that.

16

17 MS. GREFFENIUS: No, I don't, but we can
18 get some information for you if you'd like.

19

20 MR. DUNAWAY: That's all I had, Mr.
21 Chair.

22

23 CHAIRMAN ALVAREZ: Cliff, do you have a
24 comment.

25

26 MR. EDENSHAW: Thank you, Mr. Chair. In
27 regards to some of Laura's comments, I think it would
28 have been better served if we'd have been able to include
29 the original proposal. Dan made the point that portions
30 of this proposal or all of the proposal was made to
31 address the commercialization of bear claws because when
32 the Board addressed the initial proposal, the big
33 question asked when Dan was serving as chair at the time
34 does this include the sale of claws from bears, and it
35 wasn't interpreted, nor was it stated in the proposal in
36 the beginning. So this portion of the proposal, if you
37 read on Laura's introduction on Page 21, it discusses
38 that the Board addressed the commercialization of bear
39 claws, which is the big question that Board Members
40 deliberated amongst themselves. As I mentioned before,
41 Laura covers two other regions in the state and so she's
42 just getting up to speed in terms of what's going on here
43 in Bristol Bay.

44

45 CHAIRMAN ALVAREZ: Thanks.

46

47 MR. O'HARA: Mr. Chairman.

48

49 CHAIRMAN ALVAREZ: Dan.

50

1 MR. O'HARA: There was probably still in
2 place, Laura, an organization called the Western Alaska
3 Brown Bear Management Program. It's a bunch of people
4 who are in this organization that wanted to prevent
5 subsistence users from taking a bear hide into Anchorage
6 and having it tanned and brought home. They said if you
7 took it into Anchorage and had it come out of a
8 subsistence Federal area, you had to cut the head and
9 feet off, then you've got a round ball of fur.

10
11 It really galls me that the State of
12 Alaska can get \$15,000 and they can do anything with that
13 hide they want. They can take it and have it tanned,
14 they can have it head mounted, they can do whatever they
15 want with it. Yet, when we go kill a bear, we get a
16 little piece of fur about this big around. Now you've
17 got a subsistence user who wants to use every part of his
18 animal, he brings it out and he eats it and we're
19 penalized because we have to figure out whether we're
20 going to sell these silly bear claws or not.

21
22 Because we're able to now, finally the
23 Federal Board said we could take a bear into town and
24 have it tanned without cutting all the parts of it off,
25 we can do that now, it has not increased one permit more.
26 There has not been one more bear killed as far as I know
27 anywhere and no guide has suffered or the State of
28 Alaska, the brown bear management has not suffered at all
29 because we can take a silly bear hide into town and tan
30 it and make a rug if we wanted.

31
32 It's the same issue here. I don't think
33 the Native people in the Federal lands are going to kill
34 off 100 bears to sell their claws, yet the Federal
35 program sits there and says -- well, you know, you've got
36 seven of them sitting on the Federal Board and one
37 department hasn't a clue what the other department is
38 doing and they're fun to deal with, I guarantee you. And
39 that's the issue we're dealing with right there. It's
40 that control thing that we have to deal with, whereas I
41 don't see there's going to be a huge increase in bear
42 population kill because somebody is going to sell a bear
43 claw. I guess that's the point I'm making. Mr.
44 Chairman.

45
46 CHAIRMAN ALVAREZ: Thanks, Dan. That
47 makes me want to comment on this. I personally think
48 this shouldn't be part of -- not being able to sell bear
49 claws to a gift shop or a business. Southeast is exempt.
50 Why shouldn't it be all over the state? I think it was

1 at the last meeting we had someone commented that if a
2 big game hunter from, I think, Colorado, went and shot a
3 bear, got it tanned, he brought it back home, I think it
4 was Colorado, the state law down there says he can sell
5 that thing. What's the difference? There's no law that
6 says he can't do that, he can't take it back home and
7 sell it because it's a different state he's doing it in.

8

9

10 I don't think we should put restrictions
11 on people that want to sell these bear claws and make
12 handicrafts out of them that they should not be able to
13 sell to a gift shop or an operating business. Like Dan
14 says, I don't think it's going to be that much more.
15 That's just the way I feel about that. I don't think we
16 should be restricted when Southeast is being exempted.
17 Laura.

18

19

MS. GREFFENIUS: Just a comment, Mr.
20 Chair and Mr. O'Hara, just to emphasize that the bears
21 that would be for using the bear claws, these would be
22 the bears that are harvested through subsistence means
23 and the meat would need to be salvaged. These would be
24 bears that somebody would be getting anyway, is the gist
25 of what I'm saying. Not going out of their way to get it
26 just because of the bear claws. That's the intent if
27 somebody just wanted to use the bear claws for handicraft
28 after having gotten a subsistence-harvested bear.

29

30

Then also on your comment about
31 Southeast, this is something that's a proposed
32 regulation. It's not in place yet. Southeast does not
33 have that exemption. It's just what was in the proposed
34 language. Our recommendation is that there not be that
35 exemption. So what I'm saying is that Southeast doesn't
36 necessarily have that. It's still part of the proposed
37 language.

38

39

CHAIRMAN ALVAREZ: Thanks.

40

41

MS. GREFFENIUS: And then also you were
42 inquiring, Mr. Chair, about what page it refers to the
43 commercial operations and that was on Page 23 under
44 effects of the proposal. Like the third paragraph down
45 under effects of the proposal and then also referring to
46 Units 1 through 5 in the fifth paragraph down. I just
47 wanted to point that out. You had inquired about it
48 earlier.

49

50

CHAIRMAN ALVAREZ: Thank you. It's been

1 recommended that we take a little break and talk to our
2 coordinator for a second.
3
4 MR. DUNAWAY: Mr. Chair. I just had one
5 suggestion maybe before we take a break. I was wondering
6 since we have a state representative.....
7
8 CHAIRMAN ALVAREZ: He's next.
9
10 MR. DUNAWAY: He'll speak to this
11 proposal next?
12
13 CHAIRMAN ALVAREZ: Yes. You see the
14 criteria one through eight? We'll work down that on
15 every proposal.
16
17 MR. DUNAWAY: Oh, okay.
18
19 CHAIRMAN ALVAREZ: We'll take a short
20 recess.
21
22 (Off record)
23
24 (On record)
25
26 CHAIRMAN ALVAREZ: Okay. Back to order.
27 We go to number two, ADF&G comments.
28
29 MR. EDENSHAW: Mr. Chair and Council
30 Members. Before Lem begins, on Page 33 of the Council
31 book there's ADF&G comments and certainly Lem will
32 address those as well as additional comments.
33
34 CHAIRMAN ALVAREZ: Lem, you have the
35 floor.
36
37 MR. BUTLER: Good afternoon, Mr. Chair,
38 Members of the Council. My name is Lem Butler. I'm the
39 area wildlife biologist for Fish and Game. I'm in charge
40 of managing wildlife populations and Game Management
41 Units 9 and 10. I can do my best in these first two
42 proposals to answer any questions you may have. I wasn't
43 part of the review, but I can read the comments into the
44 record and answer the questions the best I can with help
45 from the audience.
46
47 For Proposal WP06-01, the Department
48 recommends that this proposal not be supported. The
49 Department does not believe the Federal Subsistence Board
50 has established a record demonstrating that the sale, as

1 opposed to the barter, sharing, or use of bear claws,
2 teeth, and bones for use in making handicrafts for sale
3 is a customary and traditional practice. Even if the
4 Federal Board made such a determination, the record still
5 would only support limited, non-commercial exchanges
6 adhering to customary practices in some areas of the
7 state.

8

9 The proposed provisions of sections
10 (j)8(a) and (j)8(b) exceed the authority of the Federal
11 Board because they purport to authorize sales and
12 purchases by entities that are not Federally qualified
13 subsistence users, in contravention of state laws. Sale
14 and purchase of bear claws, teeth, skulls, and bones are
15 prohibited by AS 16.05.920 and 5 AAC 92.200. The Federal
16 Board does not have the authority to alter such
17 prohibitions with regard to non-Federally qualified
18 subsistence users.

19

20 The State may take enforcement action
21 against any non-Federally qualified subsistence user who
22 purchases or sells bear claws, teeth, skulls, or bones,
23 regardless of any Federal regulation that purports to
24 authorize such sale or purchase.
25 The State has raised several other issues relating to the
26 sale of bear parts in a Request for Reconsideration filed
27 in August 2005 on Federal Proposal WP05-01. Proposal
28 WP06-01 fails to correct most of the underlying problems
29 with the current regulation identified in that Request
30 for Reconsideration.

31

32 That's the Fish and Game's official
33 comment.

34

35 MR. O'HARA: Mr. Chair.

36

37 CHAIRMAN ALVAREZ: Yes.

38

39 MR. O'HARA: Lem, in the second paragraph
40 down there at the very bottom it says the State may take
41 enforcement action against any non-Federally qualified
42 subsistence user who purchases or sells. What about the
43 qualified subsistence user? In this case, this is what
44 we're talking about.

45

46 MR. BUTLER: Again, I believe the State
47 would only take action against the non-Federally
48 qualified. If the Federal Board approved the sale of
49 game parts by Federally qualified subsistence users, ones
50 their regulations apply to, that would supersede the

1 State law in that particular case, but it wouldn't extend
2 beyond the jurisdiction of the Federal Board.

3

4 MR. O'HARA: Okay. That clarifies that.
5 Thank you.

6

7 CHAIRMAN ALVAREZ: What you're saying,
8 would that make it illegal for a non-subsistence user to
9 purchase it from a subsistence person that made the bear
10 claw item to sell? So what you're saying is it would be
11 illegal for somebody else that wasn't a subsistence user
12 to buy from them in the State's eyes?

13

14 MR. BUTLER: It would be legal for a
15 Federally qualified subsistence user to sell a bear part
16 to another Federally qualified subsistence user, but it
17 would be illegal for anyone who's not Federally qualified
18 to purchase.

19

20 MR. O'HARA: You can't sell to the store.

21

22 MR. BUTLER: So someone from Anchorage,
23 say in the urban area, wouldn't be able to buy a bear
24 part or handicraft from the Peninsula.

25

26 CHAIRMAN ALVAREZ: So that's kind of like
27 the same deal, if I was to harvest a walrus, sell a raw
28 tusk, I could sell it to Orville but I can't sell it to
29 you because you're not a Federally qualified.....

30

31 MR. BUTLER: Actually, I am Federally
32 qualified.

33

34 (Laughter)

35

36 CHAIRMAN ALVAREZ: Unless I carved it out
37 and made an item out of it, then I could sell it to you.
38 Okay.

39

40 MR. BUTLER: Right.

41

42 CHAIRMAN ALVAREZ: Any more comment.

43

44 MS. MORRIS LYON: I think it's going to
45 be an important thing for the Board to take into
46 consideration. If these items cannot legally be sold to
47 anybody other than Federally qualified subsistence users,
48 there's repercussions to our subsistence users because of
49 that if they start selling to non-Federally qualified
50 entities. So I think we need to take that into

1 deliberation as well.

2

3 CHAIRMAN ALVAREZ: Or should we just
4 leave that to the Federal Subsistence Board.

5

6 MS. MORRIS LYON: That's a deep one.

7

8 CHAIRMAN ALVAREZ: If they think they can
9 do it, that way we won't be caught in the middle.

10

11 MS. MORRIS LYON: Yes, but we need to
12 protect our subsistence users too and not all of them
13 will be able to understand that or be aware of that as
14 this proceeds forward.

15

16 CHAIRMAN ALVAREZ: My view is they will
17 be protecting the subsistence users because they are over
18 us.

19

20 MR. DUNAWAY: Isn't part of our job to
21 kind of give a heads-up to the Board if we see a problem.

22

23 CHAIRMAN ALVAREZ: When you attend the
24 Federal Subsistence Board, they have a couple law staff
25 there which we don't have.

26

27 MS. MORRIS LYON: We do have somebody
28 here from the solicitor's office. May we call him up.

29

30 CHAIRMAN ALVAREZ: Okay. Bill.

31

32 MR. KNAUER: Good afternoon. I'm Bill
33 Knauer. I'm really not from the solicitor's office or
34 the law staff, but I do work with the regulations and I
35 work quite closely with the solicitors. It's the
36 solicitor's and Office of General Counsel's opinion as
37 relayed to me that the legal status of the subsistence
38 resources follows the resource itself. So that in the
39 solicitor's view, the legal sale of a subsistence product
40 to a non-qualified user would remain legal, although this
41 is not the opinion of the State of Alaska. They believe
42 this would be a sufficient legal defense in the event the
43 State were to force the issue.

44

45 CHAIRMAN ALVAREZ: Thank you, Bill.
46 That's good. So, in other words, we could leave it to
47 the Board. Lem, were you done with your comments?

48

49 MR. BUTLER: Yes, Mr. Chair.

50

1 CHAIRMAN ALVAREZ: We're down to number
2 three, other State and Federal Agency comments.
3
4 (No comments)
5
6 CHAIRMAN ALVAREZ: Seeing none. Down to
7 number four, Interagency Staff Committee comments.
8
9 (No comments)
10
11 CHAIRMAN ALVAREZ: Seeing none. Down to
12 number five, ADF&G Advisory Committee comments.
13
14 (No comments)
15
16 CHAIRMAN ALVAREZ: Seeing none. Down to
17 number six, summary of written public comments. Cliff,
18 do we have any?
19
20 MR. EDENSHAW: Yes, Mr. Chair and Council
21 Members. If you go to Page 33, there are two written
22 public comments that our office received and the first
23 one was from Defenders of Wildlife and they support the
24 proposal with modification, deleting the Units 1-5
25 exemption. So, in essence, they support the Staff
26 analysis.
27
28 The second one is by Ahtna Subsistence
29 Committee for Glennallen. They do not support WP06-01 as
30 proposed,
31 however, we support small sales by rural residents of
32 handicrafts
33 made from claws of black and brown bears taken under
34 Federal subsistence hunting regulations.
35
36 Those were the only two written public
37 comments, Mr. Chair.
38
39 MR. O'HARA: Mr. Chairman.
40
41 CHAIRMAN ALVAREZ: Dan.
42
43 MR. O'HARA: Cliff, the one from
44 Glennallen, we do not support the proposal as proposed,
45 however, we support small sales by rural residents of
46 handicrafts made from claws of black and brown bears
47 taken under Federal subsistence hunting regulations.
48 What are they driving at? You're either going to put
49 them in stores or sell them to each other or what do they
50 want?

1 MR. EDENSHAW: I suspect, Mr. O'Hara,
2 along the road system over there there is some places
3 where they sell handicrafts and I'm certain probably some
4 of that stuff may be picked up by tourists. Probably
5 some of those small stores along the highway there.
6
7 MR. O'HARA: Okay. Thank you.
8
9 MR. EDENSHAW: Also arts and craft shows
10 they have with some of the entities in Glennallen versus
11 up in Tok along the road system up there.
12
13 Also, Mr. Chair, I forgot we did receive
14 written public comments and these were handouts. The
15 Lake Clark SRC supports Proposal 01 and they support
16 measures that allow qualified subsistence users to
17 maximize the benefits derived from legally harvested
18 bears taken in the subsistence hunt. I'll refrain from
19 reading number 2 and 3 until we get to that, Mr. Chair.
20
21 CHAIRMAN ALVAREZ: Okay. Number seven,
22 public testimony. We have one, but he was going to
23 testify on the North Peninsula Caribou, so I was going to
24 wait until we get there. Is there anybody that wanted to
25 testify on this specific proposal.
26
27 (No comments)
28
29 CHAIRMAN ALVAREZ: Seeing none. Down to
30 number eight, Regional Council deliberation,
31 justification and recommendation. Cliff.
32
33 MR. EDENSHAW: Mr. Chair. We need a
34 motion just for discussion purpose. We need to move to
35 adopt the proposal on the table before us for
36 deliberation and to move on it. Do we have anybody to
37 move to adopt the proposal as is.
38
39 MS. ALECK: So move to adopt as is.
40
41 MR. EDENSHAW: We need a second. Nobody
42 wants to put the proposal on the floor? It will die
43 here.
44
45 MR. O'HARA: If there's not a second for
46 it, the motion dies. I make a motion, Mr. Chairman, that
47 we deny Staff recommendation and that the Bristol Bay
48 Council make a recommendation that we would be exempt and
49 support the laws of black bear, brown bear, et cetera,
50 under proposed Federal regulations .25(j)8(a),

1 .25(j)8(b), .25(j)8(c), as noted on Page 21, with a
2 written statement from our coordinator to the Federal
3 Board.

