

1 BRISTOL BAY FEDERAL SUBSISTENCE
2 REGIONAL ADVISORY COUNCIL
3
4 PUBLIC MEETING
5
6 VOLUME I
7
8 King Salmon, Alaska
9 February 20, 2007
10 9:00 o'clock a.m.
11
12
13 COUNCIL MEMBERS PRESENT:
14
15 Randy Alvarez, Chair
16 Nanci Morris Lyon
17 Peter Abraham
18 Virginia Aleck
19 Dan Dunaway
20
21
22 Regional Council Coordinator - Clifford Edenshaw
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44 Recorded and transcribed by:
45
46 Computer Matrix Court Reporters, LLC
47 700 W. Second Avenue
48 Anchorage, AK 99501
49 907-243-0668/907-227-5312
50 jpk@gci.net/sahile@gci.net

1 P R O C E E D I N G S
2
3 (King Salmon, Alaska - 2/20/2007)
4
5 (On record)
6
7 CHAIRMAN ALVAREZ: I'll call the
8 meeting to order. We'll have an invocation.
9
10 INVOCATION
11
12 CHAIRMAN ALVAREZ: Cliff, roll call.
13
14 MR. EDENSHAW: (Roll call)
15
16 CHAIRMAN ALVAREZ: Thank you.
17
18 (Off record)
19
20 (On record)
21
22 MR. EDENSHAW: Okay. As I was
23 mentioning before, Mr. Chair and Council members, both
24 Boris Kosbruk and Alvin Boskofsky are hospitalized, and
25 we have one vacant seat. And, of course, Tom I just
26 conveyed to you what transpired with Tom Hedlund. And
27 as Randy conveyed to me, a last minute meeting with
28 BBNC.
29
30 But anyway, Mr. Chair, there is a
31 quorum.
32
33 CHAIRMAN ALVAREZ: Okay. Number 3. I
34 guess we need to -- I'd like to welcome everybody to
35 the Bristol Bay Federal Subsistence Regional Advisory
36 Council meeting. And I guess all of you know our
37 coordinator, Cliff Edenshaw, and Nathan, our recorder.
38 And then we'll start back here I guess with Rod, since
39 he's the closest one.
40
41 MR. CAMPBELL: I'm Rod Campbell with
42 the U.S. Fish and Wildlife Service, Office of
43 Subsistence Management.
44
45 MS. GREFFENIUS: I'm Laura Greffenius.
46 I'm a wildlife biologist in the Office of Subsistence
47 Management.
48
49 MR. KESSLER: Steve Kessler with the
50 U.S. Forest Service, I'm a fisheries biologist, and I'm

1 on the InterAgency Staff Committee.
2
3 MS. MCBURNEY: I'm Mary McBurney,
4 National Park Service, Katmai, Lake Clark, and
5 Aniakchak Subsistence Resource Commissions.
6
7 MR. MOORE: Ralph Moore with the
8 National Park Service, superintendent of Katmai
9 National Park and Preserve.
10
11 MR. LIND: Orville Lind, Fish and
12 Wildlife Service here in King Salmon.
13
14 MR. LONS: Daryle Lons, refuge manager
15 for Alaska Peninsula National Wildlife Refuge.
16
17 MR. SQUIBB: Ron Squibb.
18
19 MR. KOEPESEL: Mark Koepsel.
20
21 CHAIRMAN ALVAREZ: All right. Thank
22 you. So that brings us down to Item Number 4, election
23 of officers. Do we want to hold that, because we're
24 kind of short on members, or do you guys feel that we
25 could, you know, go ahead with it?
26
27 MR. ABRAHAM: I make a move we table
28 the election of officers until next time.
29
30 MS. MORRIS LYON: Second.
31
32 CHAIRMAN ALVAREZ: Motion's been made
33 and seconded to table the election of officers until
34 the next meeting, which will be in the fall.
35
36 MS. MORRIS LYON: Is that okay, Cliff,
37 or is there something written in the rules that we have
38 to.....
39
40 MR. EDENSHAW: No, that's okay, because
41 of the five Council members -- there's five absent
42 right now, and it would just -- Boris and Alvin, Alvin
43 said that after this next surgery, he should be
44 following (ph) and the other, so.....
45
46 CHAIRMAN ALVAREZ: All right. So we
47 have a motion and second on the floor. Any more
48 comment on it?
49
50 MR. DUNAWAY: That means we retain our

1 current officers, right?
2
3 MS. MORRIS LYON: Correct.
4
5 MR. DUNAWAY: Okay.
6
7 CHAIRMAN ALVAREZ: Okay. All in favor
8 of the motion to table the election say aye.
9
10 IN UNISON: Aye.
11
12 CHAIRMAN ALVAREZ: Opposed?
13
14 (No opposing votes)
15
16 CHAIRMAN ALVAREZ: Okay. Motion's
17 carried unanimously. Okay. Number 5, review and
18 adoption of the agenda. Is there anything we need to
19 add to this agenda that we have before us. Cliff.
20
21 MR. EDENSHAW: Mr. Chair and Council
22 members. With Virginia on teleconference, I would just
23 ask the Council to take care of the action items that
24 we need Virginia as quorum. And if the Council looks
25 on Page 1 at the bottom, there's 23, 24, 25, 1, 2, 3,
26 and 4. Those are the seven proposals that the Council
27 needs to take action on. We need to -- I'm not sure
28 where Laura -- Laura, where are you going to address
29 the Board of Game proposals? You should probably do
30 that after the last statewide proposal?
31
32 MS. GREFFENIUS: I'd like to do it --
33 we'll discuss the Board of Game ones, if that works
34 out. I would do it right after that, if that's.....
35
36 MR. EDENSHAW: Are those the only two
37 that the Council needs to look at.
38
39 MS. GREFFENIUS: Yeah.
40
41 MR. EDENSHAW: Okay. Will that work?
42
43 CHAIRMAN ALVAREZ: That will work for
44 me.
45
46 MS. GREFFENIUS: So we can discuss
47 them, but then when do you want to make the
48 recommendation?
49
50 CHAIRMAN ALVAREZ: You know, I think

1 that will work for me. I think Cliff just wanted to
2 expedite Virginia's teleconference, but, you know, it's
3 just going take a little bit of time, so, you know, I'm
4 sure -- my opinion, we can do that. Dan.

5
6 MR. DUNAWAY: Yeah. One thing before
7 we take up some of these proposals, I was really hoping
8 that Lem Butler was going to be able to be here,
9 because my understanding is that there's been some kind
10 of new State analysis on some of the caribou data that
11 I've heard once in Dillingham, but I'd love to hear
12 again to help me deliberate on some of these action
13 items, so I'd be willing to try to make a call, or if
14 there's somebody we could call to verify he's planning
15 to be here before we take action.

16
17 CHAIRMAN ALVAREZ: Laura.

18
19 MS. GREFFENIUS: I understand you're
20 trying to work out when you would be dealing with like
21 the resolutions. I can bring out the information as it
22 pertains to the proposals and just discuss the Office
23 of Subsistence Management comments, and then you'll
24 have that information before you, and then whenever you
25 want to take up your actual recommendations so you'll
26 that already have the information. If you want to do
27 that separately from the proposals. Do you follow what
28 I'm saying?

29
30 CHAIRMAN ALVAREZ: Yeah. But I feel
31 that we should -- if we're going to go through, say,
32 Proposal 23, go through all the information instead of
33 taking some of it, half of it up at one time and half
34 of it up later. It just might get kind of confusing.

35
36 Anyway, is there anything else, Cliff.

37
38 MR. EDENSHAW: Mr. Chair. And
39 Virginia, did you understand what I was conveying to
40 the Council?

41
42 MS. ALECK: I didn't hear you very
43 well.

44
45 MR. EDENSHAW: I was just conveying to
46 the Council I'd like to take all the action items
47 first, because you're on teleconference, and
48 trying.....

49
50 MS. ALECK: Right.

1 MR. EDENSHAW:to get that done.
2 And, Mr. Chair and Council members, number 11, the
3 Council composition, is also an action item.
4
5 CHAIRMAN ALVAREZ: Okay. And that's
6 just the make up of a committee, right?
7
8 MR. EDENSHAW: Yes.
9
10 CHAIRMAN ALVAREZ: Or Council I should
11 say.
12
13 MR. EDENSHAW: And for the Council
14 members, Laura, you should probably just step up to the
15 table here, because she's part of the -- she'll be
16 working with the Bristol Bay Council. At the last
17 meeting we had, we conducted fisheries, and she doesn't
18 normally come to the fisheries meetings, but she's our
19 wildlife biologist for the region, and she'll be
20 working with the Council closely on all or most
21 wildlife issues.
22
23 CHAIRMAN ALVAREZ: Okay. So we have --
24 I was going to see if anybody was going to call Lem,
25 because apparently the way it looks, we're going to be
26 in Proposal 23 shortly. So we probably need him for
27 some of that information. And I guess until then,
28 let's just do some of our other stuff.
29
30 MR. EDENSHAW: But doesn't -- Daryle,
31 doesn't Ron have information -- hasn't he worked with
32 Lem on this?
33
34 MR. LONS: Well, to a degree, but Lem
35 has more information. Joe Klutsch is calling Lem. Lem
36 had told me that he was planning on being here.
37
38 CHAIRMAN ALVAREZ: Yeah. He probably
39 just doesn't think we're going to be getting to this
40 part already, yes. I guess since that being the case
41 and we should wait for him, let's just continue down
42 the agenda until he gets here.
43
44 MR. EDENSHAW: Mr. Chair. But that's
45 all I had in regards to the agenda.
46
47 MR. DUNAWAY: So just on hold on that
48 until we -- as far as adopting the agenda until.
49
50 CHAIRMAN ALVAREZ: Yeah. To discuss --

1 to go over the proposals, we probably should wait until
2 Lem comes, I hope he doesn't -- did you get ahold of
3 him then?

4

5 MR. KLUTSCH: Yeah. He's on his way.

6

7 CHAIRMAN ALVAREZ: Okay. Thank you.
8 Okay. So we need to -- we need to adopt the agenda.

9

10 MR. DUNAWAY: With what, the agreement
11 we're going to tackle the action items as soon as we
12 can and leave it at that?

13

14 MR. EDENSHAW: Yeah, that's a good way
15 of putting it. Just the action items. We don't have
16 to stipulate state proposals. Just action items,
17 unless you want to add any additional items under new
18 business on 13.

19

20 CHAIRMAN ALVAREZ: I don't have
21 anything to add.

22

23 MS. MORRIS LYON: Do we need to add
24 these items that Laura gave us? Or are we just going
25 to include them?

26

27 CHAIRMAN ALVAREZ: Okay. So I guess
28 we'll just not move formally. We'll just adopt it. We
29 discussed to take up action items when Lem gets here,
30 so we'll just keep moving down the agenda. Now we've
31 got number 6, the minutes of October 2nd and 3rd, 2006
32 in Dillingham.

33

34 MR. EDENSHAW: Mr. Chair.

35

36 CHAIRMAN ALVAREZ: Cliff.

37

38 MR. EDENSHAW: The Council can adopt
39 the agenda. There weren't any additions. You know,
40 just as Dan said, this is mainly we're going to -- with
41 the caveat that we're just going to address action
42 items currently, and if Lem's not here, that doesn't
43 mean the Council has to stop addressing. You know, we
44 can go ahead and move through Statewide Proposals 1, 2,
45 3 and 4. The other regional ones I understand re more
46 important in regards to data that Lem has in regards to
47 Mulchatna, but some of these other ones, for instance
48 Statewide Proposal No. 1 deals with claws. 2 is just a
49 regulatory -- chance in regulatory language, so, you
50 know, the Council can just go ahead and adopt the

1 agenda with the caveat that we're just going to go
2 ahead and -- you know, there wasn't any changes in the
3 agenda, just that we're going to -- wildlife proposals
4 are.....
5
6 CHAIRMAN ALVAREZ: Yeah, that is a Fish
7 and Game proposal, number 1. We could go ahead and do
8 it without him.
9
10 MR. EDENSHAW: Right.
11
12 MR. DUNAWAY: I think what he's saying,
13 maybe it would be cleaner just to get it on the record.
14 I move to adopt the agenda as it shows with the
15 understanding we'll take action items as early as
16 possible. Just move that, and then we'll have it on
17 record that we've -- if somebody will second it and we
18 move, adopt and so on. So just a little procedural
19 tidiness.
20
21 MR. EDENSHAW: Yeah, it's just
22 procedure.
23
24 CHAIRMAN ALVAREZ: Okay. So that's a
25 motion then, Dan?
26
27 MR. DUNAWAY: Yes.
28
29 MS. MORRIS LYON: I'll second it for
30 you.
31
32 CHAIRMAN ALVAREZ: Seconded by Nanci.
33 Any more comments on the adoption of the agenda.
34
35 (No comments)
36
37 CHAIRMAN ALVAREZ: Seeing none, all in
38 favor signify by saying aye.
39
40 IN UNISON: Aye.
41
42 CHAIRMAN ALVAREZ: Opposed.
43
44 (No opposing votes)
45
46 CHAIRMAN ALVAREZ: Okay. Motion's
47 carried on adopting the agenda, to take up the action
48 items as soon as we can.
49
50 Down to 6, approval of the minutes from

1 October 2nd and 3rd in Dillingham. Did everybody
2 review those? Any comments.
3
4 MR. DUNAWAY: Mr. Chair.
5
6 CHAIRMAN ALVAREZ: Dan.
7
8 MR. DUNAWAY: Yeah, I've looked them
9 over. Overall they seem pretty good to me. The one
10 thing, and I don't mean to be too nit-picky on it, but
11 on Page 6 under the part covering FP07-05, we do have
12 pretty good record of the discussion, but I think there
13 was also a discussion and agreement that there would be
14 a corresponding proposal submitted to the State of
15 Alaska Board of Fish regarding that driftnetting of
16 subsistence fish in the Togiak River. And I was kind
17 of just hoping that that bit would be included in the
18 record. Maybe that's good enough. I'd just request
19 that.
20
21 CHAIRMAN ALVAREZ: Okay. Anything
22 else.
23
24 MR. ABRAHAM: (In Native)
25
26 CHAIRMAN ALVAREZ: Pete says it's good.
27 So we'll vote on the.....
28
29 MR. DUNAWAY: Move to adopt with that
30 change.
31
32 CHAIRMAN ALVAREZ: Yes. A move to
33 adopt the minutes of October 2nd and 3rd with that
34 change.
35
36 MS. MORRIS LYON: Second.
37
38 CHAIRMAN ALVAREZ: And it was seconded
39 by Nanci. All in favor signify by saying aye.
40
41 IN UNISON: Aye.
42
43 CHAIRMAN ALVAREZ: Opposed.
44
45 (No opposing votes)
46
47 CHAIRMAN ALVAREZ: Motion carried.
48 Would this would be a good time then, Cliff, to move
49 down to proposals, the statewide, WP07-01.
50

1 MR. EDENSHAW: Mr. Chair. We can
2 continue with number 7, on A, I've provided copies of
3 the 805c letter from the most recently held Federal
4 Subsistence Board meeting on January 9th through the
5 11th. And at that meeting, Mr. Chair, Randy was at the
6 meeting and represented the Council in regards to the
7 fisheries cycle, so you could -- inside that 805c
8 letter is the response to actions taken by the Board.