4
5 CHAIRMAN ALVAREZ: I've got a comment.

6
7 MR. O'HARA: We've got to get a second
8 before we can address it.

9
10 MS. ALECK: I'll second.

11
12 CHAIRMAN ALVAREZ: Seconded by Virginia.
13 Cliff, is that the way we should proceed on this or
14 should we just adopt the original proposal and then amend
15 it? The first motion died for want of a second. Now
16 you're making another proposal.

17
18 MR. O'HARA: Virginia made a motion to
19 accept the Staff recommendation. I made a recommendation
20 we not accept the Staff recommendation.

21
22 MR. EDENSHAW: Oh, I thought you said
23 without the Staff recommendations.

24
25 MR. O'HARA: Maybe I didn't understand
26 her. I misunderstood her or I would have seconded her
27 motion.

28
29 CHAIRMAN ALVAREZ: Cliff.

30
31 MR. EDENSHAW: Mr. Chair and Council
32 Members. For record keeping, Virginia's motion would
33 have been adequate and then the Council could have voted.
34 Let's say a hypothetical, if the Council adopted and
35 seconded the motion and had discussion and then voted on
36 the proposal, six yea votes would pass the proposal just
37 as the Staff analysis and six no votes would not.

38
39 CHAIRMAN ALVAREZ: We have the proposal
40 before us. We have to either vote it up or vote it down.

41
42
43 MR. O'HARA: Virginia was right, Mr.
44 Chairman. I would withdraw my motion and if she'd like
45 to withdraw her second.

46
47 MS. ALECK: That's fine.

48
49 CHAIRMAN ALVAREZ: So we have the
50 original motion to adopt the proposal as written by

1 Virginia.

2

3 MR. O'HARA: I'll second it.

4

5 CHAIRMAN ALVAREZ: Seconded by Dan.

6 Okay.

7

8 MR. EDENSHAW: Just to inform the Council

9 Members, when you take a vote on this motion, a yea vote

10 is to support the Staff analysis, no is to reject it.

11

12 CHAIRMAN ALVAREZ: Any more discussion on

13 the proposal before we vote.

14

15 MR. DUNAWAY: I'm a little confused how

16 to vote, so I'm going to say I'm not comfortable with the

17 proposal in either form. I feel a little awkward because

18 I didn't believe I was supporting using brown bear fur.

19 I am concerned about the lack of knowledge about

20 potential markets and potential enforcement problems that

21 I sure would have liked to have heard a lot more thought

22 given to that before I could support this. I hear too

23 many accounts of illegal poaching going on. They're not

24 even Federally qualified. Some of them aren't even U.S.

25 citizens. But if there's any cover for those folks to

26 operate, I don't like to provide it and I'm opposed to

27 allowing this sale of bear claws until I can be reassured

28 there's better enforcement and a clearer picture of what

29 we're dealing with. But that doesn't tell me if I'm

30 going to vote yes or no on the current motion. Maybe I

31 could get some help from somebody.

32

33 CHAIRMAN ALVAREZ: Vote no. I'm going to

34 vote no. Go ahead, Cliff.

35

36 MR. EDENSHAW: Thank you, Mr. Chair and

37 Council Members. I just wanted to ask the Council when

38 they take action on the proposal, in terms of their

39 justification for rejecting the proposal, the rationale

40 you provide me will certainly be fuel for the follow-up

41 recommendation on why the Council would like to be exempt

42 from it.

43

44 CHAIRMAN ALVAREZ: Okay. Any comment on

45 this original motion before us.

46

47 (No comments)

48

49 CHAIRMAN ALVAREZ: Seeing none. All in

50 favor of the motion say aye.

1 (No votes)
2
3 CHAIRMAN ALVAREZ: Opposed.
4
5 IN UNISON: Aye.
6
7 CHAIRMAN ALVAREZ: Motion fails.
8
9 MR. O'HARA: Dan, maybe instead of just
10 jumping into selling all the claws we can, why don't we
11 look at what would be a workable solution. I'm not just
12 interested in going to the store with claws. But if we
13 can't enforce it, if it's things we don't fully
14 understand or have a handle on, I don't see any reason
15 why Bristol Bay can't put it on hold until we're all
16 satisfied on what we're going to do.
17
18 CHAIRMAN ALVAREZ: I've got a comment on
19 that. Take, for example, if we go along with your
20 recommendations not to be able to sell to a store or an
21 entity but the subsistence user can sell the bear claws
22 to an individual, that individual can take that bear claw
23 and sell it to some other individual and make a profit on
24 it. What's the difference if the maker of the bear claw
25 item were to sell it to the individual that owns the gift
26 shop or store and he re-sells it? There's no difference
27 in my opinion. That item can be resold. Once the maker
28 of the bear claw item sells to a non-subsistence user,
29 that guy can sell it to make a profit, can't he?
30
31 MS. MORRIS LYON: Well, Mr. Chairman, I
32 would take that even one step further and state that even
33 if it was given as a gift it could then be sold at profit
34 when the subsistence user is still out.
35
36 CHAIRMAN ALVAREZ: So what's the
37 difference if you sold it to the gift shop and they're
38 going to re-sell it? I would support a proposal that
39 we're not limiting the maker of the bear claw item so
40 they can sell to anyone, a gift shop.
41
42 MR. O'HARA: Dan is having a little
43 heartburn with that. Do you want to state your position
44 again, Dan, or would you rather not?
45
46 MR. DUNAWAY: I don't know if I could
47 repeat it, Mr. Chairman. I'm still torn. I can think of
48 individual folks here or down the peninsula that if they
49 can make a few bucks on a claw. Here's a claw and
50 already we're in a huge tangle right here. The guys that

1 are fast-buck artists or the cheaters, they're way
2 smarter than me. They'd find a way around this stuff.
3 I'm concerned about adequate enforcement is what I said.
4 Some reassurance that some law like this couldn't give a
5 cover for total outlaw operation on or off Federal lands
6 to be pumping bear claws into the system and damaging
7 populations somewhere.

8

9 I'm pretty convinced that probably
10 Federally qualified folks aren't going to take enough
11 bears to make a big difference, but I still haven't been
12 reassured that the agencies have a clear process of
13 enforcement management. I don't want to see a bear claw
14 gestapo out here shaking people down looking for bear
15 claws or anything like that either. My preference is to
16 kind of stay away from it and not allow it at the moment
17 until better wording and a thorough analysis.

18

19 CHAIRMAN ALVAREZ: Nanci.

20

21 MS. MORRIS LYON: I'm kind of almost
22 sharing some of Dan's problems because, to me, my biggest
23 worry with this is I think the Federal subsistence user
24 should have every opportunity to make good use of
25 everything that is harvested and I think that's a valid,
26 good use. I also see Dan's point with the smart guys out
27 there who are a lot smarter than we are finding ways
28 around this Federal subsistence rule. That's always
29 going to happen and that's always going to be out there,
30 but I would like to see in some way, shape or form some
31 form of monitoring system to be able to be put in place
32 before something like this is implemented so we would
33 know where to look and target where those bad boys are
34 operating.

35

36 Just like Dan said, when we opened up a
37 lot of these other handicraft things not one single thing
38 increased out here in this region. We're talking about a
39 statewide regulation. It sure would be nice to be able
40 to have something available to implement, to be able to
41 say, hey, all of sudden, look, we've got a big increase
42 here. Let's find out if it's a true increase from a
43 subsistence user or whether somebody is hornswoggling
44 somebody along the way.

45

46 MR. EDENSHAW: Mr. Chair and Council
47 Members. Perhaps I can get Bill up here, but right now,
48 as I look at the Council, it has a motion on the table to
49 reject the proposal. If you look on Page 21 under the
50 existing Federal regulation issues, currently there is no

1 existing regulatory language addressing the commercial
2 sale of handicrafts made from bear parts. So right now
3 Federal users who harvest a subsistence bear may sell
4 handicrafts made from brown and black bears, whether it's
5 the claws, tongue, teeth.

6
7 CHAIRMAN ALVAREZ: The proposal failed,
8 Cliff. It's not on the table.

9
10 MR. EDENSHAW: So my question to Bill is
11 that the proposal fails, it already has, that it would be
12 status quo as it says under the quote I just read on Page
13 21.

14
15 MR. KNAUER: Currently the regulation for
16 black bear is you can sell handicraft articles made from
17 the skin, hide, fur, pelt, fur including claws. For
18 brown bear there are specific regions, including 9(A)
19 through (C), 9(E) and 17 where you can sell handicraft
20 articles made from the skin, hide, pelt or fur including
21 claws. So, currently, for subsistence users in this
22 region there is no restriction on who you can sell to.

23
24 CHAIRMAN ALVAREZ: It's already there.

25
26 MR. KNAUER: The proposal you just
27 rejected was to prevent what the subsistence users and
28 Federal agencies viewed as a potential for abuse to
29 protect the resource and to protect the subsistence user.

30
31 CHAIRMAN ALVAREZ: Thanks, Bill.

32
33 MR. O'HARA: You sit back there all this
34 time and we agonize over it.

35
36 MR. KNAUER: We don't want to unduly
37 influence your decisions.

38
39 MR. O'HARA: Mr. Chairman.

40
41 CHAIRMAN ALVAREZ: Dan.

42
43 MR. O'HARA: I think along the same line
44 we struggled with the barter system and all the other
45 regions had their various type things they wanted to do
46 in the way of barter and Bristol Bay said we're just
47 about in the category where we've always been doing this.
48 The question came up by Dan and Nanci, which is a good
49 one, how are we going to follow through on the proper
50 sale of these type of things as they take place and we

1 said a receipt. The Department of Public Safety said
2 receipt, we don't want a receipt. We said, yes, we want
3 a receipt. If that becomes an illegal thing, you've got
4 a paper trail, you follow it, and that was the end of it.
5 I think that's simple here. If it gets to be a problem,
6 you've got the Department of Public Safety sitting out
7 there somewhere with a big gun. Donna is here.

8
9 CHAIRMAN ALVAREZ: Cliff, do you have our
10 justification done for why it failed?

11
12 MR. O'HARA: We rejected it because it's
13 fine like it is. Little did we know.

14
15 MR. DUNAWAY: Our thanks to Mr. Knauer.

16
17 CHAIRMAN ALVAREZ: Okay. Next proposal.
18 Laura.

19
20 MS. GREFFENIUS: The next one, No. 02,
21 begins on Page 34. This one requests the Federal
22 Subsistence Board to authorize the sale of handicrafts
23 made from non-edible byproducts of wildlife, other than
24 bears, harvested for subsistence uses. Current Federal
25 regulations prohibit the sale of wildlife or byproducts
26 of wildlife unless specifically permitted in Federal
27 regulations.

28
29 Current Federal regulations only allow
30 the sale of handicrafts made from bear skin, hide, pelts
31 or fur including claws from some parts of the state, as
32 we just addressed, and the sale of handicrafts made from
33 bear bones, teeth, sinew or skulls taken in Southeast,
34 pelts from furbearers and subsistence harvested fish
35 under the customary trade regulations.

36
37 Under State regulations, many handicrafts
38 and parts of game can be sold, purchased or bartered.
39 They have a specific list of what cannot be sold, such as
40 most meat, bear parts, big game trophies, et cetera. So
41 the intent of this proposal is to have Federal
42 regulations align more closely with the existing State
43 regulations with respect to handicrafts and accommodate
44 existing practices and this proposal affects all regions
45 of the state. Again, this is a statewide one that all 10
46 Councils will be deliberating.

47
48 Many wildlife handicrafts, individual
49 antlers and horns, capes and other items can be sold
50 under State regulations but they cannot be sold from

1 animals harvested on Federal public lands under Federal
2 regulations. The purpose of this proposal is to make
3 Federal regulations consistent with existing State
4 regulations with respect to handicrafts.

5
6 This action will not alter existing
7 harvest limits or seasons and, therefore, should have no
8 impact on wildlife populations. This action will provide
9 those subsistence users who make handicrafts an
10 opportunity to sell those handicrafts made from wildlife
11 harvested under Federal subsistence regulations. This
12 change will be minimal because the activity is currently
13 allowed for wildlife harvested under State regulations.
14 This change will have no effect on other users.

15
16 Because this proposed regulation uses the
17 term big game and trophy, definitions are provided for
18 those terms. The proposed regulation also prohibits
19 sales from constituting a significant commercial
20 enterprise consistent with the sale of bear claw
21 handicrafts, what we had discussed. Adoption of these
22 new regulations will provide Federally qualified
23 subsistence hunters the same opportunities that are
24 currently available to those hunting under State
25 regulations and it would accommodate existing practices.

26
27 A question may arise why doesn't the
28 proposed regulation allow the sale of capes and
29 individual horns and antlers as State regulation does.
30 The answer to that is the proposed Federal regulation
31 requires that the sales be limited to handicrafts and to
32 be consistent with the definition of subsistence uses in
33 ANILCA Section 803.

34
35 On Page 38 is the Staff recommendation to
36 adopt the proposal with the recommended modifications and
37 those are to remove the redundant reference to bear in
38 the regulatory language, to provide definitions of the
39 terms big game and trophy, and to prohibit sales from
40 constituting a significant commercial enterprise. So the
41 modified language is listed there on Page 38.

42
43 Mr. Chair, that concludes my presentation
44 for No. 02. Thank you.

45
46 CHAIRMAN ALVAREZ: Thank you, Laura. Any
47 questions or comments to Laura. Dan.

48
49 MR. DUNAWAY: I wasn't following as close
50 as I should have been. Excuse me. There's a fair market

1 for shed antlers. Would this prohibit folks from
2 collecting and selling shed antlers on Federal lands or
3 is that already safe?
4
5 MS. GREFFENIUS: From my understanding,
6 it's a non-edible byproduct of wildlife. You're talking
7 about going out and collecting out in the field.
8
9 MS. DUNAWAY: Yeah, finding just the shed
10 antlers that have dropped off. Can folks do that on
11 Federal lands? I was partially listening to you and
12 trying to find something else and I thought I heard
13 something that raised that question in my mind.
14
15 MS. GREFFENIUS: My understanding is yes.
16 Orville, is that something you can do or go out and get
17 to make handicrafts?
18
19 MR. LIND: I don't have any information.
20
21 MS. GREFFENIUS: We're talking about
22 animals harvested for subsistence purposes and then using
23 the non-edible byproducts. A very legitimate question
24 but this one addresses a different arena.
25
26 MR. DUNAWAY: Thank you very much.
27
28 CHAIRMAN ALVAREZ: Questions or comments
29 to Laura.
30
31 (No comments)
32
33 CHAIRMAN ALVAREZ: Seeing none. We'll go
34 down to State ADF&G comments.
35
36 MR. BUTLER: Mr. Chair, Members of the
37 Council. Again, my name is Lem Butler. I'll read the
38 ADF&G comments into the record. The Department
39 recommends that you support this proposal. The
40 Department supports a Federal regulation authorizing the
41 sale of handicraft articles made from the non-edible
42 parts of wildlife harvested for subsistence uses that is
43 consistent with the State regulations governing the
44 purchase, sale, or barter of game and game parts.
45
46 CHAIRMAN ALVAREZ: Thank you. Any
47 comment to Lem.
48
49 MS. MORRIS LYON: It's refreshing.
50

1 CHAIRMAN ALVAREZ: Now down to number
2 three, other State or Federal agency comments.
3
4 (No comments)
5
6 CHAIRMAN ALVAREZ: Seeing none. Down to
7 number four, Interagency Staff Committee comments.
8
9 (No comments)
10
11 CHAIRMAN ALVAREZ: Seeing none. Down to
12 number five, ADF&G Advisory Committee comments.
13
14 (No comments)
15
16 CHAIRMAN ALVAREZ: Seeing none. Down to
17 number six, summary of written public comments. Cliff.
18
19 MR. EDENSHAW: Mr. Chair and Council. On
20 Page 39 are the written public comments for Proposal 02.
21 The first one is again by the Ahtna Subsistence Committee
22 and they support WP06-02 so that rural residents may sell
23 handicrafts made from non-edible byproducts of most
24 wildlife. This practice has been done under State
25 regulation, but not under the Federal regulation, since
26 there is no regulation in place under Federal subsistence
27 management.
28
29 The last one is basically the Mentasta
30 Traditional Council supports the proposal. That's it for
31 written public comments, Mr. Chair.
32
33 CHAIRMAN ALVAREZ: Thank you, Cliff.
34 Number seven, public testimony.
35
36 (No comments)
37
38 CHAIRMAN ALVAREZ: Seeing none. We're
39 down to number eight, deliberation, justification and
40 recommendation. Does anybody want to move to adopt the
41 proposal.
42
43 MR. O'HARA: Cliff, is this a
44 housekeeping item? Does this change regulation at all
45 for what we've been dealing with?
46
47 MR. EDENSHAW: No.
48
49 MR. O'HARA: So just aligning Federal and
50 State?

1 MR. EDENSHAW: Correct.
2
3 MR. O'HARA: Mr. Chairman, I so move.
4
5 MR. EDENSHAW: Excluding the language it
6 says in there for big game animals, yes. Bill has some
7 info.
8
9 CHAIRMAN ALVAREZ: Do you want to be in
10 the public testimony, Bill?
11
12 MR. KNAUER: No, Mr. Chairman. I need to
13 clarify the answer for Mr. O'Hara. Current Federal
14 regulations prohibit sale of handicrafts made from fish
15 and wildlife parts unless specifically allowed.
16 Currently there is no provision for the sale of
17 handicrafts made from inedible byproducts of wildlife.
18 So what this does is allow the sale by subsistence users
19 of those products. We realize that in looking at the
20 regulations that the State had a provision allowing the
21 sale from sport harvest of wildlife but there wasn't a
22 sale allowed from subsistence, so we felt that that was
23 important to provide an opportunity for Councils to
24 consider a proposal allowing that.
25
26 CHAIRMAN ALVAREZ: Thank you.
27
28 MR. O'HARA: Mr. Chairman. The first one
29 we wrestled with. What's the difference between that one
30 and the one we're wrestling with now?
31
32 MR. KNAUER: That one was the sale of
33 handicrafts from black bear pelts, hides, claws already
34 in regulation. For other wildlife there's nothing that's
35 allowed in regulation. This allows the sale of
36 handicrafts of those other parts from other wildlife.
37
38 MR. O'HARA: We're not going to be
39 crossways from the first one.
40
41 MR. KNAUER: No.
42
43 MR. O'HARA: That is a housekeeping item.
44 Appreciate it. Thank you. I think we should just
45 eliminate all these other departments and just hear you
46 one time and get a motion done. Years we haven't
47 understood that.
48
49 CHAIRMAN ALVAREZ: Okay. Dan moved to
50 adopt the proposal. Anybody second.

1 MR. DUNAWAY: Did he move to adopt with
2 the recommendations or just as written?
3
4 MR. O'HARA: What would be the
5 difference?
6
7 MR. DUNAWAY: There was some boilerplate
8 language added there about commercial enterprise. I
9 think it's the lower part of Page 38 and the top of 39.
10
11 MR. O'HARA: Mr. Chairman. I'll withdraw
12 my motion until we get this clarified.
13
14 CHAIRMAN ALVAREZ: Okay. The motion has
15 been withdrawn.
16
17 MR. O'HARA: Go ahead, Dan. What were
18 you bringing up there?
19
20 MR. DUNAWAY: I was just trying to
21 clarify if your motion -- I know a couple motions I made
22 last meeting I moved to adopt with the modifications
23 recommended by Staff and that's what I'd be inclined to
24 support in this proposal. I don't think it substantially
25 changes the original intent of the proposal, but it makes
26 it probably easier to administer and so on.
27
28 CHAIRMAN ALVAREZ: Laura, did you say
29 that the amendment was just for a definition?
30
31 MS. GREFFENIUS: Yes, on Page 38?
32
33 CHAIRMAN ALVAREZ: Yes.
34
35 MS. GREFFENIUS: The modification?
36
37 CHAIRMAN ALVAREZ: Yes.
38
39 MS. GREFFENIUS: Well, in addition, it
40 removes redundant reference to bear in the regulatory
41 language and also provides definitions. The State uses
42 terminology, like big game and trophy, so it just
43 provides those definitions. Also what you see there in
44 italics prohibiting sales from constituting a significant
45 commercial enterprise.
46
47 CHAIRMAN ALVAREZ: Any comment on that.
48
49 MR. O'HARA: I don't see a problem with
50 that.

1 CHAIRMAN ALVAREZ: A motion on the floor
2 to adopt the proposal. We didn't have a second yet, did
3 we?
4
5 MR. DUNAWAY: He withdrew it.
6
7 CHAIRMAN ALVAREZ: You go ahead and make
8 a motion then.
9
10 MR. DUNAWAY: I'd move to adopt WP06-02
11 to include the modifications recommended by Staff on the
12 bottom of Page 38 and the top of Page 39.
13
14 CHAIRMAN ALVAREZ: The motion has been
15 made. Any second.
16
17 MS. MORRIS LYON: Second.
18
19 CHAIRMAN ALVAREZ: Seconded by Nanci.
20 Any more comment on this proposal.
21
22 (No comments)
23
24 CHAIRMAN ALVAREZ: Seeing none. I call
25 for the vote. All in favor signify by saying aye.
26
27 IN UNISON: Aye.
28
29 CHAIRMAN ALVAREZ: Opposed.
30
31 (No opposing votes)
32
33 CHAIRMAN ALVAREZ: Motion carries 6-0
34 support. Proposal WP06-22. Laura, you have the floor.
35
36 MS. GREFFENIUS: Thank you, Mr. Chair.
37 So the two statewides we're done dealing with the
38 handicrafts. The next ones are specific to the Bristol
39 Bay region. WP06-22 begins on Page 41 in your book. The
40 unit map, if you need to make reference to the map, is on
41 Page 40. Also, as we proceed with the proposals for the
42 Bristol Bay region, I'll summarize these. There's a lot
43 of information in each of these, a lot of details and
44 important information. For purposes of summarizing, I'll
45 provide the highlights. As there's questions, we can
46 address those, either myself or Agency Staff.
47
48 Proposal 22 is submitted by your Council.
49 It requests the Federal subsistence caribou hunting
50 season be closed in Units 9(C) Remainder and 9(E) until

1 the Northern Alaska Peninsula Caribou Herd population is
2 considered healthy again. Currently, the herd cannot
3 sustain a Federal subsistence hunt or a State general
4 hunt. So that is the issue before us.

5
6 There is a conservation concern with this
7 caribou herd. The calf survival and recruitment are low.
8 The herd has not had any positive growth in the last five
9 years. Most involved have noted and the proponent
10 recognizes the need for management action.

11
12 So under the proposed Federal regulation
13 you can see there no Federal open season at the bottom of
14 Page 42. Also at the top of Page 43 the State regulation
15 there. There is a State season, but the State did not
16 issue any Tier II permits for the 2005-2006 season. The
17 Federal lands that we're discussing for this unit in
18 9(C), Katmai National Preserve and some BLM lands, then
19 for Unit 9(E) there's the Alaska Peninsula/Becharof
20 National Wildlife Refuges and also some National Park
21 Service lands.

22
23 In 2000, at the bottom of Page 43,
24 there's a summary of recent events. in 2005 the Federal
25 Subsistence Board approved two special actions. There
26 was a closure for the fall caribou hunting season. Also
27 a second special action to extend the closure to the end
28 of the 2006 winter hunting season.

29
30 Just to clarify, since this came up with
31 some of the testimony given earlier wondering about why
32 we're discussing this again, these proposals are in the
33 permanent regulations. Special actions are for short
34 term, they're temporary, so those actions were taken
35 because it could be done right away without going through
36 the year-long process, so the special actions that were
37 done last summer and fall did address this winter season.

38
39 So as of last fall, population estimate,
40 there's approximately 2,500 animals in this caribou herd.
41 The herd composition is seven calves to 100 cows and
42 based on this calf ratio it indicates this herd is still
43 in a declining state essentially.

44
45 So, as I mentioned, the primary effect of
46 this proposal would be to close the Federal hunting
47 season for this caribou herd on Federal public lands in
48 Units 9(C) Remainder and Unit 9(E).

49
50 The Staff recommendation is to support

1 the proposal. It's on Page 46. Based on biological
2 data, the Northern Alaska Peninsula Caribou Herd has
3 declined to the point where any hunting of these animals
4 would be detrimental to the population. Currently both
5 the State and Federal hunts are closed and should remain
6 so until a population recovery begins and harvest
7 opportunities are reassessed by resource managers.

8
9 That concludes my presentation for
10 Proposal 22.

11
12 CHAIRMAN ALVAREZ: Thank you. ADF&G
13 comments. Lem, proceed.

14
15 MR. BUTLER: Mr. Chair, Members of the
16 Council. Again, my name is Lem Butler. The State
17 recommends that you support this proposal, closing the
18 Federal caribou seasons in Units 9(E) and the Remainder
19 of Unit 9(C) addresses a serious conservation concern and
20 complements management actions taken by the Department of
21 Fish and Game by not issuing Tier II permits for the
22 State hunt in these areas during the current regulatory
23 year.

24
25 CHAIRMAN ALVAREZ: Thank you. Boris.

26
27 MR. KOSBRUK: Before we discuss this I'd
28 like to go a little further into this harvest. I think
29 before we even act on it we should talk about trying to
30 enhance this area. One year, a few years back, we
31 transplanted some from down there up north.

32
33 MR. O'HARA: We took them from the
34 peninsula over to the Nushagak Peninsula.

35
36 MR. KOSBRUK: I was talking to a couple
37 guys from down the line there and they were telling me
38 about the caribou herd they had in False Pass, that way,
39 you know. I wasn't thinking about helicopters either, I
40 was thinking about barges.

41
42 CHAIRMAN ALVAREZ: That's something we
43 can bring up at a later time in the agenda. We need to
44 discuss improving the population.

45
46 MR. O'HARA: There are no animals to
47 hunt.

48
49 CHAIRMAN ALVAREZ: The Federal
50 Subsistence Board has to act on it every year. It's

1 closed now anyway. We're just making it a permanent
2 regulation until sometime when there is enough caribou to
3 hunt. Then we can propose it be opened again. We all
4 realize you can't hunt, but we all realize, like you say,
5 that we need to try to do something to fix the problem.
6 That's something we should discuss later on in the
7 meeting.

8

9 MS. ALECK: I think it needs to be
10 discussed because right at this point we have a lot of
11 documented information and all we're doing right now is
12 talking about the problem but we're not talking about
13 fixing it and it seems like we're not making no effort
14 towards preserving what caribou we have left. We need
15 meat. We live a subsistence lifestyle and at this point
16 we need to come up with something to support our people
17 with their way of life.

18

19 CHAIRMAN ALVAREZ: Virginia, I wanted to
20 kind of expedite. Dan is leaving at 6:00 and we won't
21 have a quorum after that. I want to try to get by this.
22 We can discuss this part without him tomorrow.

23

24 MS. ALECK: Okay.

25

26 MR. O'HARA: You know, right now there
27 are no caribou for the Chigs, Bay Lake Lagoon, Port
28 Heiden, Pilot Point, any of those places. There are no
29 caribou that can be taken on that peninsula. They're
30 gone. The ones that do exist, I don't know how healthy
31 they are, if they're even edible. If they're ill, we may
32 not even want to participate in taking of the animals.

33

34 The other thing you can discuss later on,
35 Randy, is that right now you can come up here to King
36 Salmon, anyone, can't they, Lem, and go out and get a
37 caribou here with a permit. I don't know if that's going
38 to continue if they decline as the Mulchatna Herd. Right
39 now if these people can get on a four-wheeler tomorrow,
40 get a permit to go up to the Kvichak or Alakanuk and get
41 a caribou, they can take one home. That's the only
42 provision we can make to help anyone out down there now.

43

44 CHAIRMAN ALVAREZ: Yeah, we need to talk
45 about this.

46

47 MR. O'HARA: We won't ignore it,
48 Virginia. We will work on the other part of it. Just
49 right now we're dealing with the regulation.

50

1 CHAIRMAN ALVAREZ: We've got four more
2 proposals to go. Any other comments.
3
4 (No comments)
5
6 CHAIRMAN ALVAREZ: Seeing none.
7
8 MS. MORRIS LYON: We have public
9 testimony.
10
11 MR. EDENSHAW: We have public testimony
12 and a few more boxes to check.
13
14 CHAIRMAN ALVAREZ: Getting ahead of
15 myself. Sorry. We have number three, other State and
16 Federal Agency comments.
17
18 MR. SQUIBB: Mr. Chairman and Council.
19 I'm Ron Squibb with the U.S. Fish and Wildlife Service of
20 Alaska Peninsula and Becharof Refuges. The Refuge Office
21 does support this proposal. I'd be willing to entertain
22 any questions you might have.
23
24 MR. O'HARA: Mr. Chairman. You know, he
25 and Lem both have looked at the health of the herd and
26 the decline of the herd. We don't see anything positive
27 happening yet, do we, in the way of this herd coming
28 back?
29
30 MR. SQUIBB: No, sir.
31
32 MR. O'HARA: Just as well close it until
33 something better happens.
34
35 CHAIRMAN ALVAREZ: When was the last
36 census, 2005? You counted 2,500?
37
38 MR. SQUIBB: What we did, we did a post-
39 calving count as we normally do and we came up with 1,200
40 animals, I believe.
41
42 MR. BUTLER: That's correct.
43
44 MR. SQUIBB: That's what we normally do.
45 The phenomenon that the herd is small enough and the
46 weather is such that it often takes us quite a few days
47 that there's a possibility that animals could move from
48 one area we surveyed to an area we haven't surveyed or
49 vice versa, so there's a lot noise when the herd gets
50 that small. In cooperation with the State, when Lem was

1 doing the opposition survey in the fall, he actually
2 counted more animals in that survey because they were all
3 bunched up. So that's the better number if you will. I
4 don't know if Lem wants to elaborate or clarify on that.
5

6 MR. BUTLER: Mr. Chair. Lem Butler.
7 That's essentially correct. Similar to past years, this
8 summer just wasn't conducive to getting a good count of
9 the caribou. The majority of the animals I located
10 during the traditional count were single individuals
11 scattered across the larger expanse of the tundra. You
12 just really can't get a good feel for the number. We
13 calculated 1,200 caribou based on what we were able to
14 do, but, as Ron mentioned, it was over an extended period
15 of time. We had very little faith in that particular
16 number. They were bunched up in the fall.
17

18 It's going to be a trend that you'll hear
19 with other proposals too. This population count is a
20 minimum population count. It's a trend and it shows the
21 direction of the herd, but it's not necessarily a
22 reflection of the population size. You can't just take
23 the year by year picture. You have to get it as a
24 series.
25

26 CHAIRMAN ALVAREZ: Thank you. Number
27 four, Interagency Staff Committee comments.
28

29 (No comments)
30

31 CHAIRMAN ALVAREZ: Seeing none. Down to
32 number five, ADF&G Advisory Committee comments.
33

34 (No comments)
35

36 CHAIRMAN ALVAREZ: None. Okay, number
37 six, Cliff, summary of written public comments.
38

39 MR. EDENSHAW: Mr. Chair and Council
40 Members. There were not any written public comments.
41

42 CHAIRMAN ALVAREZ: Okay. Public
43 testimony. We have one, Norman Anderson.
44

45 MR. ANDERSON: Thank you, Mr. Chair and
46 Members of the Council. When I introduced myself, I left
47 out half of my job description and that is recently we've
48 taken on a part of the global warming climate change
49 issue and it bleeds right into or dove-tailed into what
50 you are discussing now, the out-migration of caribou of

1 the Bristol Bay region. I met with people from Russia,
2 Norway, the Laplanders and the problem is not just
3 specific to us with the out-migration of caribou. I
4 refer to it as the out-migration of caribou.
5

6 As many of you know, I've hunted with
7 some of you everywhere from the Meshik area, right up
8 into the Naknek drainage. Along with that I've hunted
9 caribou and moose up on the Mulchatna areas and have
10 always related the Mulchatna caribou as being more of a
11 highland type caribou, which were distinct and different
12 from the Aleutian Peninsula, which is more of a Bering
13 caribou.
14

15 Many of us will remember the caribou as
16 they were coming through, as I have testified before this
17 body before, where they were closer to South Naknek over
18 the years, vacillating back and forth across the Naknek
19 River. This is typical. It's the same thing happening
20 in Russia with reindeer and with the Laplanders I have
21 talked with. Until finally we have caribou that have
22 moved completely over into the Nushagak area to the
23 numbers where Peninsula Airways has had to hire locals to
24 keep the caribou off of the runway there so the mail
25 planes can get in. This is a significant problem with
26 the people over there with the numbers of caribou
27 increased so high that the population of caribou allowed
28 for locals to fly and hunt the same day and get five,
29 which we have never had that opportunity to do here,
30 legally anyway.
31

32 My point is that I feel that with
33 traditional knowledge of the locals here allowing that
34 the out-migration of caribou in this area is definitely a
35 problem. We've heard stories in the past about hoof and
36 mouth disease, some sort of parasite killing off caribou.
37 Out of curiosity I flew with Georgia Tibbs and we found
38 maybe nine that was maybe from predation or something,
39 but there definitely wasn't 13,000 dead animals on the
40 Alaska Peninsula. Some of you that fly the area more
41 than I can attest to that as well.
42

43 The out-migration of caribou is a problem
44 that hurts us here. We, as customary and traditional use
45 subsistence people, are going to be hurting even more if
46 we are impacted more by the out-migration of the North
47 Peninsula caribou as they have joined up with the
48 Mulchatna herd. This I know to be true because I have
49 witnessed it. I have sat in Ekwok and watched caribou
50 walk through there for three days and talking with the

1 residents there. They have never seen that many caribou
2 up there in their life and they had no idea where they
3 came from. Well, one herd grows by a certain number that
4 are lost off of another area I think should make sense.