9
10 They went ahead and approved all three
11 of the proposals. I believe there are three of those.

12
13 CHAIRMAN ALVAREZ: Yes, there was two
14 for Lake Clark and one for Togiak.

15
16 MR. EDENSHAW: They went ahead and
17 approved those.

18
19 And then under B, if any of you have
20 any -- I think this would go in conjunction with C,
21 annual report issues. So at this time or else during
22 the -- before we adjourn, I want to make sure that the
23 Council is able to provide me with issues that they
24 want included in their 2006 annual report.

25
26 CHAIRMAN ALVAREZ: How long do we have
27 to do that? When's the annual report due?

28
29 MR. EDENSHAW: Well, it should be due
30 before -- I think in June. The annual report -- what
31 I'll do is any issues or concerns the Council has in
32 regards to resources on Federal lands here in the
33 region in Units 9 or 17, what I'll do is take that back
34 and produce a draft report for the Council and fax it
35 to you guys, or email it for your review. And once
36 everyone agrees that it's fine, Randy will sign off on
37 it, and that will be submitted to the Board.

38
39 CHAIRMAN ALVAREZ: Okay. Before
40 June.....

41
42 MR. EDENSHAW: So I'd like to -- the
43 short answer is after this meeting is adjourn today --
44 I mean tomorrow, I'd like to have that report done, you
45 know, at least the issues and everything done in a few
46 weeks. I don't want to drag that out. But mainly what
47 I'm looking for from the Council members are issues.

48
49 CHAIRMAN ALVAREZ: Well, issues may
50 arise during this meeting, and then we can just come

1 up.....
2
3 MR. EDENSHAW: But we have until the
4 meeting adjourns.
5
6 CHAIRMAN ALVAREZ: Yeah. Okay.
7
8 MR. EDENSHAW: So we get it on record.
9
10 CHAIRMAN ALVAREZ: All right. Does
11 that take care of that then?
12
13 MR. EDENSHAW: Yes, Mr. Chair.
14
15 CHAIRMAN ALVAREZ: Okay. Number 8 is
16 open to public comment. And there all you need to do
17 is whoever wants to testify needs to fill out a card
18 and then I suppose we can take that any time during the
19 meeting, so whenever would be appropriate.
20
21 Moving down to number 9, we are on the
22 proposals. And the 1 through 8 defines how we'll be
23 going through those proposals. So I guess it would be
24 a good time to go over to statewide. Let's do the
25 statewide, Proposals 1, 2, 3, and 4.
26
27 Do you hear, Virginia?
28
29 MS. ALECK: Yeah. Uh-huh.
30
31 CHAIRMAN ALVAREZ: Okay. We're going
32 to do -- we'll start -- we're on number 9 now, the
33 proposals, but we're going to switch. We're going to
34 go down and do statewide proposals first. WP07-01
35 first.
36
37 Cliff, who's going to introduce the
38 proposals.
39
40 MR. EDENSHAW: Are you still there,
41 Virginia?
42
43 MS. ALECK: Yeah. I'm here.
44
45 CHAIRMAN ALVAREZ: You're following us
46 okay?
47
48 MR. DUNAWAY: I'm trying to hustle to
49 keep up here.
50

1 CHAIRMAN ALVAREZ: Laura, when you
2 start, can you tell us what page these start on? I see
3 the first one starts on 50 If I'm not mistaken.
4
5 MS. GREFFENIUS: That's right. WP07-01
6 starts on Page 49 is the executive summary, and then
7 Page 50.
8
9 CHAIRMAN ALVAREZ: Yeah. 48.
10
11 MS. GREFFENIUS: Do I need to turn this
12 on, Nathan, or is it on?
13
14 REPORTER: It stays on.
15
16 MS. GREFFENIUS: It stays on. Okay.
17 Do you want me to start, Mr. Chair?
18
19 CHAIRMAN ALVAREZ: Go ahead. You can
20 start. Thanks.
21
22 MS. GREFFENIUS: For the record, my
23 name is Laura Greffenius, and I'm a wildlife biologist
24 with the Office of Subsistence Management. Can you
25 hear me okay, Virginia?
26
27 MS. ALECK: Uh-huh. I can hear you.
28
29 MS. GREFFENIUS: Okay. Good. I just
30 wanted to check.
31
32 Cliff's handing something out right
33 now.
34
35 MR. EDENSHAW: Oh, go ahead, Laura.
36 These are just.....
37
38 MS. GREFFENIUS: Proposal WP07-01 was
39 submitted by the Alaska Department of Fish and Game.
40 It requests that claws be removed from the Federal
41 definition of fur. And this is -- just to point out,
42 this is a statewide proposal, so this one will be going
43 before all the Councils, and incoming comments and
44 recommendations from all of the Councils, so it's not
45 specific to just this region.
46
47 So it requests that claws be removed
48 from the Federal definition of fur, and that sales of
49 handicraft articles made from claws, bones, teeth,
50 sinew or skulls of black and brown bears be allowed for

1 sale only between Federally-qualified subsistence users
2 statewide.

3

4 I just want to mention that you may
5 recall there was also a statewide proposal from last
6 year that addressed a similar issue, and this one is
7 pertaining specifically to the claws being removed in
8 the definition of fur.

9

10 The proponent submitted this proposal,
11 because in the proponent's view if the definition of
12 fur is not changed, it will allow for unconstrained
13 commercial sale of handicrafts made from bear parts and
14 create market incentives for poaching.

15

16 So between the years as I mentioned
17 we've had similar proposal that dealt with varying
18 aspects of this. Between 2002 and 2006 the Federal
19 Subsistence Board considered six proposals regarding
20 the sale of handicrafts made from some of the non-
21 edible parts of bears. And the Federal Subsistence
22 Board has consistently supported the sale of
23 handicrafts made from the skin, hide, pelt or fur of
24 black bear statewide and brown bear in three regions
25 including claws by the Federal -- by Federally-
26 qualified subsistence users.

27

28 And the proponent's language for the
29 Federal definition of fur would require the removal of
30 claws from all hides such as fox and mink and not just
31 bear.

32

33 Under current Federal regulations brown
34 bear hides with claws can only be used in handicrafts
35 for sale if the bear were harvested from Eastern
36 Interior, Bristol Bay and Southeast Alaska. And other
37 parts, such as bones, teeth, sinew or skulls can only
38 be used from brown or black bear taken in Southeast
39 Alaska.

40

41 To summarize the effects of this
42 proposal, this proposal would remove the unit specific
43 restrictions listed above and would negate the intent
44 of the Board and the Regional Councils in recognizing
45 the diverse customary and traditional uses of bears and
46 bear parts throughout the State. And the proponent's
47 description for persons eligible to sell handicrafts
48 from the bear parts mentioned above would narrow the
49 sales only to Federally-qualified rural residents.
50 This proposal would unnecessarily restrict the

1 subsistence uses of Federally-qualified subsistence
2 users as specified in ANILCA section 803.

3
4 And the preliminary conclusion is to
5 oppose this proposal, and there had been no evidence
6 provided to indicate that current Federal regulations
7 adversely affect bear populations, and there's been no
8 evidence provided to indicate that current Federal
9 Regulations have lead to an increased legal or illegal
10 harvest of bears.

11
12 And just to emphasize and point out
13 that under current Federal regulations -- current
14 Federal regulations apply only to bears harvested under
15 the Federal subsistence regulations on Federal public
16 lands. And all meat from bears harvested under Federal
17 subsistence regulations must be salvaged.

18
19 So that concludes the highlights and
20 the points to be made in this particular proposal. And
21 as I mentioned, this issue has come before you before,
22 and that concludes my presentation.

23
24 Thank you.

25
26 CHAIRMAN ALVAREZ: Thank you. Is there
27 any questions or comment to Laura.

28
29 (No comments)

30
31 CHAIRMAN ALVAREZ: Seeing none, I guess
32 then we'll -- do we have anybody for number 2, ADF&G
33 Staff, or since -- wait until Lem gets here. Maybe we
34 can continue down.

35
36 MR. EDENSHAW: Mr. Chair.

37
38 CHAIRMAN ALVAREZ: Cliff.

39
40 MR. EDENSHAW: Because the State's not
41 here, I'll go ahead and read their comments into the
42 record, and then we can go ahead and proceed down with
43 the protocol.

44
45 CHAIRMAN ALVAREZ: Okay.

46
47 MR. EDENSHAW: For the Council members,
48 on Page 63 and 64 we received written public comments
49 from the Alaska Department of Fish and Game. And it
50 starts on the top of Page as I mentioned.

1 This proposal, submitted by ADF&G,
2 would revise the definition of skin, hide, pelt or fur
3 to exclude claws and would authorize only the sale of
4 handicraft articles made from allowable bear parts to
5 other Federally-qualified subsistence users. This
6 proposal addresses potential commercial sales of bear
7 handicrafts, but does not prohibit sales between
8 Federally-qualified subsistence users who use these
9 handicrafts for ceremonial, religious, and cultural
10 purposes. Adoption of this proposal will make the
11 Federal regulations more enforceable and consistent
12 with sound management principles and will reduce the
13 incentive for illegal harvest and overharvest of bear
14 populations in Alaska and elsewhere. The preliminary
15 conclusion in the Staff analysis recommends that this
16 proposal not be adopted.

17
18 And I'll just go ahead. That's an
19 introduction.

20
21 Last year the Federal Subsistence Board
22 rejected a proposal to limit sales of bear part
23 handicrafts and constrain the sale of bear parts.
24 Instead of taking action to prohibit commercial
25 exchanges, the Board adopted only an unenforceable,
26 generalized prohibition against sales of handicrafts
27 that are significant enterprises. The unenforceable
28 revisions created -- incentives for new Endangered
29 Species Act in other states and undermining state
30 conservation. The State filed a request for
31 reconsideration on August 25, 2006; however the Board
32 has not yet taken action on the request.

33
34 The current regulations authorize
35 unconstrained sales as a customary and traditional
36 activity despite a record demonstrating that only
37 limited non-cash exchanges were traditional and that
38 cash sales did not traditionally occur; allow the
39 commercial sale of bear parts handicrafts, including
40 internet-based sales; provide no tracking mechanism for
41 sales or the source or bear parts used in making
42 handicrafts; and (4) have been interpreted to allow the
43 purchase of claws, teeth, skulls and bones by non-
44 Federally-qualified subsistence users, despite the fact
45 that such purchase is prohibited under State law.

46
47 Through its actions, the Federal Board
48 created and is perpetuating a new market for bear
49 claws, skulls and bones that will mask illegal sales.
50 this action compounds problems with the international

1 trade of endangered species and contributes to the
2 illegal harvest, overharvest, and waste of bears in
3 Alaska and in other states and countries. With the
4 North American brown and black bears listed in Appendix
5 II of the Convention of International Trade in
6 Endangered Species of Wild Fauna and Flora and brown
7 bear populations in the 48 conterminous states listed
8 as threatened under the Endangered Species Act,
9 regulations allowing unlimited and untracked sales of
10 bear claws, teeth, bones, and skulls violate sound
11 management principles.

12
13 By permitting internet and eBay sales,
14 the Federal regulations potentially create a commercial
15 market for bear claws. As a result, in addition to
16 increased levels of legitimate subsistence hunting,
17 illegal hunting and illegal use of bears taken in other
18 hunts likely will also increase, creating an entirely
19 commercial market. Both Federal and State authorities
20 have indicated that a generalized restriction against
21 significant commercial enterprises is not enforceable.

22
23 And the conclusion, adoption of this
24 proposal is necessary in order to reduce incentives for
25 illegal harvest of bears in Alaska and in other states;
26 prevent sales of high value arts of bears taken for
27 subsistence purposes from becoming significant
28 commercial enterprises, because the current Federal
29 regulation is unenforceable; and, lastly, improve the
30 enforceability of the Federal regulations by
31 eliminating differences in permissible uses based on
32 area of harvest, which is particularly important in the
33 absence of a harvest tracking mechanism.

34
35 And those are the State comments, Mr.
36 Chair and Council members.

37
38 CHAIRMAN ALVAREZ: Thank you, Cliff.
39 Laura.

40
41 MS. GREFFENIUS: Yes, I just wanted to
42 add briefly on the portion where it said under the
43 State comments, the State filed a request for
44 reconsideration on August 25, 2006. And in these
45 comments that were submitted by the State, it would
46 have been in the late fall time period, there had not
47 yet been action by the Federal Board. But I just want
48 to point out there's a letter here dated January 2007
49 and it's from the Federal Subsistence Board Chair, Mr.
50 Mike Fleagle and it's to the Commissioner of the Alaska

1 Department of Fish and Game. So their request for
2 reconsideration was rejected, and the Federal
3 Subsistence Board did not consider there was reasonable
4 evidence to carry worth with that.

5
6 So I just wanted to provide that
7 update.

8
9 CHAIRMAN ALVAREZ: Okay. Good. Thank
10 you. I've got a question. Conservation concerns, and
11 it's not that paragraph, but the next one down where it
12 talks about the 48 coterminous states. I don't know
13 what that word is. Should that be continuous or is
14 that a word with a different definition?