5
6 I just wanted to get this on the record.
7 I'm sorry I have to make this short, but I was just
8 called to make a report on weather changes in this area
9 that I have to have ready for a meeting in Anchorage on
10 Thursday, so I have to compile videotapes and things I
11 have done with interviewing elders in the area here
12 recently.

13
14 The chore you have as to how we're going
15 to get our caribou back isn't anything I think can be
16 done with science and with paperwork, but just to
17 document the fact that we have seen them come by and
18 other herds in the area have grown. I thank you very
19 much for the opportunity and really appreciate this
20 chance. Thank you.

21
22 CHAIRMAN ALVAREZ: Maybe you should stop
23 tomorrow when we discuss what's being done and what we
24 need to try to do to get these caribou back. We're going
25 to discuss it tomorrow sometime before the meeting is
26 over. Try to get an idea of what's going on and what's
27 being done to try to bring them back and get comment on
28 what could be done.

29
30 MR. ANDERSON: Sure. I appreciate it.

31
32 CHAIRMAN ALVAREZ: Okay. Number eight,
33 Council deliberation, justification and recommendation.
34 Anybody move to adopt the proposal. Nanci.

35
36 MS. MORRIS LYON: I'll move to adopt
37 WP06-22 as written.

38
39 MR. O'HARA: Second.

40
41 CHAIRMAN ALVAREZ: Seconded by Dan
42 O'Hara. Any comment from the Council on the proposal.

43
44 (No comments)

45
46 CHAIRMAN ALVAREZ: Hearing none. All in
47 favor of supporting this proposal signify by saying aye.

48
49 IN UNISON: Aye.

50

1 CHAIRMAN ALVAREZ: Opposed.

2

3 (No opposing votes)

4

5 CHAIRMAN ALVAREZ: Motion carried 6-0.

6 Proposal WP06-23. Laura, you have the floor.

7

8 MS. GREFFENIUS: Thank you, Mr. Chair.

9 This one begins on Page 49. As I said before, I'll go

10 over the highlights. It's not to eliminate important

11 information but there's a lot of information, so I'll

12 address the highlights, but if there's further questions

13 myself and other agency staff can address those.

14

15 This one was submitted by the Lake Clark

16 Subsistence Resource Commission and it requests that

17 subsistence sheep hunting opportunities in Unit 9(B) be

18 extended from two months to six months, by starting the

19 season in July and adding a three month winter season

20 from January 1 to April 1. The proponent is requesting

21 an annual harvest quota of five rams during the

22 summer/fall season and two rams during the winter season.

23 The SRC is also asking for a change to a three-quarter

24 curl or larger horn size and an elevation limit where

25 sheep can be harvested in the wintertime. Also a

26 requirement for successful hunters to present the horns

27 to the National Park Service for inspection.

28

29 The SRC states that subsistence hunting

30 for Dall sheep was traditionally done throughout the

31 year, as hunters would take animals opportunistically

32 whenever they were encountered. The proponent emphasizes

33 that trophy hunting is not a subsistence value and that

34 the current Federal regulation does not reflect a

35 realistic subsistence hunting opportunity for residents

36 interested in hunting sheep for sustenance.

37

38 At the bottom of the page is the proposed

39 Federal regulation. Just to note that it should read

40 residents of Iliamna, Newhalen, Nondalton, Pedro Bay,

41 Port Alsworth,

42 and qualified residents of Lake Clark National Park and

43 Preserve within Unit 9(B), et cetera with the curl size.

44

45 Also at the top of Page 51, the

46 conditions there would be out of concern for the

47 wintering area that no sheep may be taken at an elevation

48 above 1000 feet between January 1 and April 1. Also

49 about presenting the horns for inspection to the NPS

50 within 3 days of leaving the field. The quotas there are

1 noted for each season.

2

3

4 Dall sheep inhabit the mountainous areas
5 throughout Lake Clark National Park and Preserve and the
6 map 2 on Page 51 indicates Units 1 and 2, which are the
7 main concentrated areas for the subsistence harvest, so
8 those areas near Port Alsworth. I'm not saying
9 exclusively, but that's where a lot of the subsistence
10 harvest takes place.

11

12 The Park Service had very good population
13 information. It appears it's stable. The calculations
14 for the quotas was based on the ram population. The
15 quota five during the summer/fall and two during the
16 winter were based on those. They have very sound
17 information. The biologists plan to continue to monitor
18 sheep in the subsistence harvest area with a capture and
19 collaring project that's currently under way. Telemetry
20 tracking will provide additional about their rut areas
21 and winter movements.

22

23 This proposal recommends conservative
24 harvest quotas, combined with closures during sensitive
25 periods associated with breeding, lambing, and seasonal
26 migrations, in order to minimize adverse effects on the
27 Dall sheep population in Unit 9(B).

28

29 The Staff recommendation on this one on
30 Page 55 to 56 is to support with modification. That is
31 to amend the Federal registration permit condition to
32 report harvest and make horns available for inspection to
33 the National Park Service within three days of leaving
34 the field. You can see the cross-out under the second
35 condition. You must report harvest and make horns
36 available for inspection within three days of leaving the
37 field. It seems like a minor change, but we were
38 concerned about subsistence hunters being able to get to
39 a Park Service location to make the report. The Park
40 Service stated that a staff person would go to the
41 subsistence user in order to get the information so that
42 if somebody were not going to be going to Port Alsworth
43 that they would not be penalized for that. So the Park
44 Service said they did want to keep track of the harvest
45 and they would do that.

46

47 MR. O'HARA: Mr. Chairman. So what
48 you're saying is that Lee or Leon could jump on a plane,
49 run down to Nondalton or Pedro Bay and take care of the
50 animal.

51

1 MS. GREFFENIUS: Exactly. That's a good
2 example.
3
4 MR. O'HARA: So it's not a hardship on
5 the subsistence user.
6
7 MS. GREFFENIUS: Right. That's what we
8 were concerned about. Overall, this proposal would allow
9 subsistence hunters to harvest sheep in Lake Clark
10 National Park and Preserve in a more traditional way than
11 current regulations allow. It also allows more
12 flexibility by increasing hunting opportunities.
13
14 With that, that concludes my
15 presentation. Thank you. If there's any further
16 questions.
17
18 CHAIRMAN ALVAREZ: I'm going to be in
19 support of that proposal, but I've got to comment on the
20 1,000-foot elevation mark. How is the subsistence user
21 to know where 1,000 foot is? Is there contour lines or a
22 tree line? I see a hand back there.
23
24 MS. GREFFENIUS: I was going to say that
25 will be addressed. I do want to comment that our office
26 was concerned when we were reviewing these. These go
27 through multiple reviews about how that would be enforced
28 and I knew that was very much a concern about the winter
29 hunt, so we were concerned about how it would be enforced
30 in that condition and initially had stated we wouldn't
31 have that condition, but based on testimony, information
32 we heard from Park Service Staff and what they plan to
33 do, and I understand from reading the SRC letters, but we
34 had that same question.
35
36 CHAIRMAN ALVAREZ: Thank you. Anybody
37 else.
38
39 MR. O'HARA: The three-quarter inch going
40 from seven-eighths curl probably loosens up another 50
41 animals to be harvested.
42
43 MS. GREFFENIUS: Well, there's more in
44 that range but since there's that quota and they would
45 monitoring when somebody makes a harvest and measuring,
46 there wouldn't be that many taken, even though it expands
47 the pool of what's available.
48
49 CHAIRMAN ALVAREZ: At the most, it could
50 be two more a year available. In the fall time, the

1 limit is still five, but in the winter time it would make
2 two more available. According to the harvest, it hasn't
3 been that much yearly.

4
5 MS. GREFFENIUS: Mr. Chair. The existing
6 regulation did not have that quota, but you're correct as
7 far as the number of harvest. It was not that high.
8 Since it would be expanding the pool, the proposed
9 regulation would have that cap.

10
11 CHAIRMAN ALVAREZ: Okay. Now we're at
12 the ADF&G comments.

13
14 MR. BUTLER: Mr. Chair and Members of the
15 Council. My name is Lem Butler. I'm the wildlife
16 biologist for Unit 9 again. The Department recommends
17 that you support this proposal. This proposal would
18 provide additional time for Federally qualified
19 subsistence users to harvest Dall sheep on Federal lands
20 in Unit 9(B) and allocates a specific number of sheep for
21 each of the two seasons. Since most of the hunting
22 authorized in this proposal would occur on National Park
23 Service lands, park officials should ensure that
24 sufficient resources are available to administer and
25 monitor this hunt. The Department of Fish and Game is
26 concerned about the feasibility of the 1,000-foot
27 requirement being enforced if it is adopted as part of
28 this proposal, since hunters may have a difficult time
29 knowing when they are at or above this altitude. Park
30 officials should either verify that this requirement is
31 enforceable or recommend it be deleted from the proposal.

32
33 We would support the modification as
34 proposed by the Federal Staff that the sheep be presented
35 to Park Service officials within three days.

36
37 CHAIRMAN ALVAREZ: Thanks, Lem. Any
38 comment to Lem.

39
40 (No comments)

41
42 CHAIRMAN ALVAREZ: Thank you. Other
43 State or Federal agency comments.

44
45 MS. McBERNY: Good afternoon, Mr. Chair.
46 For the record, my name is Mary McBerny. I'm the
47 subsistence program manager for Lake Clark National Park.
48 As usually happens after you put out a proposal more and
49 more people take a look at it and you get more feedback
50 and we have been getting a lot of good feedback on how to

1 refine what I think is basically a very good idea.

2

3

4 The Lake Clark SRC had approached the
5 Lake Clark National Park about two and a half, three
6 years ago requesting that the Park go out and get some
7 good survey information on the population of sheep that
8 resides in the park within Unit 9(B). Our wildlife staff
9 was successful in getting funding where they were able to
10 do just that. That's reflected in your staff analysis
11 here in terms of the numbers we're using to support
12 making this measure.

12

13

14 With respect to your question regarding
15 the 1,000 foot elevation, this was something the SRC had
16 brought up in discussion on how to protect particularly
17 those animals that are going to be moving from area to
18 area during the winter months. You'll notice this is
19 primarily for the winter season. There is a mountain
20 that has a small resident sheep population that is fairly
21 accessible by snowmachine from Port Alsworth and there
22 were concerns about excessive pressure on those animals
23 during the winter months, especially when they might be
24 moving down just a little bit to cross valleys, going
25 from one area to another.

25

26

27 So we sat around and discussed how best
28 to articulate and 1,000 feet seemed to be an elevation
29 that people agreed with, but then again, at this last
30 meeting of the SRC we discussed it again. How do you
31 best define where that is. We have a very good GIS
32 person on our staff with the Park who was able to come up
33 with some wonderful maps and he proposed putting together
34 a map that would be given to each permit recipient that
35 is basically a 1,000 foot contour line that would be
36 superimposed on a topo map so that people would be able
37 to see clearly where they are and see a contour line
38 where they can hunt below the 1,000-foot level. So
39 that's the measure that's being proposed now by the SRC
40 and we would fully support and we will make those maps
41 available.

41

42

43 CHAIRMAN ALVAREZ: Sounds good. Any
44 comment for Mary. Dan.

44

45

46 MR. DUNAWAY: Well, first, it's really
47 wonderful to see Mary before us looking healthy and
48 better. I want to welcome her and attest to medical
49 miracles here, so hopefully you're feeling better. The
50 other thing is, even with the line on that map, will
51 people know where they are when they're up on the

1 mountainside.

2

3 MS. McBERNY: In a lot of the areas where
4 the sheep are located, yes, it is I would say fairly easy
5 to pick out contour lines especially on those slopes.
6 The areas that are hunted are fairly small in relation to
7 the rest of the park as well and I think a lot of the
8 folks that do go up and harvest sheep are pretty familiar
9 with that area. This is one of these hunts that people
10 in the local communities feel very strongly about trying
11 to return back to that more customary subsistence type
12 hunt. That is why the Park felt it would be appropriate
13 to go to those longer seasons. Of course, we will have
14 to see how it works with a trial run this next season,
15 but the SRC is willing to give it a try.

16

17 MR. DUNAWAY: Just a couple follow up.
18 When I first read it, I was concerned, before I'd read it
19 all through, about snowmachines chasing them all over and
20 then I see you addressed that with 1,000 feet, reassuring
21 me that it seems workable. I also like the idea those
22 sheep don't need to be chased around. I also like the
23 idea you're trying to accommodate folks that might not
24 easily get to Port Alsworth. I tend to be favorably
25 posed to this. Thank you for clarifying.

26

27 MR. O'HARA: I talked with Glen this
28 morning. Randy, Nanci and I actually went up to the SRC
29 back in September when the group was putting this
30 proposal together. It was really good for us. They
31 mentioned that the occasional sheep that comes down below
32 the 1,000 foot level at the time of the season when you
33 can get them just happens to be someone out hunting or
34 getting wood and they get a sheep. It's an occasional
35 thing if they have a permit. The other thing Glen said
36 about this 1,000-foot thing is that some people have
37 sophisticated snowmachines and can go up and really
38 harass sheep. That was the main concern that I had.

39

40 MS. McBERNY: There were a couple other
41 points that I would like to address. First of all, we
42 would like to clarify that this sheep proposal is just
43 for that portion of 9(B) that is in Lake Clark National
44 Park and Preserve. There would essentially be two
45 regulations. One for 9(B) within the Park and Preserve
46 and then you would have 9(B) remainder and the remainder
47 would essentially be the same regulation that's on the
48 books right now. That's one amendment that we would ask.

49

50 The other thing that came up during our

1 conversation with the SRC is that we would like to also
2 have a more responsive mechanism for being able to close
3 the hunt once the limit is taken. There is some stock
4 language we could incorporate into this. It's done for
5 other sheep hunts throughout the state such as Unit 23, I
6 believe, where language can be inserted that would state
7 if the allowable harvest levels are reached before the
8 regular closing date, the superintendent of Lake Clark
9 National Park and Preserve will announce an early
10 closure. This would allow him to simply close the hunt
11 with, say, a press release, without having to contact the
12 Federal Subsistence Board and go through that whole
13 process in order to close the hunt.

14

With that, that concludes my comments.

15

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CHAIRMAN ALVAREZ: That last one was an amendment you would like to have on the proposal?

MS. McBERNY: That's correct. I'll give you my copy here so you have the language.

One last thing, Mr. Chair. Cliff had asked me to just clarify an inconsistency in the SRC letter. In the version of this proposal that we had in the SRC meeting book, we took that from the web site and there was a typographical error where it had seven-eighths curl and three-quarter curl next to each other, but there was no strike-out in the seven-eighths curl. So the SRC just wanted to make sure that the correct curl size was three-quarter curl. In your books it does appear correctly with the strike-out through seven-eighths.

CHAIRMAN ALVAREZ: Thank you. Okay. Number four, Interagency Staff Committee comments.

(No comments)

CHAIRMAN ALVAREZ: Seeing none. Number five, ADF&G Advisory Committee comments.

(No comments)

CHAIRMAN ALVAREZ: Seeing none. Summary of written public comments. Cliff.