15
16 MS. GREFFENIUS: It refers to the Lower
17 48, the coterminous -- that's probably what it needs to
18 be, contiguous 48, so it's referring to the.....

19
20 CHAIRMAN ALVAREZ: Yes, contiguous, I
21 know what that is, but I don't.....

22
23 MS. GREFFENIUS: Coterminous, it's just
24 a.....

25
26 CHAIRMAN ALVAREZ: I don't understand
27 that word there.

28
29 MR. DUNAWAY: Yeah, that's a new word
30 there. Yeah. The same idea.

31
32 MS. GREFFENIUS: Uh-huh. (Affirmative)

33
34 CHAIRMAN ALVAREZ: All right. Any more
35 ADF&G comments? You're here, just in time.

36
37 MR. DUNAWAY: He walked in.

38
39 CHAIRMAN ALVAREZ: Anyway, I would like
40 -- before we continue, I would like to recognize Judy
41 Gottlieb from the Park Service. She serves on the
42 Federal Subsistence Board. Thank you for being able to
43 come, and we appreciate it.

44
45 Also with her that came in is Troy
46 Hammond from King Salmon Park Service.

47
48 And we have Lem Butler just walked in
49 the door, the ADF&G biologist from King Salmon.

50

1 And, Lem, we started with the
2 proposals, and we started with statewide. We are on
3 number 1, the proposal by ADF&G on the claws, bear
4 claws. And Cliff Edenshaw read the State comments from
5 the proposal booklet. And is there anything else you
6 want to say on that?

7
8 MR. BUTLER: Not at this time.

9
10 CHAIRMAN ALVAREZ: Okay. All right.
11 We are on number 3 now, other State and Federal agents
12 comments. Are there any.

13
14 (No comments)

15
16 CHAIRMAN ALVAREZ: Or are we on number
17 4?

18
19 MR. DUNAWAY: Did some those letters
20 we're getting handed, did they address that proposal?
21 I'm having trouble keeping up with what got dumped on
22 us.

23
24 MR. EDENSHAW: No. Mr. Chair, those
25 will be covered afterwards. Those are written public
26 comments under number 6.

27
28 MR. DUNAWAY: Oh, okay. So we're not
29 there yet.

30
31 CHAIRMAN ALVAREZ: So I guess we are --
32 we don't have any report on number 3 for other State
33 and Federal agencies, so that would bring us down to
34 number 4, InterAgency Staff Committee comments?

35
36 MR. KESSLER: Mr. Chairman, Steve
37 Kessler with the InterAgency Staff Committee. And we
38 don't anticipate that we're going to have any comments
39 on any of these proposals that are before you. So
40 there will be some individual agency comments, but not
41 for the Staff Committee. So rather than maybe getting
42 up every time, I can just let you know that.

43
44 CHAIRMAN ALVAREZ: Okay. Thank you,
45 Steve.

46
47 MR. EDENSHAW: And also, Steve, perhaps
48 you could let the Council know when will the Staff
49 Committee meet to address the Council's
50 recommendations?

1 MR. KESSLER: That's a good question.
2 I'd have to look it up. It's sometime in April, and,
3 of course, the Council will have a member of the
4 Council on teleconference when the Staff Committee is
5 meeting. I'll look that up and give you the dates in
6 just a moment.

7
8 MS. MORRIS LYON: But it's mid April.

9
10 MR. KESSLER: Okay. Starting April
11 10th. It's actually a four-day meeting of the Staff
12 Committee. The Department of Fish and Game is
13 represented there and during each of the proposals that
14 are applicable to your Council, you're welcome to join
15 in and be part of that. The statewide proposals,
16 sometimes we can have the chairs of all the Councils on
17 there to listen in or provide input for what the
18 Council recommendations were at the Staff Committee.

19
20 CHAIRMAN ALVAREZ: Okay. Thank you,
21 Steve.

22
23 MR. EDENSHAW: Mr. Chair and Council
24 members. And it doesn't have to be you. If there's
25 interest from Nanci or Pete or someone to sit in when
26 the Staff Committee meets, because we'll go through the
27 same protocol. Laura will be at the meeting and she'll
28 provide the biological analysis for the proposal, as
29 well as any new information that we receive from the
30 Council here at this meeting. And when the Staff
31 Committee meets April 10th, you know, if you let me
32 know, I'd be able to set up a teleconference and time
33 for when the Council addresses -- or when their
34 proposals come up.

35
36 CHAIRMAN ALVAREZ: Okay. So we're on
37 number 5, ADF&G advisory Committee comments.

38
39 We had a meeting this weekend, Lake
40 Iliamna Advisory Committee, and then we reviewed these,
41 but we didn't have any -- we didn't move on any of
42 these proposals. I think it was getting late and they
43 didn't -- they wanted to get out of there.

44
45 MR. DUNAWAY: Mr. Chair.

46
47 CHAIRMAN ALVAREZ: Dan.

48
49 MR. DUNAWAY: Yeah. I'm an alternate
50 the Nushagak Fish and Game Advisory Committee. And I

1 can't say I can speak for them, but I don't recall that
2 we even reviewed these Federal proposals at our meeting
3 February 1 and 2. My best recollection, we didn't
4 discuss them.

5

6 CHAIRMAN ALVAREZ: Are there any other.

7

8 (No comments)

9

10 CHAIRMAN ALVAREZ: Seeing none, I guess
11 we're down to number 6, summary of written public
12 comments. Cliff.

13

14 MR. EDENSHAW: Mr. Chair. Right before
15 us, and the Council has copies, we received -- here are
16 some written public comments submitted by the Lake
17 Clark SRC and the Aniakchak SRC on Proposal 1, that
18 Lake Clark SRC opposes the proposal, because it
19 restricts the opportunity for subsistence users to
20 maximize the value they can derive from selling
21 handicrafts made from parts of legally taken bears.

22

23 On the second one, the Aniakchak, on
24 Proposal 1, they also opposed the proposal. The SRC
25 opposes this proposal because it restricts the
26 opportunity for subsistence users to maximize the value
27 they can derive from selling handicrafts made from
28 parts of legally taken bears.

29

30 And that's the extent of written public
31 comments, Mr. Chair.

32

33 CHAIRMAN ALVAREZ: Okay. Thank you.

34

35 MR. EDENSHAW: Oh, Mr. Chair. And if
36 you look on Page 62, there was just one from David
37 McHoes from Skwentna. The following comments regarding
38 Proposal 1, the sale of bear parts. I read nowhere in
39 the reasons for the recommended changes any biological
40 reason for the recommended change. Most bear
41 populations in the State are harvested well below
42 sustainable levels. Any increase in harvest, in
43 parenthesis, legal or illegal, stimulated by the
44 regulated, CITES, sale of bear parts would most likely
45 cause unwanted wildlife management results.

46

47 Most states and Canadian provinces
48 allow the sale of part or all of the parts of legally
49 harvested bears. In Alaska, many, if not all,
50 furbearers taken under a trapping license, subsistence

1 harvest, allow the sale of every inch of the animal.

2

3 Limiting the sale of handicrafts and
4 parts to other qualified subsistence users is
5 ludicrous. This would be like telling a trapper he can
6 only sell his pelts to other trappers. Most
7 handicrafts are intended for sale to non-local
8 residents to provide income from outside sources for
9 the subsistence user and to bring money into rural
10 areas. Subsistence harvest does not just relate to
11 personal consumption, but also has always provided a
12 limited amount of cash income to provide for things
13 that a subsistence life might require.

14

15 (Off record)

16

17 (On record)

18

19 MR. EDENSHAW: Okay. Mr. Chair and
20 Council. And the last one was written by the AHTNA
21 'Tene Nene' Subsistence Committee, in which they oppose.
22 We do not support Proposal WP07-01 to change definition
23 of handicrafts, and we do not support changes to
24 25(j)(6)(i) or 25(j)(8).

25

26 The definition of 25(a) includes all
27 animals, which is too broad of a definition. If
28 trappers caught a coyote, wolf, lynx, et cetera, they
29 would not (sic) have to remove the claws before they
30 could sell the furs.

31

32 We oppose changes to 25(j)(6) which
33 would re-open a statewide selling of handicraft
34 articles made from black bear to only other Federally-
35 qualified subsistence users, which includes the skin,
36 hide, pelt, fur of a black bear; and it also eliminates
37 claws, which is fine, since we do not support of
38 selling any bar parts.

39

40 Lastly, we oppose changes to
41 25(j)(6)(i), which is a statewide proposal that would
42 allow a Federally-qualified subsistence user to sell
43 handicrafts from the claws, bones, teeth, sinew, or
44 skull of a brown bear to only another Federally-
45 qualified subsistence user; and it also eliminates
46 skin, hide and fur of a brown bear, which is fine,
47 since we do not support selling any brown bear parts.

48

49 And that concludes written public
50 comments. Mr. Chair and Council members.

1 CHAIRMAN ALVAREZ: All right. Thank
2 you, Cliff.
3
4 Number 7 is the public testimony. Does
5 anybody from the public want to testify on this
6 proposal?
7
8 (No comments)
9
10 CHAIRMAN ALVAREZ: Seeing none, down to
11 8, Regional Council deliberation, recommendation and
12 justification.
13
14 Okay. Virginia, we're down on number 8
15 on this proposal. The Council's going to deliberate on
16 it, and our recommendation.
17
18 MR. DUNAWAY: So we'll get it on the
19 table, we move to adopt and.....
20
21 CHAIRMAN ALVAREZ: Yeah, that would be
22 the first thing we should do, just bring it on the
23 table, and somebody needs to move to adopt the
24 proposal.
25
26 MR. DUNAWAY: I'd move to adopt.
27
28 CHAIRMAN ALVAREZ: Dan Dunaway moves to
29 adopt.
30
31 MS. MORRIS LYON: Second.
32
33 CHAIRMAN ALVAREZ: Seconded by Nanci.
34 And that means that leaves Pete to come up with the
35 justification.
36
37 MR. ABRAHAM: (In Native)
38
39 CHAIRMAN ALVAREZ: Okay. My feeling on
40 this proposal is I'm going to reject it also. You
41 know, I think that like these written comments state, I
42 don't see a problem. You can sell other furs, you
43 know, the claws, and bears is just in my opinion a
44 bigger fur bearer. That, you know, there's never been
45 any trapping. It would be kind of hard to trap bears.
46 You'd need such heavy equipment.
47
48 MR. DUNAWAY: They used to.
49
50 CHAIRMAN ALVAREZ: But it would allow

1 for some monetary value, but I don't think there would
2 be problem or some people could be going out to make a
3 killing on this, you know. I know that some trappers
4 make a lot of money trapping other furs. And I know a
5 guy in the area here, for instance, last year he had
6 like 160 otters, and he was getting about -- you know,
7 over \$100 apiece for them, so he does do well. But I
8 don't see this problem escalating with bears, or
9 happening with bears, so I'm going to oppose the
10 proposal.

11

12 Any more.

13

14 MS. ALECK: I need a.....

15

16 CHAIRMAN ALVAREZ: Virginia.

17

18 MS. ALECK: I need a -- yeah?

19

20 CHAIRMAN ALVAREZ: Okay. I heard you
21 talking, and I thought maybe you wanted to say
22 something.

23

24 MS. ALECK: No.

25

26 MR. EDENSHAW: Mr. Chair.

27

28 CHAIRMAN ALVAREZ: Cliff.

29

30 MR. EDENSHAW: The Council can also,
31 it's stipulated on Page 53, under Laura's presentation,
32 there's the preliminary conclusion, and there's some
33 justification also down there, if you choose or want to
34 utilize some of those in there in your motion as well.

35

36 MR. DUNAWAY: Mr. Chair. One thing
37 that concerns -- you know, I'm likely to oppose this
38 proposal, but it does concern me that the State of
39 Alaska -- it seems to be kind of a thread through
40 several of these, it's kind of interesting,
41 considerably different perspectives, State and Federal
42 analysis comes up with. But I'm a little confused in
43 here that -- did the State really make a proposal that
44 could require removal of claws on animals other than
45 bears, because that would affect.....

46

47 (Ms. Aleck carrying on conversation in
48 the background)

49

50 CHAIRMAN ALVAREZ: Virginia, we can

1 hear you pretty good. Do you hear us? Virginia?
2 Virginia, can you hear me?
3
4 MS. ALECK: No.
5
6 CHAIRMAN ALVAREZ: Well, we can hear
7 you.
8
9 MS. ALECK: I'm sorry, there was a loud
10 static on the phone for a minute there.
11
12 MR. DUNAWAY: Maybe there's some other
13 interfering, that what we were hearing wasn't coming
14 from her.
15
16 UNIDENTIFIED VOICE: Probably ask her
17 to shut her VHF off.
18
19 CHAIRMAN ALVAREZ: Do you have a VHF
20 on?
21
22 MS. ALECK: I did shut it off. I did
23 shut it off.
24
25 CHAIRMAN ALVAREZ: Okay. All right.
26 We'll continue. Dan Dunaway's speaking.
27
28 MR. DUNAWAY: I'd better get to the
29 point here. But anyway, it's amazing to me. I would
30 think the State could maybe write a tighter proposal so
31 that some of these untoward effects that are mentioned
32 by some of the Federal analysis, they shouldn't appear
33 from a State proposal. But overall I don't see any
34 harm in letting this go, or to allow use of claws until
35 we see a problem.
36
37 CHAIRMAN ALVAREZ: Yeah. All right.
38
39 MR. ABRAHAM: Mr. Chair.
40
41 CHAIRMAN ALVAREZ: Pete.
42
43 MR. ABRAHAM: I'm going to open a can
44 of worms earlier, but it doesn't -- in the fall time
45 when the water rises high and the brown bears can't get
46 to their, you know, fishing holes and stuff, and the
47 young ones started coming to the villages and raiding
48 the fish racks or whatever is close by. So once in a
49 while one of them would get killed. And here's a
50 question. It says only Federally-recognized

1 subsistence user can claim or use the -- I mean, use
2 the claws or whatever or the skin. You know, somebody
3 or public safety officer kills the animal, where does
4 the skin and the claws go? Can they be donated to like
5 maybe to this Council or -- see, that's one of the
6 questions, and I don't want to open a cans of worms
7 here.

8

9 CHAIRMAN ALVAREZ: Yeah, maybe somebody
10 can answer that. I don't know, Pete.

11

12 MR. DUNAWAY: Well, that would be like
13 what happens with a DLP bear hide and skull. Maybe Lem
14 or -- Probably easiest is to turn it over to the State.
15 I don't know what they do with them.

16

17 CHAIRMAN ALVAREZ: Lem, do you want to
18 comment on that?

19

20 MR. BUTLER: Yes, sure. Mr. Chair.
21 Again my name is Lem Butler, Alaska Department of Fish
22 and Game area biologist for wildlife in King Salmon.

23

24 DLPs are considered property of the
25 State unless they're legally reduced to possession
26 under one of the hunting regulations, either the State
27 or the Federal regs. So currently what we do with them
28 is we sent them in for auction and generate revenue
29 from them. If there's a use for a hide, we do give
30 hides to people from time to time, so you have to
31 submit a request, they'll provide you with a hide. But
32 typically they're, again, just put up for auction.

33

34 MR. ABRAHAM: The reason why I ask this
35 is because when something like that happens, I just,
36 you know, keep quiet, you know, just leave it, let them
37 guys worry about it. But usually they just dispose of
38 the whole thing without claiming anything, but, you
39 know, with this over here, you know, they might start
40 claiming something off of it. And that will be a
41 question, who does claims it. Of course, you know, if
42 it's a moose or something, you know, the State claims
43 it, then they will give it to native people or
44 something, but, you know, if it's commercially, like
45 claws, like that, then who gets it, you know. The
46 claws and stuff, you know, for resale again.

47

48 MR. BUTLER: Claws can be legally sold
49 as long as they're part of a hide, so they're all sold
50 as a unit at the auction, they aren't parted out.

1 MR. ABRAHAM: Okay. Thank you.
2
3 CHAIRMAN ALVAREZ: So that brings a
4 question to me that I have. So if the State sells that
5 hide with the claws, whoever buys it, he can take those
6 claws off and resell them, unless there's a stipulation
7 that they can't do that or.....
8
9 MR. BUTLER: The is a stipulation that
10 they can't do that. They can only be sold as part of a
11 hide.
12
13 CHAIRMAN ALVAREZ: Okay. All right.
14 Thank you, Lem.
15
16 Any more.....
17
18 MR. DUNAWAY: I've got a question,
19 yeah.
20
21 (Dial tone)
22
23 CHAIRMAN ALVAREZ: Virginia, are you
24 with us?
25
26 MR. DUNAWAY: Pete, I think that's
27 called a (indiscernible) and shut up system.
28
29 (Dialing Ms. Aleck)
30
31 CHAIRMAN ALVAREZ: I guess we can
32 recognize two more people. Paul, I don't remember your
33 last name.
34
35 MR. LIEBERG: I'm here from Togiak
36 National Wildlife Refuge.
37
38 CHAIRMAN ALVAREZ: Okay. And we have?
39
40 MR. WOOLINGTON: Jim Woolington, Fish
41 and Game, from Dillingham.
42
43 CHAIRMAN ALVAREZ: Welcome, you guys.
44
45 MR. DUNAWAY: We're glad to see folks.
46 I was saying earlier I was eager to hear a repeat of
47 Jim's discussion on the analysis of the Mulchatna
48 Caribou stock situation.
49
50 CHAIRMAN ALVAREZ: Okay. We are on the

1 deliberation on this, as soon as we get Virginia back
2 on line here. We.....
3
4 MR. EDENSHAW: Virginia?
5
6 MS. ALECK: Yeah. I lost you guys
7 there. I'm okay now. I've got a speaker phone.
8
9 CHAIRMAN ALVAREZ: Okay. Good.
10 Virginia, we are still on deliberation. Pete just got
11 done asking a question about bears. Do you have any
12 comment on this proposal that you want to share with
13 us? Or if not I think we're -- unless somebody else
14 has some comment on the proposal, we'll probably be
15 voting on it.
16
17 MS. ALECK: I don't have anything
18 really to say.
19
20 CHAIRMAN ALVAREZ: Okay. My feeling on
21 this is I'm going to oppose the proposal. And I guess
22 if there is no other comment, we'll call for the
23 question then.
24
25 (No comments)
26
27 MR. DUNAWAY: I call the question.
28
29 CHAIRMAN ALVAREZ: Dan Dunaway calls
30 for the question. And all in favor of Proposal WP07-01
31 signify by saying aye.
32
33 MR. ABRAHAM: Aye.
34
35 CHAIRMAN ALVAREZ: Opposed.
36
37 IN UNISON: Aye. (Four)
38
39 MR. DUNAWAY: Do you remember in this
40 case.....
41
42 MR. ABRAHAM: Repeat that again?
43
44 MR. DUNAWAY: I moved to adopt, so an
45 aye would mean that you support the proposal. We try
46 to -- at least I'm accustomed to always doing it in the
47 affirmative to start.
48
49 MR. ABRAHAM: Okay. I would throw my
50 -- change vote to opposed.

1 CHAIRMAN ALVAREZ: Okay. So you want
2 to vote in opposition to the proposal?
3
4 MR. ABRAHAM: Yeah.
5
6 CHAIRMAN ALVAREZ: Okay. So that would
7 be -- Virginia?
8
9 MS. ALECK: Uh-huh?
10
11 CHAIRMAN ALVAREZ: Did you vote in
12 opposition to the proposal or in favor of the proposal?
13 The rest of us voted in opposition to it.
14
15 MS. ALECK: Opposition.
16
17 CHAIRMAN ALVAREZ: Okay. The way we do
18 this is we bring the proposal up on the floor, and we
19 don't initially move to support it or oppose it. We
20 just bring it forward as written. And however the
21 proposal is written is how we vote, either for it or
22 against it.
23
24 All right. So the proposal is -- it
25 failed five to zero.
26
27 So that would bring us down to the next
28 proposal, Statewide WP07-02.
29
30 MR. CAMPBELL: Thank you, Mr. Chairman.
31 I don't know if you're picking me up here. I'm going
32 to give Laura a break here. She's going to be doing a
33 lot of these. My name is Rod Campbell. I'm with the
34 U.S. Fish and Wildlife Service, Office of Subsistence
35 Management, and I'll be providing a brief overview for
36 Proposal WP07-02, wherein the executive summary begins
37 on Page 65 of your Council book, and I believe the
38 analysis starts on Page 66.
39
40 This proposal was submitted by the
41 Bureau of Land Management and would change the
42 regulatory wording in regulation from calendar year to
43 regulatory year.
44
45 The proponent believes that this change
46 would increase compliance with the regulatory
47 requirement. It would facilitate improved harvest data
48 collection, and lead to better management that will
49 result in a positive impact on the resource.
50

1 The existing Federal regulation is on
2 Page 66 of your Council book, and I won't read all of
3 that, but it does say if you do not return your permit
4 and you fail to comply with the reporting requirements,
5 you would be ineligible to receive a subsistence permit
6 for that activity in the following calendar year. And
7 this proposal would change that from calendar year to
8 regulatory year.

9
10 And there's also some exceptions there.
11 If there was -- the person can demonstrate that this
12 failure to report was due to the mail or accidents or
13 some unavoidable circumstances.

14
15 This proposal would affect all public
16 lands and waters in Alaska where Federal permits are
17 used to subsistence hunt or for fisheries. And the
18 consequences for failing to report was originally
19 derived from State regulations, and has been in Federal
20 regulations since inception of the Federal Subsistence
21 Management Program in 1990. And this as far as I'm
22 aware is the first proposal concerning this Federal
23 regulatory penalty clause since the program began.

24
25 The current situation allows
26 individuals that do not comply with the permit
27 reporting requirements in a regulatory year, which for
28 wildlife is July 1 through June 30th, and for fisheries
29 April 1 through March 31st, to legally participate in
30 subsistence harvest later in that calendar year during
31 the open seasons that run through December 31st. The
32 calendar year.

33
34 The State of Alaska has a different
35 clause for hunting and subsistence fishing permits.
36 The current State of Alaska hunting regulations used a
37 regulatory year rather than a calendar year, and again,
38 like I said, since 1990 when this went into effect,
39 there's been very limited enforcement of this on the
40 Federal side. The Bureau of Land Management and their
41 Glennallen field office has recently begun enforcement
42 of this regulation for hunting permits. That is a
43 recent event.

44
45 Over the years different Federal field
46 offices have sent out reminder letters, and some have
47 even collected harvest permit reports by going to
48 permit holders' homes and meeting with them one-on-one.

49
50

1 And the Federal program regulations
2 provided for 77 different hunt and fishing permits
3 across Alaska in the 2005/2006 regulatory year,
4 covering a variety of species. And during that year a
5 total of -- well, it was over 5100 permits were issued
6 and almost 93 percent of the reports were returned.

7
8 And, again, good harvest data is
9 critical to the sound management of fish and wildlife
10 resources. And the Federal field staffs across the
11 state are working closely with subsistence users to
12 facilitate this harvest reporting.

13
14 The proposed change would have the most
15 effect on situations where Federal subsistence permits
16 overlap the calendar year. And these Federal permits
17 they have for brown bear, caribou, goat, moose, sheep
18 and a variety of other species that do overlap the
19 calendar year.

20
21 And if adopted, this proposal would not
22 change the regulatory consequences for failure to
23 comply. And right now there doesn't appear to be a
24 clear understanding of all subsistence users about the
25 fish and wildlife regulations pertaining to the
26 reporting requirements.

27
28 And the main concern is that it's an
29 educational program. This is not going to be to try to
30 go out and ticket people. I think you know that the
31 Federal Staff in the field try to work with people and
32 educate people on these things, so it's not a change to
33 really go out and issue tickets. It's -- that's not
34 the primary objective of this.

35
36 Again, eligibility provision allows
37 considerable flexibility again for the field Staff and
38 enforcement officers, and they can work with the rural
39 users to have some flexibility. And right now in the
40 current regulations as I mentioned, they do have a
41 clause for unavoidable circumstances. So there is some
42 leeway in there to work with people, and that's what
43 they want to continue to do.

44
45 It's just important to balance a need
46 for the harvest information while working with the
47 Councils and the public, to do so that's sensitive to
48 rural issues, traditional values and cultures.

49
50 And the preliminary conclusion is to

1 support this proposal.

2

3 Thank you, sir.

4

5 CHAIRMAN ALVAREZ: Thank you, Rod.

6 I've got a question. What is the regulatory year? Is

7 that the hunting season or that a different -- is that

8 a set time line?

9

10 MR. CAMPBELL: Yeah, Mr. Chair. The

11 regulatory year for the hunting is July 1st through

12 June 30th. So if someone -- it was talking about the

13 overlap over the calendar year, so if there was a -- my

14 understanding is if there was a hunt that came after

15 the calendar year, say sometime maybe in March there

16 was a hunt, and the people did not return their permit,

17 then technically they would -- well, they would be

18 ineligible to hunt during the next calendar year. So

19 that means if there was a hunt in the fall, they could

20 still hunt in the fall even if they didn't return that

21 permit. If it was during the regulatory year, they

22 would not be able to hunt in that fall hunt. That's my

23 understanding of that change.

24

25 CHAIRMAN ALVAREZ: Okay. Thanks.

26 Nanci.

27

28 MS. MORRIS LYON: Yeah. I guess I

29 would like to take that same sort of question one step

30 further and ask how many years consecutive is this

31 going to be imposed upon the person who did not report?

32 Is this going to be an on-going thing? If they didn't

33 report in 2007, then they don't get one in 2008, and

34 they don't get one in 2009. Is it -- what is your

35 stipulation for when this requirement will fall off of

36 them?

37

38 MR. CAMPBELL: My understanding is that

39 if -- the way the regulation reads, if they do not turn

40 in that permit, now it's a calendar year, then they

41 would not be eligible for the next calendar year. Then

42 the year after that, then they would be eligible again.

43 So it is for that following year. So if you had the

44 regulatory year versus the calendar year, as I

45 mentioned, if they didn't turn something in for a

46 spring hunt, they would not be eligible for that fall

47 hunt.

48

49 MS. MORRIS LYON: So the time limit on

50 it would be one regulatory year?

1 MR. CAMPBELL: One regulatory year.
2
3 CHAIRMAN ALVAREZ: So the way I see it,
4 it would make it easier on everybody to change it to
5 regulatory. It would go by the seasons for that year.
6 You know, some of the seasons go past the end of the
7 year into the next year, so if I understand, it would
8 take the season for that hunt or usage.
9
10 MR. CAMPBELL: That's my understanding,
11 too, to try to clarify that.
12
13 CHAIRMAN ALVAREZ: Yes. So I would --
14 if that's the case, then I would support that, this
15 proposal.
16
17 Pete.
18
19 MR. ABRAHAM: We have a problem for, I
20 mean, a ticket not being returned and stuff. Somebody
21 out at the refuge could -- somebody has to remind them.
22 But what they're saying over here, you know, it's going
23 to confuse a lot of people, you know, especially in all
24 areas. When the office is, you know, some miles away,
25 and if there's no representative right there to educate
26 these people here, you know, there will be a lot more
27 confusion than before.
28
29 These people out there that are
30 subsistence, they're hard-working people, and that time
31 -- when the time comes to hunt, they are out there to
32 support the family, and with this confusion over here,
33 there's going to be some frustration out there, you
34 know, why these things pops up all the time. And the
35 cost of living is, you know, getting higher and higher.
36 And they rely on, well, the resource we have out there.
37
38 What we have now, before, they should
39 be educated more thoroughly than what would happen over
40 here instead of a lot of confusion of these people
41 here.
42
43 CHAIRMAN ALVAREZ: Let me help you,
44 Pete. The way I understand this is, I might be
45 mistaken, too, for instance, caribou's open from August
46 until end of March. Well, the calendar year ends in
47 end of December, so try to.....
48
49 MR. EDENSHAW: (Indiscernible) of the
50 year.