MR. EDENSHAW: Thank you, Mr. Chair and Council Members. I have before me a copy that Laura just passed on to me. It's from the National Parks

1 Conservation Association. They provided written public
2 comments to a couple of the proposals that Council is
3 addressing. For this one here on No. 23 their written
4 comment is ensuring a limited take of any wildlife
5 species is best pursued through a numerical quota
6 developed through sound science. For each hunt, Federal
7 subsistence managers should be determining the number of
8 animals that can be taken while still ensuring natural
9 and healthy wildlife population. It is oftentimes
10 beneficial to implement this harvestable number with a
11 quota system. Quotas should be considered as often as
12 possible rather than implementation solely with a length
13 of a season. Building on its success in using quotas for
14 bears, Proposal 23 extends the use of quotas in the Lake
15 Clark area to include sheep. This is a positive move
16 that prevents overharvest but allows for a more
17 traditional hunt. End of public comment.

18
19 Getting back to what Mary just read into
20 the record in regards to Proposal 23 from the Lake Clark
21 SRC, the SRC supports the creation of a new Federal
22 registration permit hunt for Dall sheep inside Lake Clark
23 National Park and preserve with the following amendments
24 and then it goes on to state that no sheep may be taken
25 above the 1,000-foot elevation line designated on the map
26 accompanying the permit. The other amendment was if the
27 allowable harvest levels are reached before the regular
28 closing date, the superintendent of Lake Clark National
29 Park and Preserve will announce an early closure.

30
31 CHAIRMAN ALVAREZ: Okay.

32
33 MR. O'HARA: Mr. Chairman. I so move.
34 No public testimony?

35
36 CHAIRMAN ALVAREZ: No. Dan O'Hara moved
37 to adopt the proposal.

38
39 MR. O'HARA: With the amended portion
40 Cliff read into the record.

41
42 MS. MORRIS LYON: Second.

43
44 CHAIRMAN ALVAREZ: Seconded by Nanci.
45 Any comment from the committee. Laura.

46
47 MS. GREFFENIUS: Just to note, Mr. Chair,
48 there were three items for modification, one of which was
49 that this proposal is for 9(B) that is within Lake Clark
50 National Park and Preserve. As it is written in your

1 book, it's for all of 9(B). So one of the SRC
2 modifications was to have it for 9(B) that's within Lake
3 Clark National Park and Preserve.

4
5 CHAIRMAN ALVAREZ: Okay.

6
7 MS. GREFFENIUS: And then the other was
8 the map of elevation and the response mechanism with the
9 superintendent. So there would be three modifications
10 that would be in addition to what's in your book.

11
12 CHAIRMAN ALVAREZ: So is that fine with
13 you two makers of the motion?

14
15 MR. O'HARA: Geographically, that takes
16 care of Unit 1 and 2 of Lake Clark but not Pedro Bay or
17 how does that work?

18
19 MR. EDENSHAW: The map is on Page 52, Mr.
20 Chair.

21
22 MS. GREFFENIUS: Page 52 covers for
23 purposes of this proposal, but we would need to look at
24 the map for 9(B), which you have in your book on Page 40.
25 One of the modifications that's not presently in your
26 book that the SRC is requesting is that this subsistence
27 hunt would be for the portion of 9(B) within Lake Clark
28 National Park and Preserve and that it would not address
29 the remainder of 9(B).

30
31 CHAIRMAN ALVAREZ: It would have to be
32 that way because that's not Federal land around Pedro
33 Bay.

34
35 MR. O'HARA: Okay. That's okay.

36
37 MS. MORRIS LYON: Fine.

38
39 CHAIRMAN ALVAREZ: So that's fine with
40 the makers of the motion. Any more comment.

41
42 MR. O'HARA: Question.

43
44 CHAIRMAN ALVAREZ: The question has been
45 called. All in favor of the proposal signify by saying
46 aye.

47
48 IN UNISON: Aye.

49
50 CHAIRMAN ALVAREZ: Opposed.

1 (No opposing votes)

2

3 CHAIRMAN ALVAREZ: Motion carried.

4 Support 6-0. Proposal WP06-24. Laura, you have the
5 floor.

6

7 MS. GREFFENIUS: This one begins on Page
8 58. Proposal 24 was submitted by the Alaska Department
9 of Fish and Game and this would eliminate the hunting of
10 antlerless moose during the December season in Unit 9(C)
11 for that portion draining into the Naknek River from the
12 south.

13

14 The proponent states that the declining
15 trend in the moose population in the Big Creek area. For
16 a map, I'll refer you to Page 61. This proposal is to
17 discontinue the cow harvest. This is being advocated
18 because eliminating the cow hunt shall increase calf
19 recruitment in the area, thus maintaining the moose
20 population.

21

22 The map on Page 61 would address the
23 lands within Becharof National Wildlife Refuge as Katmai
24 National Park is closed to subsistence hunting.

25

26 Survey results from all trend areas in
27 Unit 9(C) indicate a slow decline in the moose
28 population. Based on a recent analysis of the Park
29 Border Trend Area (Table 2), which includes a portion of
30 the antlerless moose hunt area, the moose population has
31 declined by 5 percent annually since 1988 and the cause
32 of the decline was related to poor calf recruitment. The
33 declining trend in the moose population creates a concern
34 that harvesting cows is not sustainable in this area.

35

36 The effect of this proposal is that
37 Federally qualified subsistence users would still have
38 the opportunity to harvest bulls during the December
39 hunt. Improving calf recruitment in the Big Creek area by
40 increasing the survival and reproductive life span of cow
41 moose through the elimination of the cow hunt would help
42 maintain the moose population in this area.

43

44 On Page 63, the Staff recommendation is
45 to support with modification. The primary modification
46 is to retain the Federal registration permit requirement
47 for both the fall and December hunt. The way it was
48 written at the beginning of the Staff analysis, it did
49 not include that, so the Federal registration permit
50 would be for both seasons in the fall and then for the

1 December time period. The Federal registration permit
2 requirement for both the fall and December hunt will
3 continue to provide resource managers important moose
4 harvest information.

5
6 That concludes my presentation for
7 Proposal 24. Thank you, Mr. Chair.

8
9 CHAIRMAN ALVAREZ: Thank you. While in
10 Dillingham the Staff had supported antlerless moose hunt
11 and now they're not in support of it?

12
13 MS. GREFFENIUS: The Staff recommendation
14 is to support this proposal with modification. The
15 modification is to ensure that there's a Federal
16 registration permit for both the fall and winter seasons.

17
18 CHAIRMAN ALVAREZ: For a bull.

19
20 MS. GREFFENIUS: For a bull, yeah.

21
22 CHAIRMAN ALVAREZ: The proposal is to end
23 the cow moose season in the winter.

24
25 MS. GREFFENIUS: In December.

26
27 CHAIRMAN ALVAREZ: I was under the
28 understanding that last fall the Staff was still in
29 support of antlerless moose season.

30
31 MS. GREFFENIUS: The Staff meaning.....

32
33 CHAIRMAN ALVAREZ: The Federal agencies.

34
35 MS. GREFFENIUS: You mean the local
36 staff?

37
38 CHAIRMAN ALVAREZ: Yes.

39
40 MS. GREFFENIUS: We can inquire of the
41 refuge staff.

42
43 CHAIRMAN ALVAREZ: My understanding is
44 they were still in support of a being able to have a cow
45 moose hunt back in Dillingham in October. Ron, can we
46 ask you a question.

47
48 MR. SQUIBB: Mr. Chair and Council. Ron
49 Squibb with the U.S. Fish and Wildlife Service, Alaska
50 Peninsula and Becharof Refuges.

1 CHAIRMAN ALVAREZ: Ron, thank you. Last
2 fall in Dillingham, if you look at the minutes on Page
3 11, Justin added, should we be harvesting cows in an area
4 that has a declining moose density. Justin also added
5 that the biologists felt that actual number of moose that
6 are being harvested is closer to 2, versus the 5 that are
7 being reported or estimated to being harvested. What I
8 got out of it was that I had the feeling you guys were
9 comfortable with having a cow moose season.

10
11 MR. SQUIBB: There's a lot of arguments
12 both ways. There's the argument that it provides
13 opportunity to people and it's a popular hunt and we
14 realize that. Then the other side of the coin is we also
15 felt the moose herd is stable to slightly declining in
16 terms of the data we have, so if you take a cow, you also
17 take the reproductive potential of that cow out of the
18 population potential. We see both arguments and they're
19 both legitimate and we've come to the conclusion that we
20 think we'd be better off in terms of herd management to
21 not have a cow hunt.

22
23 CHAIRMAN ALVAREZ: Okay. That's what I
24 was asking because I was still under the impression the
25 Staff was in support of it.

26
27 MR. SQUIBB: I think we were at the last
28 meeting.

29
30 CHAIRMAN ALVAREZ: If you look halfway
31 down, Chairman Randy Alvarez asked Ron Squibb if the
32 antlerless moose hunt can continue. Ron responded by
33 saying it is a question to answer. So I was under the
34 impression that you guys were still in favor of a cow
35 moose season. So that kind of answers my question. Your
36 staff is in support of the proposal then.

37
38 MR. SQUIBB: We are now. My memory is
39 not the best on the planet, that's for sure, but I think
40 that's right. Last meeting we were still on the side of
41 keeping it. Now I think we've come to the conclusion in
42 the long run it's probably better not to be taking cows
43 out of the population because of their reproductive
44 potential.

45
46 CHAIRMAN ALVAREZ: Thank you.

47
48 MR. SQUIBB: As long as I'm here, sir, I
49 did take some time to get as best as I could the harvest
50 record of cows in that hunt and I'll pass it out to you.

1 CHAIRMAN ALVAREZ: I was going to ask,
2 was there any cow harvest this year up there?
3
4 MR. SQUIBB: I believe none. I wasn't
5 able to contact all the hunters. People were supposed to
6 call in so we could stop at five and we got no calls.
7 I'm 99 percent sure there were no cows taken.
8
9 CHAIRMAN ALVAREZ: I think that's
10 probably because of the weather conditions.
11
12 MR. SQUIBB: On this handout basically,
13 the times when you're seeing no harvest at all generally
14 were situations like this spring where you get flow ice
15 in the river so it's not a safe trip to go hunting. The
16 years when there has been good access generally they get
17 a few cows.
18
19 CHAIRMAN ALVAREZ: Any comment to Ron or
20 Laura.
21
22 (No comments)
23
24 CHAIRMAN ALVAREZ: Seeing none. Thank
25 you both. ADF&G comments.
26
27 MR. BUTLER: Mr. Chair, Members of the
28 Council. My name is Lem Butler. The Department
29 recommends you support this proposal. Obviously this is
30 a departmental proposal from Fish and Game addressing a
31 moose conservation issue in Unit 9(C) and is directed
32 towards protecting cow moose. Reducing adult cow
33 mortality and subsequently any effort we can make to
34 increase calf production is an essential step in
35 rebuilding this population.
36
37 CHAIRMAN ALVAREZ: Does that end your
38 comment, Lem?
39
40 MR. BUTLER: That's all I had for you,
41 yes.
42
43 CHAIRMAN ALVAREZ: Any questions for Lem.
44
45 MR. O'HARA: Same old question. Five
46 hundred caribou in South Atlantic and 70 wolves. Nobody
47 eating caribou except wolves. Why don't we get a
48 predator control program going somewhere. That's just my
49 comment.
50

1 CHAIRMAN ALVAREZ: I think this is a step
2 towards that goal. We're eliminating more and more moose
3 and we can't hunt caribou. At some point we need to
4 bring those populations back and that's a part of the
5 problem.

6
7 MR. O'HARA: Let me give you a graphic
8 example. You know Bill Martin. Ten, 12 years ago, two
9 wolves; now 40 wolves and a population going down. It's
10 just a matter of math. One of these times we're going to
11 have to bite the bullet and do something to maintain the
12 populations for sustainable yield and use. Feeding the
13 bears, the wolves and us, too. There has to be a
14 balanced program there somewhere.

15
16 CHAIRMAN ALVAREZ: Mr. Dunaway.

17
18 MR. DUNAWAY: While we're on that topic,
19 I've been starting to wonder, it sounds like the wolves
20 are going to be eating themselves out of house and home.
21 If you only have 1,200 or 2,000 caribou and not as many
22 moose as anybody would like, what's feeding the wolves?
23 Do they compensate with salmon like the bears can?
24 What's keeping the wolves going? It's hard to believe 40
25 wolves could keep themselves fed if it's that sparse.

26
27 MR. BUTLER: Mr. Chair, Members of the
28 Council. You're right. Eventually there is a food
29 limitation for wolves as well. You just can't keep going
30 with declining game populations and seeing these
31 increases in predators. Unfortunately, assessing the
32 wolf population, as you all well know, is not easily done
33 on the peninsula, so we don't really know what course the
34 wolf population has taken.

35
36 Talking to people from various villages
37 and pilots, a lot of people are seeing smaller packs.
38 It's possible that the bigger packs have split up and
39 people are just encountering them more often in smaller
40 packs. They're just dispersed over a larger area. They
41 could be traveling more as well to encounter prey. So
42 it's really tough to say what the trajectory of the wolf
43 population is, whether it's increasing or decreasing,
44 based on random observations. We like to do surveys,
45 which are not feasible for this area.

46
47 Certainly wolves do take salmon during
48 the summer, which probably helps their fecundity. Their
49 pup survival is probably increased by supplementing with
50 salmon resources. Wolves are pretty well adapted to low

1 prey situations so they undoubtedly can make the best of
2 this current situation. So I don't doubt that we have a
3 lot of wolves out there and they are having a significant
4 impact on the game populations at this point. It would
5 be nice to know more, but unfortunately we don't.

6

7 CHAIRMAN ALVAREZ: Nanci.

8

9 MS. MORRIS LYON: I'd offer also as a
10 supplement with personal observation that there's
11 definitely three streams that I can think of that I use
12 in the summertime that I never used to see wolf tracks on
13 and I see them on a regular basis now, so they definitely
14 supplement with fish.

15

16 CHAIRMAN ALVAREZ: I've got a comment on
17 that. I was at a Board of Game meeting a couple years
18 ago and some of the animal activist recommendations is to
19 let Mother Nature take care of itself. The way I see it,
20 the way Mother Nature works, you get an over-abundance of
21 wolves like we have now, finally they're going to eat
22 themselves out of house and home, then they're going to
23 die off and then slowly, whatever caribou are left over
24 are going to rebound and come back, but that's not the
25 way we want it managed. We're here to help manage our
26 fish and game resources and doing it like that is not the
27 best way to do it.

28

29 We're fighting right now with closures,
30 having to close areas for hunting moose and caribou. The
31 way I see it, we need to go to the next step and do some
32 predator control. We're closing everything for moose and
33 caribou the way it is. We've got a proposal coming up
34 after this for a closure for non-subsistence hunters and
35 that's because they feel there's not enough moose. It's
36 something we have to look at seriously and I hope you
37 feel the same way. Just a comment I wanted to make.

38

39 Any more comment from ADF&G.

40

41 (No comments)

42

43 CHAIRMAN ALVAREZ: Thank you, Lem.
44 Number three, other State and Federal Agency comments.

45

46 (No comments)

47

48 CHAIRMAN ALVAREZ: Seeing none. Down to
49 number four, Interagency Staff Committee comments.

50

1 (No comments)
2
3 CHAIRMAN ALVAREZ: Number five, ADF&G
4 Advisory Committee comments.
5
6 (No comments)
7
8 CHAIRMAN ALVAREZ: I don't see the
9 Naknek/Kvichak Advisory Committee here. Okay. Number
10 six, summary of written public comments. Anything,
11 Cliff.
12
13 MR. EDENSHAW: Mr. Chair and Council
14 Members. There were no written public comments.
15
16 CHAIRMAN ALVAREZ: Okay. Thank you.
17 Number seven. No public testimony cards. Down to number
18 eight, Council deliberation. Anybody want to move to
19 adopt.
20
21 MR. O'HARA: I don't see how you can, Mr.
22 Chairman, not adopt it. I mean Naknek/Kvichak Advisory
23 Committee made no comment. No public here to support it.
24 The biologist say the only way you're going to save the
25 resource is by preventing the decline of the animals.
26 Nobody from the community decided to support it.
27
28 CHAIRMAN ALVAREZ: So do you move.
29
30 MR. O'HARA: I'll make a motion.
31
32 CHAIRMAN ALVAREZ: Anybody second.
33
34 MS. ALECK: Second.
35
36 CHAIRMAN ALVAREZ: Virginia seconds it.
37
38 MR. EDENSHAW: With the recommended
39 modifications or without?
40
41 MR. O'HARA: Why do we have to get
42 technical anyway.
43
44 MR. EDENSHAW: It's easier to do it now
45 than later. It's on Page 63. To retain the Federal
46 registration permit requirement for both the fall and
47 December hunt.
48
49 MR. O'HARA: That's okay. Was there a
50 second?