1 CHAIRMAN ALVAREZ: The regulatory year
2 would end after this caribou's closed so that instead
3 of having two reportings for one hunt, the first
4 reporting ending on the end of December, but the hunt
5 is still going on, so you'd have another reporting on
6 that hunt that next year. Is that how I read it
7 happening, Rod?
8
9 MR. CAMPBELL: I guess -- I mean,
10 that's the way I understand it. Someone may correct me
11 if that's.....
12
13 CHAIRMAN ALVAREZ: Yeah. I think in my
14 opinion it would -- if it's changed from calendar year
15 to regulatory year, it would take in that hunt for that
16 year, you know, it would make it simply.
17
18 MR. EDENSHAW: Mr. Chair. Probably the
19 more pertinent question that I've asked them is,
20 perhaps Rod and someone from the Togiak can answer the
21 question, how many permit hunts are there? They're
22 concerned about permit reporting, so how many permits
23 are issued whether it's -- is it moose in 17A? I know
24 they issue permits for moose in 17A. So to me the more
25 pertinent question is, how many permit hunts are on
26 Federal lands, and if so, then it applies to the
27 regulatory year. The example Randy gave, when the
28 caribou season closes in March, then those permits, if
29 they're issued for caribou, they should be sent in by
30 then. So I think it's more important in terms of how
31 many permit hunts are on the refuge, and if there are,
32 then those permits should be turned in at the end of
33 the -- when the season closes.
34
35 CHAIRMAN ALVAREZ: Yeah. Dan.
36
37 MR. DUNAWAY: Yeah.
38
39 MR. ABRAHAM: Mr. Chairman. When you
40 don't return the permit right away, you know, as soon
41 as the hunt is over, you know, two or three months down
42 the line, I mean you're not even going to think about
43 it until the time comes to hunt again. Oh, my gosh, I
44 forgot to return the ticket. You know, somebody's got
45 to remind them, I mean, right away. But with
46 regulatory year like that, I mean, it's going to make
47 no difference whether you return it now or the time
48 comes to hunt. That takes some law somewhere. Turn in
49 right away.
50

1 CHAIRMAN ALVAREZ: Dan next, then
2 Cliff.
3
4 MR. DUNAWAY: Yeah, Mr. Chair and Pete.
5 Partly, Pete is warranted to be concerned since there's
6 probably several hunts over there. But I think, Pete,
7 really this would make it easier, would make it clearer
8 that you do turn them in right at the end of the actual
9 hunt. So this really doesn't change it -- this changes
10 it better I think really, and would be easier for
11 people to comply, less likely to forget. It lines up
12 the permit turn-in in this time period along right with
13 the same time the hunt occurs. I really think this
14 would be better.
15
16 CHAIRMAN ALVAREZ: So do I, Pete.
17
18 MR. DUNAWAY: And it's just a little
19 confusing. The education part should definitely be on-
20 going, but every time I've heard of a permit hunt over
21 towards Togiak, there's a lot of radio announcements
22 and lot of stepped-up information effort going on. So
23 overall this I think really would be an improvement for
24 people.
25
26 MR. ABRAHAM: I hope so, because you
27 know, in Togiak -- excuse me, Mr. Chairman. When I
28 think all the hunters register for hunting, I ask for
29 the copy of those people right there, you know, in my
30 office there. And right after hunt I go around and,
31 you know, knock over here, I say, hey, where's your
32 ticket? Did you return it? I mean, I just make a
33 habit of it. So, Jim, one other thing to be happier
34 (ph) when the time comes, when I ask them, how many
35 moose? But a lot of times people forget. Even I ask
36 maybe three, four times, say, hey, return the ticket,
37 man, you know. Even myself, I forget.
38
39 CHAIRMAN ALVAREZ: It's important that
40 turn in the harvest reports.
41
42 Cliff, did you have something?
43
44 MR. EDENSHAW: Mr. Chair and Council.
45 I think Nanci brought up an important question is if a
46 user doesn't turn in his or her permit, will he or she
47 be penalized for -- you know, some may lose, so, you
48 know, when you do your justification, you may want to
49 put in there that -- I'm not sure with Orville, and the
50 others if they allow people to call up and if they've

1 lost their permit, to sit there and say, hey, I didn't
2 get anything. Or reporting such as that. Because this
3 is a statewide proposal, and ultimately I believe it's
4 going to come down to the way we've addressed some --
5 you know, it will become regionalized where, you know,
6 some regions are better at turning in and reporting on
7 their permits. So, you know, just as Rod said in the
8 analysis, we're not trying to penalize the subsistence
9 user. We just want to improve permit reporting. So if
10 the refuges or the Park Service sit there and say,
11 well, because it's not in the analysis where you can
12 call in. Is that good enough? And then the
13 clarification is, well, will that subsistence user be
14 penalized for two or three years in a row, or else just
15 not be issued a permit if he or she doesn't report.
16 Because I know our office, and the permits that we
17 issue, I believe they send out notices. And again it
18 comes down to what -- I know having talked with Orville
19 and Daryle and others, it comes down to education,
20 because, you know, they're going to have to go out
21 there and if this becomes a regulation, they're going
22 to have to go out there and educate and say, you know,
23 these.....

24

CHAIRMAN ALVAREZ: Okay. Rod.

25

26

27 MR. CAMPBELL: Yeah. Just a follow-up
28 to that. As I mentioned, on Page 66 it has the
29 existing Federal regulation. About halfway through
30 that it says, you are ineligible to receive a
31 subsistence permit for that activity, that was the one
32 that you had the permit issued for, during the
33 following calendar year, and the only change would be
34 to change that to regulatory year, unless you
35 demonstrate a failure to report was due to loss in the
36 mail, accident, sickness, or other unavoidable
37 circumstances. So, again, there's flexibility there to
38 work with the users on reasonable -- reasons they
39 weren't in, and also, as Pete mentioned, to work with
40 the users to make sure they're aware of it, whether --
41 what other kind of communications that are used to keep
42 aware this is -- needs to be turned in and just to try
43 to work with them. I think that was the point of this,
44 is really educating and work with the people like
45 you're already doing.

46

47 CHAIRMAN ALVAREZ: Okay. Any more
48 comment on number 1, the proposal and analysis.

49

50

(No comments)

1 CHAIRMAN ALVAREZ: If not, we'll go
2 down to number 2, ADF&G comments. Lem.
3
4 MR. BUTLER: Mr. Chair.
5
6 CHAIRMAN ALVAREZ: You're nominated I
7 see.
8
9 MR. BUTLER: I drew the short straw.
10 My name is Lem Butler.
11
12 If you don't mind, ADF&G has several
13 paragraphs here. Can I just pull from it?
14
15 CHAIRMAN ALVAREZ: Sure.
16
17 MR. BUTLER: This proposal is
18 consistent with the State's regulation and will improve
19 the ability of Federal agencies and law enforcement
20 officials to monitor and enforce ineligibility
21 provisions. Preliminary Staff -- or preliminary
22 conclusions in the Staff analysis recommend supporting
23 the proposal with modification to allow flexibility
24 concerning the application of these ineligibility
25 provisions.
26
27 Basically the State's supportive of it
28 for the reasons stated. It's just a minor shift so the
29 person will still be penalized for just one year. It
30 just changes it from a calendar year to a regulatory
31 year. It lines it up with the say the State is
32 currently enforcing these, as well as the State and
33 Federal regulations. So it just makes sense.
34
35 CHAIRMAN ALVAREZ: All right. Thank
36 you, Lem. Any questions. Dan.
37
38 MR. DUNAWAY: Yeah. I've looked at
39 this, and I get a little confused that you have -- it
40 sounds like you're encouraging flexibility or maybe
41 more flexibility in one part, and then down in your
42 written comments at the bottom, the last line says, the
43 proposed level of flexibility appears to undermine the
44 purpose of the failure to report. So could you clarify
45 for me maybe in actual language what -- or maybe like
46 just recommended text, what the State would like to see
47 there? I have another question to follow that up, too.
48
49 MR. BUTLER: Mr. Chair. I wasn't given
50 any other comments from the State, so I'm not sure what

1 that particular language refers to.
2
3 MR. DUNAWAY: Okay. Because I get the
4 impression the State also likes to have some
5 flexibility to apply this when you know there's
6 extenuating circumstances or something. So I just
7 wondered if they had specific language to recommend.
8
9 The other part then is -- that I have,
10 does this -- is the State voicing a concern that maybe
11 these flexibility options are applied -- would they
12 like to see them applied more uniformly statewide? Is
13 it like maybe way out west things are too flexible and
14 somewhere else they're too rigid, or do you know what
15 the State's asking for?
16
17 MR. BUTLER: Again, no, I don't know
18 what exactly they're referring in that particular use.
19
20 MR. DUNAWAY: Darn, I was hoping you'd
21 have some specific language here that would get --
22 maybe suggest an amendment or at least discuss.
23
24 MR. BUTLER: The State, you know, we
25 have a reporting requirement as well for permits. We
26 give people a limited amount of time, and if they fail
27 to report under that time frame, they can appeal based
28 on, you know, several circumstances, and it's very
29 limited in the cases in which people can actually win
30 those appeals, but I imagine they're just requesting
31 some additional restriction, but I don't know what
32 particular direction they would recommend.
33
34 MR. DUNAWAY: Mr. Chair. So then you'd
35 have a pretty clear kind of set of steps with this
36 appeal process? It's pretty well laid out then what
37 the State uses to.....
38
39 MR. BUTLER: We have one person
40 designated to deal with the appeals, so it's not just
41 -- it's applied consistently amongst people. It's not
42 -- it doesn't vary depending on who's receiving the
43 appeal and what they feel is appropriate. And I
44 believe he does have criteria that he looks at when he
45 reviews the appeal.
46
47 MR. DUNAWAY: Okay. Thank you, Mr.
48 Chair.
49
50 CHAIRMAN ALVAREZ: Pete.

1 MR. ABRAHAM: Now you seem to know some
2 regulations here, so I've got a question here for you.
3 If I'm denied a permit to hunt in the fall, because I
4 didn't return, and the time comes, moose hunting season
5 opens, I can't get it. Because we have some people
6 over there that, you know, were denied those permits.
7 Well, this person without a permit, does the person --
8 can the person accompany the one with a permit when
9 he's out moose hunting?

10

11 MR. BUTLER: Under the State person,
12 you just -- if you're not eligible for your own permit,
13 you can still accompany them, and you can still hunt,
14 but just not under a permit. See, if you fail to
15 report on a State permit, you're ineligible for
16 registration and drawing permits, and Tier II I
17 imagine. Well, I'm not sure about that.

18

19 MR. EDENSHAW: No Tier II's.

20

21 MR. BUTLER: Tier II's also included in
22 that, so the subsistence hunt, so it's just no permit.
23 So you could still hunt under a harvest ticket for
24 caribou say.

25

26 MR. ABRAHAM: Well, I was thinking if,
27 you know, Cliff's got a permit and I don't have any,
28 and we're out there moose -- you know, he's moose
29 hunting, and -- or the State person that come by and
30 say, hey, where is your permit, and here's the moose
31 between us here. And I'm the one that's cited, because
32 he went around the corner, and.....

33

34 MR. BUTLER: You're -- under the Sate
35 system, only the permit holder can harvest the animal,
36 so you can hunt with the other fellow, but you can't
37 shoot the animal for him. He has to shoot the animal,
38 and then he punches his permit. And if the law
39 enforcement agents check the kill site and investigate
40 it, that person has to claim the moose and show that
41 he's punched his harvest ticket or report, and turn it
42 -- and can follow up on that by submitting a report.

43

44 MR. ABRAHAM: Okay. That's a question
45 I've been asked, you know, by local people, you know,
46 half the time -- sometimes I don't have no answers.
47 Now I know.

48

49 MR. BUTLER: Yeah.

50

1 MR. ABRAHAM: Leave your rifle.
2
3 CHAIRMAN ALVAREZ: Cliff.
4
5 MR. EDENSHAW: Mr. Chair. I had a
6 question for Lem. You guys issue permits for moose in
7 17A, so what is the penalty for users over there if you
8 don't return a permit, you see, because they're going
9 to be out there hunting on possibly Federal lands, and
10 the permit is issued by the State, and this regulation
11 states that it's for Federal permits. I'm just
12 curious. I mean, it's.....
13
14 MR. BUTLER: You're ineligible for all
15 State permits if you fail to report, and we have a
16 list, you know, that we keep when we're issuing the
17 permits, in the computer it will come up as flagged,
18 and you're just ineligible for all permits that
19 following regulatory year. As far as I know, the State
20 and Federal systems aren't intertwined in that.
21
22 CHAIRMAN ALVAREZ: I don't know if they
23 enforce that, because, you know, when I go down and get
24 moose and caribou tags from the store or wherever they
25 sell licenses, you know, I don't think they have a list
26 of people that are ineligible to get those, do they?
27
28 MR. BUTLER: Again, that's a harvest
29 ticket, and so that's a general hunt. And what you're
30 ineligible for are the permit hunts which you have
31 to.....
32
33 CHAIRMAN ALVAREZ: Okay. You mean the
34 drawing -- yeah.
35
36 MR. BUTLER:(indiscernible -
37 simultaneous speech) and sign up for.
38
39 CHAIRMAN ALVAREZ: All right. I
40 understand. Any more comment.
41
42 MR. ABRAHAM: Yeah. One more question.
43
44 CHAIRMAN ALVAREZ: Pete.
45
46 MR. ABRAHAM: That regulation, is it
47 written in the State regulation? I mean the.....
48
49 MR. BUTLER: Yes, it's in State law.
50 And it's listed on the back of all our permits as well.

1
2 CHAIRMAN ALVAREZ: Rod, did you have
3 something.
4
5 MS. ALECK: I have a comment.
6
7 CHAIRMAN ALVAREZ: Okay. Virginia, go
8 ahead.
9
10 MS. ALECK: Yeah, I'm not too happy
11 with this, not things like penalizing our people for
12 something that they have to live off of, and if they
13 forget to fill them out. I know I do, and I just don't
14 think it's fair, because we have to live off the land.
15 That's what puts meat on our table. If they get
16 penalized, they can't go hunting. How are they going
17 to be able to survive the winter. That's all.
18
19 CHAIRMAN ALVAREZ: Okay. Virginia, I
20 kind of feel the same way. I think what this proposal
21 will do though is it will make it better for the people
22 to report, make it easier by changing it to a
23 regulatory year, after the hunt is over with. So I
24 think it would -- this proposal, if we support it, it
25 would make it easier for the people.
26
27 Rod, go ahead.
28
29 MR. CAMPBELL: Yes, sir. I just wanted
30 to point out that I may have led you astray there.
31 Each permit, registration permit does have its own
32 reporting requirements. So, you know, if you wait
33 until the end of either the calendar year or the end of
34 the hunt, that may not be what's on the registration
35 permit. Some of those you have within five days after
36 you've had a successful hunt, you have to report.
37 Those would not change. You still have your -- you
38 still have the reporting requirements on the permit.
39 You'd still have to follow those. It's just -- all
40 this would do, would change the -- well, I hate to use
41 the thing penalty, but I mean, you know, from a
42 calendar year to a regulatory year. It wouldn't change
43 the requirements on the permit for reporting. Again,
44 some are different around the State. And I think Pete
45 mentioned that earlier. So I didn't want to confuse
46 anyone. If it says you have to report five days after
47 a successful harvest, and you, you know, harvest
48 something in November, you should report it within five
49 days and not wait until the season closes in March. So
50 I hope I didn't confuse anyone on that.

1 CHAIRMAN ALVAREZ: Pete.
2
3 MR. ABRAHAM: Mr. Chairman. That's the
4 point I was getting at, because there -- Mr. Wellington
5 has to have those numbers on certain dates. And the
6 successful hunter reports his permit on a deadline of
7 what he's going to hunt, you know, that's what, you
8 know, regulatory year.
9
10 MR. CAMPBELL: Right. It would not
11 change what stipulations are on the permit for
12 reporting. It's just this -- as the Chairman
13 mentioned, you know, it is to try to simplify things
14 and help with the reporting, and not to really penalize
15 people. I think it would -- we think it would help.
16
17 Thank you.
18
19 CHAIRMAN ALVAREZ: Yeah. It sounds
20 like it would help to me, too.
21
22 Any more comment to ADF&G.
23
24 (No comments)
25
26 CHAIRMAN ALVAREZ: Okay.
27
28 MR. DUNAWAY: Thank you, Lem.
29
30 CHAIRMAN ALVAREZ: We're down to number
31 3. And I guess we don't have any comment there.
32 InterAgency, number 4. No. Steve.
33
34 MR. KESSLER: Mr. Chairman. Steve
35 Kessler with the InterAgency Staff Committee.
36
37 I guess after I said that we wouldn't
38 have any comments on any of these, here I am, and I
39 apologize for that. But I do want to follow up to make
40 sure that there's an understanding, or no
41 misunderstanding of the State's comments. If you take
42 a look at the State's comments on Page 77, the last
43 sentence under introduction says, the preliminary
44 conclusion in the Staff analysis recommends supporting
45 the proposal with modification to allow flexibility
46 concerning the application of these ineligibility
47 provisions.
48
49 There's nowhere at all that the Staff
50 analysis recommends supporting it with modification.

1 The Staff analysis recommends supporting the proposal,
2 and the only change would be to change the words from
3 regulatory to -- or from calendar to regulatory. So
4 there is nothing in here that allows more flexibility.

5

6

7 I just want to make sure that you're
8 clear that -- I'm not quite sure how the -- where the
9 State came up with that there would be more
10 flexibility. Perhaps it has to do with on Page 71 the
11 last paragraph under justification, under the
12 preliminary conclusion, the last sentence under
13 justification indicates that the agencies have some
14 flexibility, and that is true, but that this proposal
15 and the recommended.....

16

17 (Off record)

18

19 (Tape change)

20

21 (On record)

22

23 MR. KESSLER:as proposed would
24 not add any additional flexibility.

25

26 CHAIRMAN ALVAREZ: All right. Thank
27 you.

28

29 MR. ABRAHAM: I understand it a little
30 bit more better.

31

32 CHAIRMAN ALVAREZ: I didn't think this
33 proposal would be very complicated.

34

35 MR. DUNAWAY: It's sneaky.

36

37 CHAIRMAN ALVAREZ: Yeah. Okay. Number
38 5, ADF&G advisory committee comments.

39

40 (No comments)

41

42 CHAIRMAN ALVAREZ: Seeing none. Number
43 6, Cliff, written comments.

44

45 MR. EDENSHAW: Mr. Chair and Council
46 members. On page 76, there was one written public
47 comment from the AHTNA Subsistence Committee, which
48 supported the proposal to change the wording from
49 calendar to regulatory, because it would clear up
50 confusion of ineligibility provisions for those failing

1 to turn in a moose and caribou permit at the end of the
2 hunting season to BLM.

3
4 Then, of course, you have the handouts
5 that were submitted by the Aniakchak SRC and the Lake
6 Clark SRC. Both SRCs support the proposal. They state
7 the SRC supports changing permit compliance from a
8 calendar year to a regulatory year to encourage more
9 timely returns of harvest reports.

10
11 And that concludes written public
12 comments.

13
14 CHAIRMAN ALVAREZ: I'm looking for all
15 my paperwork, Cliff. Okay.

16
17 We're down to number 7, public
18 testimony. Anybody want to testify on this.

19
20 (No comments)

21
22 CHAIRMAN ALVAREZ: Seeing none, number
23 8, Council deliberation.

24
25 MR. ABRAHAM: (In Native)

26
27 CHAIRMAN ALVAREZ: I think we
28 deliberated on it quite a bit already, unless you guys
29 had something else to -- Nanci, we hadn't heard from --
30 well, we did once.

31
32 MS. MORRIS LYON: Yeah, I've got
33 something I'd like to weigh in on. I just think --
34 just hearing what Virginia and Pete have had to say
35 about the difficulties that they've had in some of
36 their areas, I'm wondering, before we go into
37 deliberations, just to throw it out on the table, if
38 we're going to open these questions, that perhaps we
39 could offer an amendment as well.

40
41 I think that it might be useful to be
42 able to allow for specific alternative reporting
43 methods in those instances rather than in the negative.
44 You know, if they can prove they've lost it or if they
45 -- you know, it got eaten by the dog or whatever.
46 Instead allow for alternatives such as phone call
47 reporting that they hunted and were unsuccessful or
48 successful, and what their success was, or even just
49 verbal reporting on a door-to-door basis, if something
50 like that couldn't be added to that in order to allow

1 for more specific reporting. I think the reporting is
2 of utmost importance in these hunts. Most of the time
3 when they are, when it's a harvest requirement, it's
4 because there is a need for it, as in there's a
5 biological need for it. So I think reporting is very
6 important, and I'm thinking it might be a way to keep
7 people out of trouble, even more so to be able to have
8 specific ways for them to report as alternate methods.

9

10 MR. ABRAHAM: Thank you.

11

12 CHAIRMAN ALVAREZ: Please state your
13 name.

14

15 MR. EASTLAND: My name is Warren
16 Eastland, and I'm the wildlife biologist for the Bureau
17 of Indian Affairs.

18

19 Through the Chair. What you request is
20 already available, because the current regulation
21 states, comply with reporting requirements on the
22 permit. And in most cases -- pardon me, I may have
23 misspoken. In many cases that I know of, they just say
24 report. The permit issuer just says report. A phone
25 call, a call from the issuer or whatever complies with
26 those reporting requirements. It doesn't necessary
27 mean submit a piece of paper with a tally mark on it.

28

29 MS. MORRIS LYON: Because I've always
30 assumed that meant they needed that piece of paper
31 back, but if that isn't so, then that makes me very
32 happy.

33

34 MR. EASTLAND: No. It's the reporting
35 requirements, and as long as a permit just says report,
36 a phone call, passenger pigeon, they all work.

37

38 Thank you.

39

40 CHAIRMAN ALVAREZ: All right. Any
41 more.

42

43 MR. DUNAWAY: I guess to get it on the
44 table, we can move to adopt. I'll do that.

45

46 MS. MORRIS LYON: I just wanted to
47 throw that out before we did.

48

49 CHAIRMAN ALVAREZ: That's what we
50 should -- I'm sorry, I neglected my duties. I should

1 have asked for that at the beginning of when we came up
2 -- Dan moves to adopt.
3
4 MS. MORRIS LYON: Second.
5
6 CHAIRMAN ALVAREZ: Seconded by Nanci.
7 Any more.
8
9 MR. ABRAHAM: (In Native)
10
11 CHAIRMAN ALVAREZ: Pete's calling.....
12
13 MR. DUNAWAY: Well, I made the motion,
14 I was wondering if I can make a comment or two.
15
16 I guess I'm very supportive of the
17 whole concept. I don't know if I want to go so far as
18 making an amendment and confusing the issue, but I
19 would -- I'm going to support it, but with the
20 encouragement to the Federal Subsistence Board that
21 they really seriously look at some of this flexibility
22 issue, possibly review their own policies, the State
23 policy, and adopt a clear set of at least policies on
24 how to handle this so that it's consistently enforced
25 statewide, and maybe as much as possible consistent
26 with State practice which would also I think aid in
27 understanding and compliance by the folks out there
28 hunting under these conditions.
29
30 So that's all.
31
32 CHAIRMAN ALVAREZ: Nanci.
33
34 MS. MORRIS LYON: Yeah, I would like to
35 follow up with comments to say that I feel like there's
36 a not so fine line at all out there between people who
37 are refusing to comply and those who forget to comply.
38 And I think that it's important that there is a penalty
39 for those who are refusing to comply versus those who
40 are forgetting to comply, because it is something
41 that's very important. People will not eat if they're
42 not complying, and I would adhere to the fact that we
43 should make sure it is those that are refusing to
44 comply that are getting the burden of that, and not
45 those who are forgetting.
46
47 MR. ABRAHAM: Mr. Chairman.
48
49 CHAIRMAN ALVAREZ: Pete.
50

1 MR. ABRAHAM: We've got some few people
2 over there that are -- I mean are not reporting or
3 forgot or lost or something, didn't call in, they're
4 denied, and they're out there. They have to, because
5 that's one of their major food, because they are
6 providing for their family, so I just turn my face the
7 other direction. Only the one that abuses something
8 that we're trying to do that I approach.

9

10 CHAIRMAN ALVAREZ: Thank you, Pete.

11

12 Yeah, I'm going to support the
13 proposal. There's a lot more than I thought it was
14 going to be. I thought it would be pretty fast on this
15 whole process here, but there's a lot of issues, you
16 know, because of sometimes it's hard to get the permits
17 out to the villages, and then people lose them, and
18 they don't -- I think, and then part of the problem is
19 they don't think it's such a big issue by not
20 reporting. So they forget or lose them, and it doesn't
21 happen. I think mainly they have the intent is, you
22 know, they realize that they should report. I don't
23 see very many people that blatantly don't want to do it
24 or are opposed to it. Anyway, I just wanted to comment
25 on that.

26

27 MR. DUNAWAY: Question.

28

29 CHAIRMAN ALVAREZ: The question's been
30 called. Okay. Proposal WP07-02 to change the calendar
31 year to regulatory year. All in favor signify by
32 saying aye. Virginia, do you hear?

33

34 MS. ALECK: Yeah.

35

36 CHAIRMAN ALVAREZ: Okay. We're going
37 to vote now on the Proposal 02, and all it asks is just
38 a change from calendar year to regulatory year. And we
39 are going to vote now. All in favor of Proposal 02
40 signify by saying aye.

41

42 IN UNISON: Aye.

43

44 CHAIRMAN ALVAREZ: Opposed.

45

46 (No opposing votes)

47

48 CHAIRMAN ALVAREZ: Okay. I have a five
49 to zero vote.

50

1 Next -- Cliff do you think we should
2 start from the beginning now?
3
4 MR. DUNAWAY: How many more statewide
5 proposals do we have?
6
7 MR. EDENSHAW: There's two more yet.
8
9 CHAIRMAN ALVAREZ: We have two more.
10
11 MR. DUNAWAY: We're in a statewide
12 mode. Would it be worth just sticking on it?
13
14 MR. EDENSHAW: Well, I was just hoping
15 that because we don't know Virginia's availability,
16 but, you know -- because those three, 23, 24 and 25 are
17 regional ones that pertain to the region. And the last
18 two are statewide proposals, and we need to take action
19 on all of them, but it would be better I think having
20 Virginia on line so that we could take action on those
21 regional proposals.
22
23 CHAIRMAN ALVAREZ: So maybe it would be
24 best to switch back to the beginning, Proposal No. 23.
25 Okay. Introduction of the proposal and analysis.
26
27 Let's take a five-minute recess.
28
29 (Off record)
30
31 (On record)
32
33 CHAIRMAN ALVAREZ: Okay. I've got a
34 request that we move to -- bypass 23 and go to 24,
35 because ADF&G has a PowerPoint they want to show us on
36 caribou, and the equipment's not here, so we'll move on
37 to Proposal 24, is that all right with you, Laura?
38
39 MS. GREFFENIUS: Uh-huh. Yep. Shift
40 gears.
41
42 MR. DUNAWAY: We're being flexible.
43
44 MR. EDENSHAW: Virginia, are you on
45 with us?
46
47 MS. ALECK: Yeah. Uh-huh. I'm here.
48
49 CHAIRMAN ALVAREZ: Proposal 24,
50 Virginia. No. 24. Okay. Laura.