1 CHAIRMAN ALVAREZ: Virginia. Is that
2 fine with you, Virginia?
3
4 MS. ALECK: Yes.
5
6 CHAIRMAN ALVAREZ: Any more comment on
7 this proposal.
8
9 (No comments)
10
11 CHAIRMAN ALVAREZ: Seeing none. All in
12 favor of the proposal signify by saying aye.
13
14 IN UNISON: Aye.
15
16 CHAIRMAN ALVAREZ: Opposed.
17
18 (No opposing votes)
19
20 CHAIRMAN ALVAREZ: Motion carried.
21 Support 6-0. Proposal WP06-25. We'll take a short
22 break.
23
24 (Off record)
25
26 (On record)
27
28 CHAIRMAN ALVAREZ: Call the meeting back
29 to order. Laura.
30
31 MS. GREFFENIUS: Thank you, Mr. Chair.
32 We're on No. 25 and it begins on Page 66. This proposal
33 was submitted by Mr. Philip Shoemaker of King Salmon. It
34 would revise harvest requirements for bull moose in Unit
35 9(E). Federal subsistence hunters would be required to
36 have one antler separated from the skull plate if hunters
37 remove the antlers from the field in Unit 9(E). This
38 requirement would be in effect from August 20 to
39 September 9.
40
41 The proponent states that the purpose of
42 his proposal is to discourage subsistence hunters from
43 selectively harvesting large breeding bulls during the
44 earlier subsistence-only hunting season. If you look at
45 the dates at the bottom of the page, the subsistence
46 season starts on August 20 and in comparison at the top
47 of the Page 68 it shows the State season beginning
48 September 10.
49
50 The proponent wants hunting pressure

1 reduced on larger breeding bull moose. The revision in
2 this proposal is to preserve and protect the August 20 to
3 September 9 period for its intended purpose as a hunt for
4 Federally qualified subsistence users to acquire meat.

5
6 Current Federal regulations for moose
7 hunting in Unit 9(E) provide for a subsistence priority
8 as the Federal subsistence moose season opens on August
9 20, 21 days prior to the State season, which opens on
10 September 10. You may recall that last year you had a
11 similar proposal before you. The Federal Subsistence
12 Board considered a similar proposal in May 2005, which
13 was comparable in its request to separate the skull plate
14 before removing the antlers from the field, but would
15 have required this be done by subsistence users during
16 all open seasons from August 20 to September 20, and
17 December 1 to January 20. The proposal was rejected,
18 noting that this requirement would place an additional
19 burden and an unnecessary restriction on subsistence
20 users.

21
22 The biology background, I'm just going to
23 go over briefly for this one. We'll cover it more in-
24 depth for the next one. Currently there's no biological
25 concern in population size. It appears to be stable.
26 About two-thirds of the harvest has been on Federal
27 public lands in Unit 9(E).

28
29 Also to mention that most local
30 subsistence hunters who harvest moose in Unit 9(E) leave
31 the antlers in the field at the harvest site. A few
32 hunters will bring the antlers back to their village and
33 utilize them for native handicraft carvings and in most
34 instances the antlers are separated at the skull plate
35 for ease in transportation from the field.

36
37 The effect of this proposal. It would
38 effect Federal subsistence hunters hunting in the
39 Aniakchak National Preserve, not the Monument, and in the
40 Becharof and Alaska Peninsula National Wildlife Refuges.

41
42 The Staff recommendation on Page 70 to 71
43 is to oppose this proposal for the reasons that were
44 already mentioned about placing unnecessary restrictions
45 on subsistence users. So that concludes the presentation
46 for this one. Thank you.

47
48 CHAIRMAN ALVAREZ: Thank you. So if you
49 look on Page 67, he's proposing what's written right here
50 at the bottom of the page?

1 MS. GREFFENIUS: What's in bold, the
2 proposed Federal regulation? Yeah.
3
4 CHAIRMAN ALVAREZ: So that takes into
5 account everybody who's hunting on Federal lands. If a
6 guide dropped a hunter and he got a moose in this area,
7 he'd have to cut his moose rack in half, wouldn't he,
8 according to this proposal?
9
10 MS. GREFFENIUS: The Federal regulation
11 starts on August 20.
12
13 CHAIRMAN ALVAREZ: It was September 20th.
14
15 MS. GREFFENIUS: But this proposal would
16 be for the period August 20 to September 9th.
17
18 CHAIRMAN ALVAREZ: Oh, I didn't see that.
19
20 MS. GREFFENIUS: So it would apply to the
21 subsistence-only hunt that occurs prior to the State
22 regulation.
23
24 CHAIRMAN ALVAREZ: Thank you. Any
25 comment or questions for Laura.
26
27 (No comments)
28
29 CHAIRMAN ALVAREZ: Next is ADF&G
30 comments.
31
32 MR. BUTLER: Mr. Chair, Members of the
33 Council. Again, my name is Lem Butler. The Department
34 recommends you do not support this proposal. This
35 proposal does not address a conservation issue and would
36 impose an unnecessary requirement on Federally qualified
37 moose hunters in Unit 9(E). That's all the comments I
38 have for you on this proposal.
39
40 CHAIRMAN ALVAREZ: Thank you, Lem.
41 Questions or comments to Lem.
42
43 (No comments)
44
45 CHAIRMAN ALVAREZ: Seeing none. Down to
46 three, other State and Federal Agency comments.
47
48 (No comments)
49
50 CHAIRMAN ALVAREZ: Down to number four,

1 Interagency Staff Committee comments.
2
3 (No comments)
4
5 CHAIRMAN ALVAREZ: Number five, ADF&G
6 Advisory Committee comments.
7
8 (No comments)
9
10 CHAIRMAN ALVAREZ: None. Number six,
11 summary of written public comments. Anything, Cliff.
12
13 MR. EDENSHAW: Mr. Chair and Council
14 Members. There weren't any written public comments.
15
16 CHAIRMAN ALVAREZ: Thank you. Number
17 seven, public testimony. None. Down to number eight,
18 Council deliberation, justification, recommendation.
19 Anybody want to move to adopt the proposal.
20
21 MR. DUNAWAY: So move.
22
23 CHAIRMAN ALVAREZ: Okay. Dan Dunaway
24 moved to adopt.
25
26 MS. MORRIS LYON: Second.
27
28 CHAIRMAN ALVAREZ: Seconded by Nanci.
29 Any question or comment on the proposal.
30
31 MR. DUNAWAY: Since I moved, I'll at
32 least say I'm still a little baffled on just what he's
33 trying to accomplish, but I'm going to be voting in
34 opposition.
35
36 CHAIRMAN ALVAREZ: So will I. Nanci.
37
38 MS. MORRIS LYON: My justification for
39 this will be to vote in opposition to this proposal due
40 to the excess liability it places on subsistence users in
41 the field. It's just not necessary.
42
43 CHAIRMAN ALVAREZ: Thank you. Cliff.
44
45 MR. EDENSHAW: Dan, can you repeat your
46 motion. Are you supporting the Staff analysis as stated
47 on Page 76, which is to oppose the proposal?
48
49 MR. DUNAWAY: I'm used to doing these in
50 the affirmative, Mr. Chair, and just move to adopt and

1 then by voting no on it we reject it.
2
3 CHAIRMAN ALVAREZ: I think that's how we
4 should do it.
5
6 MR. DUNAWAY: If you need another
7 justification, I'm the same as Nanci, I don't see this
8 accomplishes much. Frankly, I go out hunting hoping I
9 don't see the monster, but if somebody does get him I
10 congratulate him on a lot of meat.
11
12 MR. O'HARA: Call for the question, Mr.
13 Chairman.
14
15 CHAIRMAN ALVAREZ: The question has been
16 called. All in favor of the proposal say aye.
17
18 (No votes)
19
20 CHAIRMAN ALVAREZ: All opposed say aye.
21
22 IN UNISON: Aye.
23
24 CHAIRMAN ALVAREZ: Motion to oppose the
25 proposal, 0-6 failed. Down to Proposal WP06-26. Laura,
26 you have the floor.
27
28 MS. GREFFENIUS: Thank you. Proposal
29 WP06-26 is submitted by the Chignik Lake Village Council
30 in Chignik Lake. This would close Federal public lands
31 in Unit 9(E) to the taking of moose except by Federally
32 qualified subsistence users.
33
34 The proponent states that residents in
35 Unit 9(E), specifically in the Chignik Unit of the Alaska
36 Peninsula NWR, are not successful in harvesting
37 subsistence moose. As we discussed in the previous one,
38 current Federal regulations for Unit 9(E) have that time
39 period from August 20 to September 9 that's subsistence-
40 only hunt.
41
42 Presently, since this one addresses
43 Federal public lands, in Unit 9(E) it would be the
44 Becharof National Wildlife Refuge and the Ugashik and
45 Chignik units of the Alaska Peninsula National Wildlife
46 Refuge and the Aniakchak National Monument and Preserve.
47 Concerning the biological background,
48 during the past three years for which trend data are
49 available for 2001, 2003, and 2005, the bull:cow ratio
50 has averaged 43 bull:100 cows. Currently, there is no

1 biological concern and estimated counts and composition
2 ratios indicate the population in Unit 9(E) is relatively
3 stable and meets ADF&G management objectives.

4
5 Overall harvest levels have remained
6 relatively stable and within sustainable levels over the
7 last 15 to 20 years and harvests are not reducing the
8 bull:cow ratios.

9
10 As far as the harvest data for the period
11 2001 to 2003, about two-thirds of the harvest has been on
12 Federal public lands in Unit 9(E). From 2001 to 2004,
13 reported harvest by clients of big game guides and air
14 taxi operators on refuge lands has averaged about 41
15 moose per year. The annual moose harvest in Unit 9(E)
16 over the last three years, 2002 to 2004, has averaged 87
17 animals.

18
19 Just to make note, a number was referred
20 to earlier about the harvest in the Chignik unit during
21 public testimony. This number is not from this analysis
22 as far as the total harvest. It's an erroneous number.
23 It was in the proposal book and that's information that's
24 provided and written on the proposal form. It's not a
25 typographical error from this particular analysis.

26
27 As far as the effect of this proposal,
28 eliminating the harvest of bulls by non-Federally
29 qualified hunters would not result in significant change
30 in the moose population that would benefit local
31 subsistence users. The State harvest is already
32 structured to prevent the overharvest of bulls; the
33 antler restrictions and the 10-day fall season. Roughly
34 85 percent of the harvest occurs during the September
35 season when State regulations limit the harvest to
36 spike/fork/50 antler restrictions. With such a large
37 percentage of the harvest occurring during the portion of
38 the season with antler restrictions, it is unlikely that
39 current harvest levels would have an effect on the
40 bull:cow ratio or on the population size. Moose harvest
41 over the past three years has not declined.

42
43 According to ANILCA, closing Federal
44 public lands to non-Federally qualified subsistence users
45 for the taking of wildlife can occur when it is deemed
46 necessary for the conservation of the population of that
47 species. There would need to be biological evidence of
48 such circumstances if this proposal were adopted.

49
50 The preliminary conclusion on Page 76 is

1 to oppose the proposal. The estimated counts and
2 composition ratios indicate the population in Unit 9(E)
3 is relatively stable, meets ADF&G management objectives,
4 and harvests are not reducing bull:cow ratios.

5
6 I'd also like to comment just as far as
7 the concerns. I've talked to the proponent, Virginia,
8 and want to make sure we addressed the concerns. I've
9 had a very good conversation with you and I've also been
10 in touch with the agency biologist and there's been some
11 difficulties in getting to that area to do some of the
12 surveys so it's recognized by the biology staff and they
13 can address that further. We need to get more
14 information in order to make a more informed decision.
15 So as far as not dismissing your concerns and that
16 there's less moose in the area, we need to further
17 address that.

18
19 At this point the preliminary conclusion
20 is to oppose the proposal and needing to get more
21 substantiation for that. Thank you.

22
23 CHAIRMAN ALVAREZ: Thank you. Laura, is
24 that a map of the area on the board there?

25
26 MS. GREFFENIUS: It's not a map that I
27 put up.

28
29 CHAIRMAN ALVAREZ: Ron, I was wondering,
30 where it shows the Federal land around the Chigniks in
31 9(E) that's in dispute?

32
33 MR. SQUIBB: The larger brown don't stand
34 out very clearly, but the darker lands here are private
35 lands within the refuge. In other words, corporation
36 lands. The other area, the yellowish area, those are
37 areas that are Federal public lands managed by Alaska
38 Peninsula/Becharof Refuge Office where we don't allow
39 sport hunters or guided hunters to hunt moose.

40
41 CHAIRMAN ALVAREZ: What is open for the
42 non-subsistence hunter?

43
44 MR. SQUIBB: The non-subsistence hunter
45 would be lands on the refuge other than this light-
46 yellowish area, like above Ivanof Bay. So that would be
47 accessible to hunters but not to guided hunters.

48
49 CHAIRMAN ALVAREZ: What's the white area?
50

1 MR. SQUIBB: (Indiscernible - away from
2 microphone)
3
4 CHAIRMAN ALVAREZ: I'm still unclear
5 where the non-subsistence hunters are allowed to hunt.
6
7 MR. SQUIBB: I think I may have confused
8 you. There's two categories of non-subsistence hunters.
9 The category that are guided, a professional guide that
10 has a permit from the refuge, those individuals cannot
11 take clients onto these lands near the villages that have
12 the tannish color. Someone who goes to TransRiver Air or
13 to Sea Air and say I want to fly down there, they would
14 be able to. In the Chignik area, that's so far away,
15 that's a rare event.
16
17 CHAIRMAN ALVAREZ: Dan.
18
19 MR. DUNAWAY: Is there much private pilot
20 folks that fly themselves down?
21
22 MR. SQUIBB: We have no way to document
23 that. If you want to take your own vehicle and go on the
24 refuge, you have to have a permit.
25
26 MR. O'HARA: That's pretty rare.
27
28 MR. SQUIBB: There's symbols on here for
29 every moose taken on the refuge in this past year. You
30 can tell by the symbol whether it was a guided take and
31 the locations here or whether it was an air taxi client
32 who wasn't guided.
33
34 CHAIRMAN ALVAREZ: Do you have an idea
35 what areas the subsistence user mostly hunts?
36
37 MR. SQUIBB: I don't have any knowledge
38 of that. Perhaps Virginia does.
39
40 MS. ALECK: Yeah, I do. Usually when we
41 hunt moose it's up around the Black Lake area. That's
42 where they used to be. It's all within that area there.
43 Now no one was able to harvest any moose this year. It
44 was really bad. There's a lot of wolves, beavers and
45 bears.
46
47 CHAIRMAN ALVAREZ: Virginia, you can take
48 a boat all the way up Black Lake?
49
50 MS. ALECK: Yes. We have a cabin up

1 there.

2

3 MR. O'HARA: And they hunt Chignik Lake,
4 too.

5

6 MS. ALECK: Yes, up around Clarks River
7 and that area. We should have had a better map than
8 that.

9

10 MR. O'HARA: Actually, down in
11 Perryville, you can go along the shoreline with a four-
12 wheeler, can't you, if there's any animals there?

13

14 MS. ALECK: Uh-huh. They're scarce down
15 there. It's really bad. One time a bear across the
16 village there killed a calf and the mother moose.
17 There's a lot of predation, bear and wolves.

18

19 CHAIRMAN ALVAREZ: What do you think,
20 Virginia, would work better, close the season for non-
21 subsistence or have predation control?

22

23 MS. ALECK: Probably need to do both.
24 Predator control needs to be in place. It seems we're at
25 our wits end down there and nobody is really addressing
26 predator control. In fact, it's the biggest problem
27 besides the beavers that's flooding the areas out. Lem
28 is saying there's a nutritional problem in our area and
29 it's because all that plain is flooded. The whole area
30 around Black Lake is flooded where the beaver has been
31 damming up all the little rivers, as well as Chignik Lake
32 and Clarks River. It's bad. It's not good.

33

34 CHAIRMAN ALVAREZ: Dan.

35

36 MR. DUNAWAY: I just want to clarify, are
37 beavers good or bad for moose food and moose habitat.
38 Sometimes beavers make moose habitat, but I don't know.