1 MS. GREFFENIUS: Okay. My name is
2 Laura Greffenius. I'm with the Office of Subsistence
3 Management.
4
5 So we need to go to Page 32 in your
6 book and those following along in the audience.
7
8 Just one moment. I need to grab one
9 other folder.
10
11 MS. ALECK: Are you on Page 33?
12
13 CHAIRMAN ALVAREZ: Yes. 32 and 33.
14 This is a moose proposal in 9E by Roger Lind.
15
16 MS. ALECK: Can I make a comment?
17
18 CHAIRMAN ALVAREZ: Just a minute.
19 We're on the introduction of the proposal, and Laura is
20 going to introduce it, put the proposal out before us,
21 then we can discuss it.
22
23 MS. ALECK: Thank you.
24
25 MS. GREFFENIUS: Okay. Virginia, can
26 you hear me okay?
27
28 MS. ALECK: Uh-huh. (Affirmative)
29
30 MS. GREFFENIUS: Okay. So it starts on
31 Page 32. And continuing on to Page 33, I'll just --
32 I'll make some of the highlights here. I'll note some
33 of the highlights on this one.
34
35 It was submitted by Mr. Elliott Lind of
36 Chignik Lake, Alaska, and it requests that the winter
37 moose hunting season in Unit 9E be extended one month
38 to February 20th.
39
40 And in speaking with Mr. Lind, he
41 stated that warmer early winter weather has made it
42 unsafe to travel on frozen rivers and lakes, and a
43 longer season would provide subsistence users better
44 access to their traditional hunting areas. In the past
45 winter weather has been colder earlier in the fall, so
46 by December the rivers and lakes were safer for
47 travelling to hunting areas. And the weather trend
48 more currently has been that conditions in December can
49 be too dangerous for winter travel, and the best winter
50 hunting period is from mid January to mid February.

1 And this was discussions that I had with him over the
2 phone concerning some of the difficulties in the
3 weather conditions.

4

5 Also I will do my presentation, and
6 then I have some graphs to hand out just to -- on some
7 weather trend information that's not currently in the
8 analysis.

9

10 Another comment that was made is that
11 Mr. Lind indicates that since the caribou season is
12 closed in Unit 9E, the residents are totally dependent
13 on moose for their subsistence needs.

14

15 So as you can see on Page 33, the
16 proposed Federal regulation, instead of having the
17 season go until January 20th, it would be until
18 February 20th.

19

20 I just wanted to point out on Page 34
21 some of the regulatory history that's pertinent to this
22 one during the winter season. There's been a winter
23 season since 1990, and initially the dates were just
24 until mid December. And then the dates were extended
25 in '91 until the end of December, and then it was in
26 1999 that the Federal Subsistence Board extended the
27 winter season until January 20 to provide additional
28 subsistence opportunities primarily for the local
29 residents. And so both the fall and winter seasons
30 have been in place then since then.

31

32 I wanted to make note, just mention,
33 that there was discussion at the February 2006 meeting,
34 last year's meeting of the Bristol Bay Council
35 pertaining to moose estimates and surveys in this area
36 of the lower peninsula in the portion of Unit 9E. And
37 so as far as -- it was made clear by the residents
38 there in that area and by the Council that there needs
39 to be some more updated information from surveys done
40 by ADF&G and U.S. Fish and Wildlife Service biologists.
41 And so during the comment period I will just let some
42 of the Staff provide the specific updates since that
43 more current information.

44

45 So in general, just -- you know, they
46 can provide the more specifics, but in general there's
47 a stable moose population and there's adequate bull to
48 cow ratios based on management objectives.

49

50 One issue with the composition surveys

1 that have been done in the area. It's the calf to cow
2 ratio has averaged about 17 calves to 100 cows. And as
3 I said.....

4
5 MR. ABRAHAM: Excuse me, ma'am.

6
7 MS. GREFFENIUS: Uh-huh.

8
9 MR. ABRAHAM: Please repeat that again?

10
11 MS. GREFFENIUS: Okay. I'm on Page 35,
12 the second paragraph down. The calf to cow ratio has
13 averaged about 17 calves to 100 cows.

14
15 MR. ABRAHAM: Seventeen calf per 100?

16
17 MS. GREFFENIUS: Uh-huh. (Affirmative)

18
19 MR. ABRAHAM: Okay.

20
21 MS. GREFFENIUS: And as I mentioned,
22 there's -- the current composition ratios indicate a
23 stable population and meets ADF management objectives.

24
25 And also pertinent to this one, just as
26 far as the yearly cycle which all of you are aware the
27 bulls tend to shed their antlers in December and
28 usually do not begin to regrow their antlers until late
29 March. And, of course, there's some variability in
30 that as well.

31
32 As far as the harvest history, it's
33 been relatively stable, and has -- it's been within
34 sustainable levels over the last 15, 20 years, and the
35 current harvest have not reduced the bull to cow
36 ratios. but the observed calf to cow ratio is low, and
37 so that's one of the issues concerning the
38 recommendation on this proposal.

39
40 The effect of this proposal would be
41 that the proposed one-month extension of the winter
42 season would provide Unit 9E village residents more
43 opportunity to hunt in traditional subsistence harvest
44 areas under what might be more favorable winter
45 conditions. And a longer winter hunt under improved
46 travel conditions would likely result in increasing
47 winter harvest numbers.

48
49 As I mentioned, the calf to cow ratio
50 is considered on the low side, and so there's some

1 concern over harvest during the additional winter
2 season.

3
4 The preliminary conclusion on this one
5 is to oppose the proposal. And this is due to several
6 factors pertaining to harvest, if there's an
7 inadvertent harvest of cows during the extended season.

8
9 And one of the things that we wanted to
10 get some information from the individuals such as
11 yourself, Virginia, is some information that you could
12 pass on just as far as weather observations and harvest
13 information from the villages. And so I just want to
14 make sure we solicited your comments, or if there's any
15 in the audience, that we could get some comments from
16 members of the audience about just their observations
17 on weather patterns, some more information on harvest
18 in the villages. The harvest levels are low winter
19 harvest. And also just as far as distinguishing, the
20 issue of, you know, cows harvested during that time
21 period, if that's seen as an issue or not. So we
22 wanted to get more input from the Council members and
23 anyone else to testify on that.

24
25 And I also have some information on the
26 -- some weather trend information, so I think I'll just
27 go ahead and conclude there, and then I can pass that
28 out as we discuss some more, and we'll address that
29 issue as well.

30
31 Thank you very much.

32
33 CHAIRMAN ALVAREZ: Just a minute, Pete.
34 Virginia, did you have a comment now?

35
36 MS. ALECK: Pardon?

37
38 CHAIRMAN ALVAREZ: Did you have a
39 comment you wanted to give to us?

40
41 MS. ALECK: Yeah, I actually support
42 that proposal with an amendment. Add with horns. And
43 I have a question for Lem maybe. Do all bulls drop
44 their horns, or do some -- are some later? What is the
45 latest.

46
47 CHAIRMAN ALVAREZ: Okay. Lem will be
48 up here after she's done. He's up next.

49
50 MS. ALECK: Okay.

1 CHAIRMAN ALVAREZ: So that will be in a
2 couple minutes.
3
4 Pete, did you have a comment.
5
6 MR. ABRAHAM: Yeah, Mr. Chairman. Do
7 you know how many moose hunters you have in 9E?
8 Approximate, you know? It's a small village over
9 there.
10
11 MS. GREFFENIUS: How many moose hunters
12 total in 9E?
13
14 MR. ABRAHAM: Uh-huh. (Affirmative)
15
16 MS. GREFFENIUS: I don't have an
17 estimate of that. Maybe one of the State -- maybe Lem
18 could give an estimate, or one of the local staff from
19 here in King Salmon, just about an estimate of the
20 number of residents living in the villages.
21
22 MR. ABRAHAM: Yeah. See, that's very
23 important to know what the resident and the hunters,
24 you know, how many they have.
25
26 MS. GREFFENIUS: It's -- and I should
27 -- I'm sorry, I overlooked this. You're inquiring
28 about the number of residents, and under harvest
29 history, there is a low winter harvest at present, and
30 there's not very many that are harvested during the
31 wintertime. And that was -- we just wanted to get an
32 indication from those out in the villages, and,
33 Virginia, if you could comment just on the number of
34 moose that are harvested in your area by the villagers
35 there, and then if others are familiar with villages in
36 9E as well.
37
38 MS. ALECK: Actually we -- I think the
39 village here got a couple of moose this year, and
40 there's a game hunter that brings in moose for us. He
41 hunts here, and he got four moose this year. So
42 probably a total of six from Chignik Lake.
43
44 MS. GREFFENIUS: Okay. Thank you. I
45 heard that, Virginia.
46
47 MR. ABRAHAM: How many hunters?
48
49 MS. GREFFENIUS: Do you want me to
50 repeat what she said?

1 CHAIRMAN ALVAREZ: Yeah.
2
3 MR. CAMPBELL: He was asking how many
4 hunters.
5
6 CHAIRMAN ALVAREZ: Yeah, Pete did.
7
8 MS. GREFFENIUS: Oh, how many hunters.
9
10
11 MR. ABRAHAM: She reported the harvest.
12
13 MS. GREFFENIUS: Uh-huh. I don't know
14 the number of hunters. We could find that out, or
15 there might be somebody who knows how many actual
16 hunters.
17
18 MR. ABRAHAM: You know, there's how
19 many hunters are there in the village and how many of
20 the residents.....
21
22 MS. ALECK: Actually, there isn't too
23 many hunters. I'm sorry, I misunderstood. There are
24 probably a total of -- let me see. Just let me think
25 for a minute.
26
27 MR. ABRAHAM: And then how many moose,
28 what's the population doing over there? That's it
29 right there.
30
31 CHAIRMAN ALVAREZ: I think Lem will be
32 up next. We can ask him these questions. He's been
33 doing surveys, him and Roth.
34
35 MS. GREFFENIUS: The number of hunters
36 and the number of permits, yeah. He'd be a good source
37 for that information.
38
39 (Pause)
40
41 MR. EDENSHAW: Mr. Chair.
42
43 CHAIRMAN ALVAREZ: Cliff.
44
45 MR. EDENSHAW: Perhaps Laura could give
46 us some information, too. In the past in some other
47 portions of the state on Federal lands, there have been
48 special actions submitted to extend a hunting season
49 versus making one such as this as permanent, because of
50 weather. And I'm not sure if 9E has had any special

1 actions submitted to extend the season because of
2 weather for moose. Do you know, Laura?
3
4 MS. GREFFENIUS: There's not been any
5 special actions that I'm aware of, because I would have
6 worked on that, not just in the last couple years.
7
8 Do you want me to proceed with some
9 weather information, or.....
10
11 CHAIRMAN ALVAREZ: Just a minute, yeah.
12 I see Orville here. Orville, you're the liaison for
13 the area down there. Do you have a comment?
14
15 MR. LIND: Yeah. Orville Lind, ranger,
16 Fish and Wildlife Service here in King Salmon.
17
18 Virginia, a little clarification on the
19 six moose that were harvested. I think there needs to
20 be a clarification that those moose were two that were
21 supplied by a local guide, and then the other -- I
22 think there was actually other three that were brought
23 in, correct?
24
25 MS. ALECK: I'm aware of two, Roger,
26 that were hunted by the local subsistence users.
27
28 MR. LIND: Okay. That needs to be
29 clarified. Maybe you can do some research and get back
30 to us with the right facts, because there seems to be a
31 little confusion on how many moose were harvested by
32 subsistence users.
33
34 CHAIRMAN ALVAREZ: Virginia.....
35
36 MS. ALECK: Yeah. Okay. I'll do that,
37 Orville.
38
39 CHAIRMAN ALVAREZ: Virginia, did you
40 come with a number that Pete asked of how many hunters
41 you guys have down there?
42
43 MS. ALECK: We probably have around
44 eight hunters, and out of them eight I think only two
45 or three people brought in moose.
46
47 CHAIRMAN ALVAREZ: Okay. So that must
48 be individual families.
49
50 MS. ALECK: Yeah. Yeah.

1 CHAIRMAN ALVAREZ: All right. Thank
2 you.
3
4 Laura.
5
6 MS. GREFFENIUS: I want to just direct
7 your attention to Page 35 under harvest history. I
8 didn't -- as far as the reported moose harvest, it's
9 primarily from September, but during the period of
10 December/January, the reported moose harvest ranges
11 between zero to seven animals harvested each winter
12 season, so the reported moose harvest for the winter
13 season is low. And these are primarily -- these are
14 hunters harvesting moose in the winter season are from
15 Unit 9E villages and King Salmon residents. I'm sorry,
16 I overlooked in my notes here to mention that when I
17 first went through this. So I just -- the winter
18 harvest is low according to the reported harvest.
19
20 CHAIRMAN ALVAREZ: All right.
21
22 MS. GREFFENIUS: Thank you.
23
24 CHAIRMAN ALVAREZ: So I guess since --
25 Nanci, do you have something for her?
26
27 MS. MORRIS LYON: Yeah. I would
28 request that we could see that weather data that she
29 has.
30
31 MS. GREFFENIUS: Sure. Were the stack
32 -- because that was one of the issues was -- Virginia,
33 I just -- this is Laura again, and I just passed out a
34 graph and I'll just explain what it shows since you
35 aren't able to see it visually.
36
37 The graph just shows -- it's five-year
38 average monthly temperatures, and one of the staff in
39 our office went to one of the web sites that deals with
40 weather trends. And so the mark there, that's the dash
41 line for you, Virginia, and those of you looking at
42 this. The dash line is just essentially for the whole
43 century. We wanted to just get a long-term idea of
44 what is happening with the weather, because we're
45 getting more and more of these proposals that deal with
46 concerns of freeze up and, you know, the conditions
47 warming up and seasons changing. So we took some five-
48 year increments and so we wanted to look at, you know,
49 20 years ago, and then took these five-year increments.
50

1 And so just as a general trend you can
2 see the average monthly temperatures. The darkest one
3 is the most recent one with the squares, the dark blue
4 line. So that one is -- shows it's generally, you
5 know, as a trend is above the dash line going from
6 October/November, you can see it pretty much lines up,
7 and then during the wintertime, it's just a little bit
8 above. So the main issue was the freeze up and the
9 time of freeze up and that it being delayed, because
10 Mr. Lind had indicated that it normally can be in mid
11 October, but when I spoke with him, for example, in
12 December, things hadn't -- were still -- they still
13 couldn't travel in order to do the hunting that they
14 normally do, because the conditions were such that it
15 was not feasible and safe.

16
17 So then in addition, because of the
18 most recent session, just this proposal was put in last
19 fall, and so we hadn't yet had the winter season that
20 we're in now, we looked at some information, and I'll
21 just summarize this. We looked at some information
22 from the 2005 to 2006 season. So in December of 2005
23 the average temperature for the month in 2005, December
24 was almost 10 degrees above normal. So that would be
25 the timing -- excuse me.