39

40 MS. ALECK: They create a disease from
41 their feces.

42

43 MR. BUTLER: Giardiasis is the disease
44 you're referring to.

45

46 MR. DUNAWAY: That's the hunter
47 elimination program.

48

49 MR. BUTLER: Lem Butler, just for the
50 record. Beaver can be architects of their environment,

1 similar to other herbivores. They eat a lot of aspen and
2 such, which often keeps the vegetation in a good state
3 for moose actually and they can create aquatic vegetation
4 as well. So it's a mixed answer, I suppose, depending on
5 the situation.

6
7 In relation to giardia, that's something
8 that Virginia approached me with earlier during a break
9 and I really don't have any information on the effects of
10 giardia on moose or caribou at this time. I'll see
11 what's out there in the literature.

12
13 CHAIRMAN ALVAREZ: Dan.

14
15 MR. O'HARA: (At map) This is Native
16 land, right?

17
18 MR. BUTLER: Yes, sir.

19
20 MR. O'HARA: This is all regulated by the
21 State of Alaska.

22
23 MR. BUTLER: Yes, sir.

24
25 MR. O'HARA: So you've got people hunting
26 on your lands who are non-qualified subsistence users.
27 So, Virginia, you're going to take your hunting from Bay
28 Lake Lagoon up into the Chignik Lakes and up the river
29 and around these areas here and around Black Lake and
30 that's the extent of what you can do. You're not going
31 to go up in the Meshik and compete with Joe Klutsch and
32 Butch. You'd have to be as rich as their clients to do
33 that and that's not possible, I suppose. So sending
34 these guys down here I don't think is going to help you
35 down here. What we're going to have to do down here is
36 have some restrictions on hunting area.

37
38 MR. BUTLER: Mr. Chair, Members of the
39 Council. Actually, you can do it on Federal lands as
40 well. The Natives, as landowners, can deny access to
41 their lands, so locals of the area can control who hunts
42 on their lands.

43
44 MR. O'HARA: So Virginia and her
45 corporation is going to control whoever is going to hunt
46 on these lands here, period. It has nothing to do with
47 the proposal we have on the floor right now. However,
48 there's going to have to be some zones drawn around here
49 to ensure that if there's going to be some hunting taking
50 place by Federal subsistence qualified users. I would

1 say I could not support the proposal if I'm going to have
2 to impact Joe and Butch up here, a long ways away, where
3 we don't have the money or the airplanes or anything to
4 go way up in there from these areas.

5
6 MS. ALECK: We don't go there anyway.

7
8 MR. O'HARA: I know you don't go there
9 anyway. But the proposal is shutting them down, too.

10
11 MS. ALECK: Right. I was unaware of it.

12
13 MR. O'HARA: We've got to somehow or
14 another protect these people in here if we want them to
15 get moose since there are no more caribou. Talk to Mary
16 McBerny about that, some kind of a zone. We need more
17 moose in there. That's a problem we face and I could be
18 way off base. I don't know.

19
20 MS. ALECK: I don't know if creating a
21 buffer zone.

22
23 MR. O'HARA: Residential zones.

24
25 MS. ALECK: Yeah. Because we have to do
26 something.

27
28 CHAIRMAN ALVAREZ: How much more
29 subsistence user harvest would there be? Not very much
30 probably since most of the harvest is probably up halfway
31 to Becharof Lake, isn't it, according to the figures.
32 Referring to the report here, non-subsistence harvest was
33 -- no, I seen that from Mary at lunchtime. She had a
34 paper about 5 to 26 percent of the harvest was being done
35 around there, so apparently most of the harvest is
36 probably being done up by Meshik. Dan.

37
38 MR. DUNAWAY: Maybe Ron you could tell me
39 how did you establish those no-guide zones that are in
40 the light tan there? Did you have to go through a legal
41 mechanism?

42
43 MR. SQUIBB: (Away from microphone)

44
45 MR. DUNAWAY: (At map - away from
46 microphone)

47
48 MR. SQUIBB: (Away from microphone)

49
50 CHAIRMAN ALVAREZ: Hey, Ron, anybody who

1 needs to talk needs to be on the microphone.

2

3 MR. SQUIBB: I just wanted to clarify I
4 don't know the guide program.

5

6 MR. KLUTSCH: Thank you, Mr. Chairman.
7 Joe Klutsch is my name. The areas you see in white
8 starting from the top all the way down you'll notice that
9 they're segmented by lines. You'll see BCH01, BCH02,
10 work your way all the way down. Those are designated
11 guide permit areas on National Wildlife Refuge. Those
12 were done through a mapping project 12, 14 years ago in
13 conjunction with the State and the Big Game Commercial
14 Service Board. The Refuge offered those areas under a
15 competitive process, a competitive bid. Any eligible
16 guide who met the prerequisites of proper licensing,
17 insurance and a whole series of different
18 prequalifications could compete for those areas. The
19 areas were then awarded. As a condition of the areas,
20 you are subject to an operations plan. The operations
21 plan stipulates the number of clients by species; bear,
22 moose and under that time included caribou.

23

24 The area where you're talking about the
25 zone, as Ron indicated around Chignik, the dark tan area,
26 are private lands under the jurisdiction of -- I know the
27 upper Chigniks is private land. Whether it's air taxi or
28 guided, anybody who would go in there would require a
29 trespass agreement from you guys before they could go in.

30

31 MS. ALECK: I'm aware of that.

32

33 MR. KLUTSCH: Unfortunately, a lot of
34 people, particularly air taxis, don't necessarily know
35 where your boundaries are. It's an enforcement and a
36 very tough problem for you guys. I empathize for you on
37 that. The lighter tan areas that he's pointing out there
38 are areas where guides proposed not to include moose in
39 their operations plan and/or the refuge manager deleted
40 moose. I'm not aware of an instance where that happened,
41 but they did delete caribou from operation plans of
42 individual guides. I suspect in AKP14 and AKP12 that the
43 individuals who competed for that around Ivanof Bay, I
44 couldn't verify it now but I'm virtually certain that
45 they did not propose to take any moose hunters in there.
46 That could be verified from the refuge office.

47

48 CHAIRMAN ALVAREZ: Is that all mountains,
49 Joe?

50

1 MR. KLUTSCH: Most of it is, yeah, and of
2 course there's the beach corridor, the contour zones at
3 the base of the mountains where you're probably going to
4 find most of your moose down there.

5
6 MR. O'HARA: There aren't any moose down
7 there. That's not even an issue.

8
9 MR. KLUTSCH: Yeah, I haven't been down
10 to Ivanof. So that's how that system is. The Refuge
11 portion of the system in the center where you see
12 Aniakchak National Monument and Preserve, you will see
13 AKP07, the lower third of that is National Preserve or
14 quarter, where there is access by both air taxis and I
15 have a concession contract with the Park Service to hunt
16 a portion of that preserve. The center part of it is
17 National Monument, which is essentially exclusive use for
18 the residents of Port Heiden and Chignik for hunting.
19 Then the north part of that is under a concession
20 contract as well with another individual with the Park
21 Service. So that's what you're looking at on that map
22 there.

23
24 CHAIRMAN ALVAREZ: Thanks. Dan.

25
26 MR. O'HARA: Nanci said if you could do
27 1,000-foot elevation at Port Alsworth, you surely should
28 be able to draw a circle around here to protect the
29 Chigniks. You guys don't have any animals down here
30 anyway.

31
32 MS. ALECK: Perryville is not getting
33 what they need either. We go up into the West Fork area
34 too.

35
36 MR. O'HARA: That's what I'd like to ask
37 the legal minds back there, how do you draw a circle
38 around that.

39
40 MR. KNAUER: If I were doing it, I would
41 recommend working closely with the Refuge to come up with
42 a program like they've got for those guide areas because
43 the biological data indicates a stable moose population
44 with a good bull:cow ratio and good harvest numbers for
45 all. ANILCA specifically indicates that you cannot
46 unnecessarily restrict non-Federally qualified users. So
47 there doesn't appear to be a conservation concern there.
48 My recommendation is the folks work with the Refuge to
49 identify areas where they might come up with more
50 protection. It looks like the biggest area of concern

1 happens to be the corporation lands themselves.
2
3 MR. O'HARA: There's an awful lot of land
4 up there by Black Lake that you can access by boat, too.
5
6 CHAIRMAN ALVAREZ: Dan.
7
8 MR. DUNAWAY: So, at this time does the
9 corporation allow non-members to hunt on corporation
10 lands?
11
12 MS. ALECK: Actually, last year there is
13 a guide in there and he took moose and I think Ron should
14 have the records. They got three moose and they had to
15 go way inland to get them, which was about eight hours to
16 pack it out.
17
18 MR. DUNAWAY: So at this time the
19 corporation is allowing hunting activities on your own
20 lands in these very places where you're concerned about
21 getting enough.
22
23 MS. ALECK: Yeah. We're talking about it
24 and in the process of having no more hunts there. How
25 are we going to come up with the true numbers if you guys
26 haven't been able to do any surveys down there that are
27 up to date for moose in the Chignik area and the
28 Perryville area?
29
30 MR. O'HARA: Mr. Chairman. Haven't you
31 been doing surveys down there? It's Refuge land, Federal
32 land.
33
34 MR. SQUIBB: Ron Squibb, Alaska
35 Peninsula/Becharof Refuge. We haven't gotten to the Red
36 Bluff Creek area for, off the top of my head, I'd say
37 four years. Black Lake perhaps three. We haven't gotten
38 there recently.
39
40 CHAIRMAN ALVAREZ: Ron, how do you guys
41 come up with your statement that there's not a
42 conservation problem down there if you haven't done any
43 surveys?
44
45 MR. SQUIBB: We do our trend areas to see
46 composition primarily and they give you some sense of
47 long-term trend. Then we started the abundance estimate
48 the last few years. We've gotten an estimate of 1,600 to
49 1,700 moose in Bristol Bay drainages. We assume if moose
50 habitat is what it has been in the past or comparable to

1 what we've surveyed when we look at an area, basically
2 we're assuming that there's good moose there now, but we
3 haven't gotten a count there for a trend count for some
4 time. We haven't done the abundance estimate at all.

5
6 CHAIRMAN ALVAREZ: Have you guys taken
7 into account the entire population has been on the
8 increase since then, too?

9
10 MR. SQUIBB: We started in 2004, 2005,
11 2006, and we may have done a little in 2003, but we're
12 making the assumption there hasn't been a significant
13 change in the density of moose in the areas we've
14 surveyed to date. I'm sure there has been some, but it's
15 not significant.

16
17 CHAIRMAN ALVAREZ: I get the feeling that
18 you're saying that the moose is still about the same as
19 it was, but given the predators have been growing the
20 last few years, they have to eat something, so I'm
21 thinking it's probably not as high as you guys think it
22 is. Dan.

23
24 MR. O'HARA: That's Federal lands down
25 there and Butch King and Joe Klutsch have their lands
26 surveyed, but Virginia hasn't gotten her lands surveyed.
27 If you guys can't do it, then you better contract it out
28 with somebody who can do it. If you have to get a Super
29 Cub, contract it out to get the job done, it needs to be
30 done. It has to be surveyed or I think it should be shut
31 down.

32
33 About six years ago the Federal and State
34 people did not survey that area down there and we got
35 four of the seven Federal Board Members to close that
36 entire area down. Don't think the old guy sleeping in
37 the back with a big cigar didn't run to the front and
38 start pounding on the table because he did, but we shut
39 it down. The next day every available Federal agent was
40 flying down there in May doing a moose count. So
41 something is going wrong here when we can't tell Virginia
42 and Boris how many animals they've got in their area, but
43 we can tell Joe Klutsch and Butch King how many they've
44 got in their area. That's the job of this Council right
45 here. Go to the Federal Board and say get it done or
46 we'll close it down. Those people have to have moose.

47
48 CHAIRMAN ALVAREZ: Yeah, I think we need
49 to put that in the report, annual report.

50

1 MR. O'HARA: Not only that, we have to go
2 after them.

3
4 CHAIRMAN ALVAREZ: We have to have those
5 numbers. If we don't know what the population is, that's
6 a concern. It says in the regulations we can close it.
7 Dan.

8
9 MR. DUNAWAY: It looked like Lem had a
10 few things to add.

11
12 MR. BUTLER: Yeah, I've got a few things
13 to add. First of all, Mr. Chair, Members of the Council,
14 I think one thing we're missing and I kind of alluded to
15 it earlier is that what we deal with on the Peninsula is
16 typically trend estimates. Fish and Wildlife Service has
17 recently embarked on an actual density estimate and they
18 are making their way down the Peninsula. They've managed
19 to compare the current density estimate from that survey
20 to estimates from the past and we've detected no change
21 in the areas we've compared densities from, compared 1983
22 to current surveys. There's a slight decrease in the
23 overall number, but it's not a significant difference
24 between the two.

25
26 Mostly what we do, Fish and Game and Fish
27 and Wildlife Service, is trend estimates throughout the
28 area. It's been acknowledged that we don't get into
29 every area. Again, we try to take samples from around
30 the Peninsula to try to get a general trend of the
31 population. So it's somewhat inaccurate to say that we
32 have no feel for what the moose population is doing.
33 It's also inaccurate to say that we know what the actual
34 density is in any one area, just like the minimum count
35 of the caribou. What we're actually looking for is a
36 change in the long-term structure and we monitor the
37 composition of the populations to try to detect
38 biological concerns either with bull:cow ratios or calf
39 ratios.

40
41 Another thing we've done is we've radio-
42 collared moose on the Peninsula, so we have an estimate
43 of adult survival. In combination with fecundity or
44 recruitment estimates, these calf ratios, we can start to
45 project the population. So it's not completely accurate
46 again to say we don't have a feel for these things. This
47 is largely the environment of data we have worked in
48 traditionally and coming up with a number, while it's a
49 nice number to have, it doesn't really tell you about the
50 health of the population. Is it stable, is it

1 decreasing, is it increasing, which is really what we're
2 concerned with when we're dealing with these management
3 issues.

4
5 So I just wanted to clarify that, that
6 there is information. I focused on 9(B) this year with
7 my survey efforts and 9(C), given management concerns in
8 those areas. My goal for next year is to get further
9 down into 9(E) and survey these Federal lands. I'm sure
10 Ron and his staff will continue to push down that way as
11 well. Unfortunately, complete snow cover is the thing we
12 need. There has been some advancements with infrared
13 survey techniques. They haven't been applied out in this
14 area. I suppose it would be something to consider in the
15 future. We're working more with correction factors. All
16 those things are certainly aspects of moose surveys that
17 I intend to pursue over the next few years to get at this
18 questions you're trying to address.

19
20 My harvest data, getting back to a few
21 things we've kind of danced around here, incorporates
22 obviously the State and Federal lands and it doesn't
23 necessarily just reflect the commercial harvest. It
24 takes into account these private pilots that are perhaps
25 dropping themselves off as well. In an analysis of that
26 data, what we see is 30 percent of the moose harvest
27 comes from the area about Pumice Creek south on the
28 Peninsula. So the vast majority of moose harvest by
29 locals, non-locals and non-residents combined is
30 occurring on the northern half of the Peninsula closer to
31 Becharof and Ugashik Lakes. Very few people were
32 actually making it down past Pumice Creek.

33
34 The non-local harvest in that area south
35 of Pumice Creek has averaged 29 moose per year. It has
36 ranged up to 40 moose per year, so we're really not
37 talking about a significant moose harvest. Again,
38 they're bulls coming out of a restricted antler hunt, so
39 we're not going to affect the bull:cow ratio. We're not
40 influencing the reproductive success as a result. Those
41 are the reasons why we don't feel there's a management
42 concern. As long as we're not interfering with the
43 potential of this population to grow and reproduce, the
44 harvest isn't having an influence.

45
46 Again, we get back to what do we know
47 about the population. Well, we can make a fairly solid
48 argument that the non-local and any bull harvest for that
49 matter is not influencing this population with what we
50 know.

1 CHAIRMAN ALVAREZ: Go ahead, Dan.
2
3 MR. O'HARA: (At map - away from
4 microphone) There's just not that many animals there. I
5 guess that somebody has to start looking at populations
6 in here. In November you had a lot of snow down there.
7 They could have been counted, but they weren't counted.
8
9 MR. BUTLER: Mr. Chair, Members of the
10 Council. That's exactly what I'm referring to. I want
11 to get down there in future seasons to survey those
12 areas. I, unfortunately, again had similar local
13 concerns from 9(B) and 9(C) and I, being a one-person
14 staff, had to address those issues this year. I agree, I
15 unfortunately missed that snow opportunity in November.
16
17 MR. O'HARA: I think we're going to have
18 to, Mr. Chairman, try to do something in the way of a
19 circle down there or something.
20
21 CHAIRMAN ALVAREZ: It sounds like there's
22 not that much moose in that area and it probably
23 shouldn't be open for non-subsistence use.
24
25 MR. O'HARA: Maybe we could draw a
26 boundary line. I don't know.
27
28 CHAIRMAN ALVAREZ: Do you think we should
29 do that at this meeting?
30
31 MS. ALECK: We have to do something.
32
33 CHAIRMAN ALVAREZ: We have to take care
34 of this proposal. We're at Lem, ADF&G comments. Did you
35 get done with those?
36
37 MR. BUTLER: I never had a chance to read
38 them. They're pretty short and simple, so I'll quickly
39 state them. ADF&G recommends that this proposal not be
40 supported as it would unnecessarily close Federal public
41 lands to moose hunting by non-Federally qualified
42 subsistence users. No biological evidence is presented
43 to justify the need for the such closure.
44
45 CHAIRMAN ALVAREZ: Comment to Lem.
46
47 (No comments)
48
49 CHAIRMAN ALVAREZ: Seeing none. Number
50 three, other State and Federal Agency comments. Ron.

1 MR. SQUIBB: Ron Squibb, U.S. Fish and
2 Wildlife Service, Alaska Peninsula/Becharof Refuge. We
3 oppose the proposal for the same reasons as been
4 explained. Thank you.
5
6 CHAIRMAN ALVAREZ: Number four,
7 Interagency Staff Committee comments.
8
9 (No comments)
10
11 CHAIRMAN ALVAREZ: Seeing none. Down to
12 five, ADF&G Advisory Committee comments.
13
14 (No comments)
15
16 CHAIRMAN ALVAREZ: None. Summary of
17 written public comments. Cliff, do we have any.
18
19 MR. EDENSHAW: Mr. Chair and Council
20 Members. I just wanted, on top of what Joe provided you
21 in his public testimony, he provided me the written copy,
22 so those are his written comments also that he read into
23 the record for Proposals 22, 24 and 26 and those will be
24 so noted in the Federal Board book when you get a chance
25 to go to the Federal Board meeting.
26
27 CHAIRMAN ALVAREZ: Okay. Number seven,
28 public testimony. We have none. Down to number eight,
29 Council deliberation, justification, recommendation.
30 Anybody want to move to adopt the proposal.
31
32 MS. MORRIS LYON: I'll move to adopt
33 WP06-26.
34
35 MR. O'HARA: Second the motion.
36
37 CHAIRMAN ALVAREZ: It's been moved by
38 Nanci and seconded by Dan O'Hara. Any comments. Nanci.
39
40 MS. MORRIS LYON: Yes. I'm not going to
41 be voting in favor of this proposal because of the major
42 scope of territory that it encompasses. However, I would
43 like to state for the record that I do see a need for the
44 protection of the communities down on the Peninsula,
45 further information for the moose populations in direct
46 relationship to those communities and in the future the
47 ability to somehow isolate them further to protect their
48 hunting areas in direct relationship to their uses.
49
50 CHAIRMAN ALVAREZ: I feel the same way

1 you do about that. I don't want to close the whole thing
2 either. There's areas they don't hunt in anyway, but I
3 feel we need to do something to help them harvest more
4 moose. Dan.

5
6 MR. DUNAWAY: I kind of agree. There
7 appears to be some concern, but if there's concern to a
8 level that warrants that kind of dramatic action, we
9 don't hear from the advisory committee down there, we
10 haven't had much supporting public testimony. I am
11 concerned about the items Mr. Knauer brought up about
12 restricting other users when the best biological data
13 doesn't fully support this proposal. If it's truly of
14 this level of concern, I'm a little amazed that the
15 corporation is allowing guided hunting or any other
16 hunting beyond their own shareholders on their own lands.
17 That does raise my question how severe this problem is at
18 this point.

19
20 MS. ALECK: I have a comment to make on
21 that, Dan. When he goes out to hunt, he brings the meat
22 to the local people. None of the meat is wasted. The
23 hunter is happy with the horns or the guide, but the meat
24 is brought in. But three moose for the size of a village
25 we have with no caribou, no store. We have probably 140
26 residents down there. Three moose is not going to take
27 us through the year and we don't have any other means of
28 getting any subsistence food. We ran out of salmon early
29 this year, too.

30
31 CHAIRMAN ALVAREZ: Dan.

32
33 MR. O'HARA: Virginia, we really can't
34 shut down from Ugashik all the way down. The proposal
35 should have maybe been a little more concentrated. If it
36 were possible to do the shutdown around the area where
37 you need it, you know good and well I'd support it. I'm
38 fine if you go out and kill a moose on your property and
39 you bring it into the village, in fact Joe Klutsch and
40 Butch King and these people bring meat down I'm sure all
41 the time to the community. I know we've hauled it down
42 there. That's fine too, but nothing like going out and
43 getting your own moose. That's the fun part of hunting.
44 So I can't support the proposal, but if we can possibly
45 legally do something to draw some circles around there.

46
47 MS. ALECK: I'm not in favor, I guess, of
48 the whole 9(E). It would be nice to have a buffer area,
49 you know, where the problem areas are.

50

1 MR. O'HARA: GPS lines are very possible,
2 Randy. We all have them.
3
4 CHAIRMAN ALVAREZ: Like Bill had
5 mentioned earlier, if you look at the AK01, 02, 03, all
6 those areas, they're all boundaries. You can do the same
7 thing around the Chigniks and the area they hunt in. I
8 don't see why they can't do that. If they made all those
9 boundaries for guide areas, they could sure do that
10 around the Chigniks and Perryville.
11
12 MS. ALECK: I would be satisfied with
13 that.
14
15 MR. O'HARA: Call for the question.
16
17 CHAIRMAN ALVAREZ: The question has been
18 called. All in favor of supporting the proposal, say
19 aye.
20
21 (No votes)
22
23 CHAIRMAN ALVAREZ: Opposed to the
24 proposal.
25
26 IN UNISON: Aye.
27
28 CHAIRMAN ALVAREZ: Proposal failed, 0-6.
29
30 MR. O'HARA: That's the end of the
31 proposals?
32
33 CHAIRMAN ALVAREZ: Yes, that's the end of
34 the proposals. Cliff, any other action items we need to
35 work on.
36
37 MR. EDENSHAW: On number two, under the
38 Agency, the closure review briefing, Page 81. Mr. Chair
39 and Council Members. We got a peek at this at the last
40 meeting where we were presented a draft of current
41 closures. The Council had a chance to provide comments
42 on the current closures and those are included in
43 Appendix A on Pages 85 through 101. Those are closures
44 that are statewide. On Pages 85 and a little bit on top
45 of 86 are the Bristol Bay region where there are current
46 closures.
47
48 MR. O'HARA: Mr. Chairman. Are they in
49 conjunction with what we've already done?
50

1 MR. EDENSHAW: Those were taken care of
2 previously.
3
4 MR. O'HARA: So what do you need from us?
5
6 MR. EDENSHAW: Just a motion to support.
7
8 CHAIRMAN ALVAREZ: The policy?
9
10 MR. EDENSHAW: Yes.
11
12 MR. O'HARA: Is that a housekeeping item?
13
14 MR. EDENSHAW: Yes.
15
16 MR. O'HARA: How long is it going to take
17 to deal with this? Can we deal with it in one motion?
18
19 MR. EDENSHAW: Yes.
20
21 CHAIRMAN ALVAREZ: Was anybody going to
22 report on this? Bill.
23
24 MR. KNAUER: I'll try to make it real
25 short. Back in 2005, the Governor had sent a letter to
26 the Secretary of Interior expressing concern over some
27 issues. One of those issues was the fact the Board
28 didn't have a written policy on establishing and
29 reviewing closures. That letter was primarily to
30 non-Federally qualified users. But the subsistence
31 program, in looking at it, said there's also some issues
32 out there dealing with closures to Federally qualified
33 subsistence users. The request to have a written policy
34 was not an unreasonable request for the Board to operate
35 under.
36
37 The closures that you looked at last year
38 were actually initiated before the letter from the
39 Governor came in. Some closures had been in place since
40 '91 and certainly wildlife populations have either
41 increased or decreased and possibly changed during that
42 14, 15 years of time. So it was appropriate to look
43 across the state at the existing closures.
44
45 You looked at specific closures in your
46 region last year, so there's no site-specific closure you
47 need to look at at this time. However, what we did is we
48 drafted a policy that the Board and the Councils can use
49 in future years in looking at closures and what should be
50 considered and so on. We're putting that draft policy

1 before all of the Councils at this time to provide them
2 an opportunity to comment on what their thoughts are on
3 that policy. As part of that policy we've identified
4 where the existing closures are around the state.
5

6 So the action, even in all of the other
7 Councils, is not to look at all of the specific closures,
8 although there are a few where there are specific
9 proposals, but this issue is to look at the policy and
10 see if there are any comments the Councils around the
11 state, including yours, would like to comment on.
12

13 CHAIRMAN ALVAREZ: Thank you, Bill. Any
14 comment on the policy. Dan.
15

16 MR. DUNAWAY: I was not entirely clear on
17 this, but the one thing that did concern me, I'm a little
18 surprised, is the number of unknown reasons for closure.
19 I would hope that the policy would be to make sure in the
20 future. I can see how some of that gets lost in history,
21 but I was pleased to see in our area there are no
22 unknowns. That really makes it hard to work with.
23

24 MR. KNAUER: I've been working over the
25 past month to try and clarify and go back to look at some
26 of the old transcripts and proposal results log to try
27 and clarify as many of those as possible.
28

29 CHAIRMAN ALVAREZ: Any more comment.
30

31 MR. EDENSHAW: Mr. Chair. Bill, on Page
32 80, when you went through this stuff, comments can be
33 submitted to the Board by April 1st. Does that mean by
34 the May Board meeting they'll take action on this draft
35 policy?
36

37 MR. KNAUER: I don't know whether it will
38 be at the May Board meeting or a separate Board meeting.
39

40 MR. EDENSHAW: So if the Council takes no
41 action then.....
42

43 MR. KNAUER: Individual Council Members
44 certainly can submit comments on their own also.
45

46 MR. O'HARA: We understand closures, Mr.
47 Chairman. We could have done it today, but we didn't.
48 Every closure that's been done in Bristol Bay on the
49 Federal side we definitely know about.
50

1 MR. KNAUER: There is nothing new in this
2 policy that the Board has not been utilizing, but this
3 puts it in written, readable, definable form for all to
4 see and for people that would wish to request closures or
5 removal of closures so that they can see what's being
6 considered.

7
8 MR. DUNAWAY: I think it's a good idea to
9 have something concrete.

10
11 MR. O'HARA: Can you live with what he
12 just said? I think that's a housekeeping item that's
13 pretty across the board. I so move.

14
15 CHAIRMAN ALVAREZ: Moved by Dan O'Hara to
16 support the policy.

17
18 MR. DUNAWAY: Second.

19
20 MR. O'HARA: Mr. Chairman. There will be
21 a draft then, Cliff, on how this procedure is going to go
22 forward kind of all the way across the board. We'll all
23 understand how the closure system works and clarity and
24 continuity and all those things.

25
26 MR. EDENSHAW: Mr. Chair, Mr. O'Hara.
27 After all 10 Councils meet, we'll compile -- if
28 recommendations of this Council are submitted to adopt
29 this policy -- when I asked Bill the question on page 80,
30 those comments will be submitted to the Board through OSM
31 by April 1st and certainly at May it will be an agenda
32 item for the Board, but whether they take action on it or
33 not.

34
35 MR. KNAUER: The intent is to take action
36 sometime in the May/June time frame. If the Board moves
37 to adopt this, this would appear in the booklet where
38 there is written Board policy.

39
40 MS. MORRIS LYON: One last question. In
41 supporting this, I don't know how you want to call it,
42 but the criteria for how to consider future closures, is
43 this going to be in the form of a regulation so that if
44 we want to tweak it and change it and make necessary
45 changes in the future it will be open and available to
46 that?

47
48 MR. KNAUER: It will not be a regulation,
49 but it will be a policy and, as such, can be modified.
50 One of the other things it also includes is a regular

1 review of closures.

2

3 MS. MORRIS LYON: I saw that in there,
4 three years or more often as necessary.

5

6 MR. KNAUER: That's not to say anything
7 will be automatic other than the review itself. Each
8 would be presented to the appropriate Regional Council
9 for their recommendation.

10

11 MS. MORRIS LYON: Thank you.

12

13 CHAIRMAN ALVAREZ: Any more comment on
14 this motion to accept the policy.

15

16 MS. MORRIS LYON: Question.

17

18 CHAIRMAN ALVAREZ: The question has been
19 called. All in favor of supporting the policy say aye.

20

21 IN UNISON: Aye.

22

23 CHAIRMAN ALVAREZ: Opposed.

24

25 (No opposing votes)

26

27 CHAIRMAN ALVAREZ: The motion carried 6-
28 0. Any more actions. What else?

29

30 MR. EDENSHAW: Mary handed out, if you
31 look before you, a letter from the Lake Clark SRC.
32 Andrew Balluta had served on the SRC and Andrew is no
33 longer a member of the Council and part of the
34 requirements of this Council is they appoint a couple
35 seats on that Lake Clark SRC and Mary wrote out this
36 letter signed by Glen Alsworth and they're recommending
37 that the Council take action and appoint Tom Hedlund to
38 the Lake Clark SRC.

39

40 MR. O'HARA: So moved, Mr. Chairman.

41

42 MS. MORRIS LYON: Second.

43

44 CHAIRMAN ALVAREZ: The recommendation
45 from the SRC for Thomas Hedlund has been seconded by
46 Nanci. Any more question on that.

47

48 MR. O'HARA: A very, very qualified guy.
49 He lives in Lake Iliamna and has a good handle on
50 subsistence and is a subsistence user.

1 CHAIRMAN ALVAREZ: They need somebody
2 from there to serve on the SRC. He's also on the Lake
3 Iliamna Fish and Game Advisory Committee that I serve on.
4 He is pretty knowledgeable and I think he'd make a good
5 council member. I'm going to support his nomination.
6
7 MR. DUNAWAY: Question.
8
9 CHAIRMAN ALVAREZ: The question has been
10 called. All in favor of supporting Mr. Hedlund as a
11 council member signify by saying aye.
12
13 IN UNISON: Aye.
14
15 CHAIRMAN ALVAREZ: Opposed.
16
17 (No opposing votes)
18
19 CHAIRMAN ALVAREZ: Motion carried 6-0.
20 If we need you to vote on anything, we can do a
21 teleconference, I guess.
22
23 MR. O'HARA: I have a question on
24 Robert's Rule of Order. We have a quorum of six people.
25 If I leave, can the quorum still go on and vote or are
26 they lacking a quorum?
27
28 MR. EDENSHAW: We'd be lacking a quorum.
29
30 MR. O'HARA: How many Council Members do
31 we have?
32
33 MR. KNAUER: There are nine Council
34 Members. The vacant seats do not tally into the counting
35 of the quorum.
36
37 MR. O'HARA: I could have been out
38 smelting all day.
39
40 (Laughter)
41
42 MR. KNAUER: As it is, you've been
43 smelling in here, is that what you're saying?
44
45 (Laughter)
46
47 MR. KNAUER: No, a quorum is five because
48 you're short one Council Member. So you have to have a
49 majority of appointed members.
50

1 MR. O'HARA: My closing comments would be
2 I dread not getting all those Federal reports tomorrow,
3 but I guess I'll just have to pass on it, huh.
4
5 CHAIRMAN ALVAREZ: We can teleconference.
6 With that, we'll still have a quorum, so we will adjourn
7 until tomorrow morning.
8
9 MR. O'HARA: You can't adjourn.
10
11 CHAIRMAN ALVAREZ: I mean recess. Sorry.
12 Wrong word, but you all knew what I meant. It's 8:00
13 o'clock, right, Cliff?
14
15 MR. EDENSHAW: 8:30.
16
17 CHAIRMAN ALVAREZ: Okay, 8:30.
18
19 (Off record)
20
21 (On record)
22
23 CHAIRMAN ALVAREZ:
24
25 (Off record)
26
27 (TO BE CONTINUED)

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C E R T I F I C A T E

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

I, Joseph P. Kolasinski, Notary Public in and for
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February 2006.

Joseph P. Kolasinski
Notary Public in and for Alaska
My Commission Expires: 03/12/08