26
27 CHAIRMAN ALVAREZ: Laura, five-year
28 average monthly temperatures where? I missed that.

29
30 MS. GREFFENIUS: I'm sorry. This is in
31 King Salmon, because that's where the weather data is
32 from. I'm sorry, I didn't mention that. So it's -- we
33 figured it would be applicable to the Peninsula,
34 because the weather station and the weather data that
35 comes into these big systems and all the data gets put
36 into the computer, King Salmon is the recording
37 station.

38
39 CHAIRMAN ALVAREZ: That's a big
40 difference.

41
42 MS. GREFFENIUS: And granted, I know
43 there's some differences along the Peninsula and along
44 the coast and whatnot, but this is the closest
45 local.....

46
47 MS. ALECK: Laura.

48
49 MS. GREFFENIUS: Yeah, go ahead.

50

1 MS. ALECK: Are you looking at King
2 Salmon temperatures for this area?

3
4 MS. GREFFENIUS: Yes, I am, Virginia,
5 because when we look up the weather data to try and get
6 some trend information, this is where the, you know,
7 recording station is that has the most information is
8 King Salmon. Did you want to make a comment on that?

9
10 MS. ALECK: Yeah, I would like to make
11 a comment on that. It's usually warming down here.
12 Our weather has -- in fact our whole lake is open right
13 now, and we're able to travel in it. And the weather
14 was cold this winter, but it varies from year to year,
15 and I think last year the lake opened three different
16 times. So there's no set year where we can tell what's
17 going to happen. The weather's been really crazy, and
18 we have to hunt by the weather.

19
20 CHAIRMAN ALVAREZ: Okay. Thank you,
21 Virginia. Laura.

22
23 MS. GREFFENIUS: Yeah. Thank you for
24 the information, Virginia. There were just -- there
25 was some information on Chignik Lakes in the -- as far
26 as the weather data, but it was more recent, and we
27 needed to get some long term information as far as
28 being able to determine a trend, and just the trend of
29 the warming, but that's very good to know just when you
30 comment that it tends to be warmer down there. But
31 like I said, just as far as getting -- to going further
32 back, because the Chignik Lake information, I can't
33 remember the exact years, but it was not going nearly
34 as far back and it was more recent.

35
36 I was just going to mention as far as
37 December of last year, there was -- that would be
38 December of 2005, the temperatures for the month were
39 almost 10 degrees above normal, and again this is for
40 King Salmon. And January 2006, which would have been
41 the last winter season for hunting, it was considerably
42 colder than average, so it kind of fluctuates all over.
43 And then last February the temperatures were definitely
44 normal than the average. It was approximately seven
45 degree Fahrenheit warmer than average. I think a big
46 concern is just that the temperatures in the beginning
47 of the season as far as when the freeze up actually
48 occurs in order for people to be able to go out.

49
50 CHAIRMAN ALVAREZ: Any more on this

1 temperature?

2

3 (No comments)

4

5 CHAIRMAN ALVAREZ: All right. Thank
6 you. Are you done then, Laura?

7

8 MS. GREFFENIUS: I'll answer some
9 questions. And I think this is the most significant
10 one that I passed out and that people have a copy of,
11 the five-year. We did look at some more recent
12 information, and I'll just say it verbally, Virginia.
13 We just looked at some of the years, like in the last
14 five years, the average monthly temperatures compared
15 to what it's been since -- for the whole century, and
16 since 1917 until now. For example, out of the four
17 more recent years that we looked at, three of those
18 years the temperatures were anywhere from two to 10
19 degree -- almost 10 degrees warmer during the timing of
20 freeze up, which I'm looking at October/ November. So
21 we just wanted to at least provide some indication.

22

23 You know, we definitely heard from Mr.
24 Lind that that's the case, and I'm sure that a lot of
25 the others, and you can comment on that, Virginia, as
26 well, that people are experiencing that, noting that,
27 and we wanted to just provide some information on that.

28

29 Thank you.

30

31 CHAIRMAN ALVAREZ: Okay. Virginia, You
32 don't have a copy of this, but we have three -- no,
33 five scales of temperature from October to February.
34 And it drops considerably from October to November,
35 then more in December, in January a little bit, but it
36 starts rising again in February. So it looks -- this
37 paper that she passed out, the five scales, December
38 and January are the two coldest months that we've been
39 experiencing, and then it starts rising, except for one
40 -- except from '92 to '96 it dropped some more in
41 February. But that's been the trend. And I know it's
42 -- having a season is -- the weather impacts it a lot,
43 you know. If you only get a month, you could have
44 blizzarding and raining and it -- you need to have time
45 to do that for your hunt. So with the weather -- I
46 mean, it's going to start warming up in February, so
47 that's a concern also. So I just wanted to point that
48 out to you.

49

50 Laura.

1 MS. GREFFENIUS: Thank you, Mr. Chair.
2 Just there were three things I wanted to bring up just
3 so that we make sure we give time to the other issues
4 was the weather trend and just comments from the
5 Council or those present about challenges of
6 distinguishing cows during that extended winter season,
7 some testimony on that so it's on the record, and then
8 also just any information pertaining to numbers
9 harvested in the village, because -- villages, because
10 right now it's a very low winter harvest, and it's just
11 a few reported harvest, so it's considered low during
12 the winter season. So we just wanted to make sure that
13 we got some comments on that. So those two other
14 things.

15
16 Thank you.

17
18 CHAIRMAN ALVAREZ: Okay. Thanks. I
19 guess we are ready now for ADF&G comments.

20
21 MR. BUTLER: Thank you, Mr. Chair. My
22 name is Lem Butler, for the record.

23
24 ADF&G comments. We conclude that ADF&G
25 does not support lengthening the seasons. While the
26 reported harvest during the winter are relatively low,
27 extending the season could make this population
28 susceptible to overharvest, particularly in the areas
29 that are easily accessed by subsistence hunters near
30 villages, particularly due to the inability to
31 distinguish cows from bulls during this time of the
32 year, especially with the antler loss and heavy winter
33 coats.

34
35 CHAIRMAN ALVAREZ: Okay. Is that it,
36 Lem? I was just wondering, how much can -- how much
37 harvest can this area withstand each year?

38
39 MR. BUTLER: I don't have a local
40 estimate for the Chignik Lake area. Unit 9E, let's
41 see, I can probably get that for you. Roughly we're
42 looking at about a three percent exploitation rate on
43 the population. Current total harvest is 86 moose, so
44 about 120 to 130.

45
46 CHAIRMAN ALVAREZ: That's for the whole
47 year?

48
49 MR. BUTLER: That's probably an
50 acceptable harvest, yeah, for the whole year.

1 CHAIRMAN ALVAREZ: For all of 9E?
2
3 MR. BUTLER: Right. 70 percent of that
4 moose harvest occurs north of Cinder River. So it's
5 removed from the Chignik Lake area.
6
7 Local success rates, reported success
8 rates, have increased in recent years. So we don't
9 have any indication that there's a -- it's becoming
10 more difficult for locals to harvest moose. Reported
11 success in the 90s was about 31 percent, which is
12 relatively high and good. Since 2000 it's averaged 35
13 percent for locals.
14
15 Reviewing subsistence household
16 surveys, we estimate that -- or at least based on that,
17 compared to the harvest data base, about 12 percent
18 reporting rate for locals, so while the winter harvest
19 appears to be low during the -- according to the
20 reported, we're not really certain based on -- we can't
21 draw any strong conclusions that it's low during the
22 winter.
23
24 I think this proposal again
25 particularly has concern for the population. If cows
26 are harvested inadvertently due to inability to
27 distinguish males from females, a history of long,
28 liberal moose seasons in North America is -- there's
29 potential for excessive harvest. And again I'm
30 concerned that this will really impact subsistence
31 users in the local hunt areas. If there is a good
32 winter associated with a high harvest, it's going to be
33 increasingly difficult -- the moose population really
34 doesn't have potential for increase with 17 calves per
35 100 cow on average. It's stable, but it's just barely
36 hanging in there. So again I think that's a big
37 concern for this hunt.
38
39 CHAIRMAN ALVAREZ: So have you thought
40 about how much more harvest -- if this passed, even
41 another month, have you thought about how much more
42 harvest that would be? And then would it jeopardize
43 the population?
44
45 MR. BUTLER: It's tough to say again
46 since we're not really sure what the local harvest is
47 based on the reported harvest. Again, if you compare
48 it to the household surveys, it's obvious that there's
49 an under reporting associated, so trying to extrapolate
50 to what the potential harvest is going to be.

1 The thing that we recurringly hear from
2 this community is that they have a hard time locating
3 moose, and, you know, if you start taking more moose
4 out of that area, it's probably going to get tougher.
5 Currently they have a three-month season. This will
6 extend it to a four-month period. It's really the
7 wrong direction to go if you're looking to try to
8 promote moose populations in the hunt areas.

9
10 CHAIRMAN ALVAREZ: Have you thought
11 about just changing the time for later, because if the
12 weather's bad at the beginning, maybe move the season
13 back a little bit that way?

14
15 MR. BUTLER: Well, again the concern
16 that I have for this February season is that the
17 majority of the bulls will have lost their antlers, so
18 you're progressively getting into a period where it's
19 going to be difficult for hunters to distinguish male
20 from female. And if you start harvesting cows in this
21 area inadvertently, it's again going to have
22 consequences.

23
24 CHAIRMAN ALVAREZ: How about a antlered
25 hunt, you know, bulls? You know, I hear people saying
26 that they tend to lose their antlers in December.
27 Well, my opinion is that the big ones do, but I've seen
28 moose behind Igiugig in March, little bulls, that still
29 had their antlers. So my opinion is it's the age of
30 the moose I think is when they start losing -- how
31 quick they lose their antlers, you know. The old big
32 one, they tend to lose them earlier than the medium and
33 the small size. I think the younger they are, the
34 longer they hold them. So if there was an antlered
35 hunt, you know, that would assure that was a bull,
36 unless, you know, it was a cow that had antlers, and
37 then she'd be legal game, but.....

38
39 MR. BUTLER: Right now I think the
40 antlered amendment is a good one. It also would
41 encourage people not to harass cows, trying to get
42 close to them to check out their sex, so it would be
43 easier to distinguish from a distance before you even
44 start disturbing the animals.

45
46 And your observations are right about
47 the differences in antler drop. It is variable.

48
49 CHAIRMAN ALVAREZ: Nanci.
50

1 MS. MORRIS LYON: Yeah. My question,
2 Lem, is it seems like a really low calf to cow ratio
3 down there. What is it you would normally expect to
4 find in a herd size, the number of animals this size?
5 What is your favored number? What would be the number
6 you would like to see.
7
8 MR. BUTLER: It's always going to vary
9 depending on what your objective is obviously. And
10 what the adult mortality is. But typically you like to
11 see something in the 20s, about 25, and for this.....
12
13 MS. MORRIS LYON: That's what I was
14 thinking. So this is pretty severely low.
15
16 MR. BUTLER: This is a low calf ratio.
17
18 MS. MORRIS LYON: And it's been
19 consistently like this for how long would you say?
20
21 MR. BUTLER: It's been consistently
22 like that for quite some time. What we have is
23 variable calf recruitment, at least according to the
24 fall composition surveys. In some years we'll get up
25 to 30 calves per 100 cows in some areas, and in other
26 years it will be down to as low as 3, so quite a bit of
27 range. And I think that what we have here in this
28 population is that we get periodic pulses of calves
29 that keep the population stable.
30
31 MS. MORRIS LYON: Okay. Thank you.
32
33 CHAIRMAN ALVAREZ: All right.
34
35 MS. ALECK: I have a question for Lem.
36
37 CHAIRMAN ALVAREZ: Go ahead, Virginia.
38
39 MS. ALECK: Hi, Lem. I was wondering
40 (phone cuts out)
41
42 MR. BUTLER: With lower densities the
43 bulls have a harder time finding the cows in the fall
44 so you do want to have a higher bull ratio in low
45 density populations. Our management objective for this
46 area is 40 bulls per 100 cow, which is conservatively
47 set so that we don't run into those issues so
48 reproduction should not be a problem at this point.
49
50 CHAIRMAN ALVAREZ: Yeah, that seems to

1 me that that's plenty adequate 43 bulls per 100 cows.
2 That's not low, it's just -- in my opinion the calfs is
3 what's not real high, like that meeting yesterday that
4 9E was around 26 calfs per 100 cows which was decent.
5 And Nanci had questioned me about that, it was higher,
6 this 17 per calfs per 100 cows in 2005, that was a 2005
7 study, right, you mean the dimension was higher than
8 that before, and have you done anything since then?

9

10 MR. BUTLER: The 17 calfs per 100 is an
11 average and unfortunately I didn't bring that
12 particular document to review. Typically I like to
13 look at -- since the average was 2000, so I'd assume
14 that that applies to that area. Again, it varies from
15 area to area from year to year.

16

17 CHAIRMAN ALVAREZ: Okay. You mentioned
18 earlier that most of the harvest is up around the
19 Cinder River area in 9E.

20

21 MR. BUTLER: Cinder River north towards
22 King Salmon.

23

24 CHAIRMAN ALVAREZ: North.

25

26 MR. BUTLER: king Salmon tends to be a
27 point of access for a lot of hunters and they tend to
28 fall out on the northern end of the peninsula and they
29 diminishes south.

30

31 CHAIRMAN ALVAREZ: Oh, so your
32 reasoning is is they get dropped off all the way down
33 that far mainly and so it shows that harvest is more
34 because it's closer to King Salmon, is that what you're
35 saying?

36

37 MR. BUTLER: I guess I just threw that
38 out as a distribution in relation to the total harvest
39 figure just to give you an idea of how much harvest was
40 occurring to the south. I think most of the harvest to
41 the south is going to be your guided hunters primarily,
42 a few people, seasonal workers hunting out of say Port
43 Moller, in addition to the local hunters. A lot of
44 your air charter guy are going to offer a cheaper
45 flight, shorter flight and hunt towards Becharof Lake.

46

47 CHAIRMAN ALVAREZ: Okay. And the
48 harvest record for -- I'm reading on Page 35, harvest
49 history from zero to seven animals a year. This is all
50 of the villages in 9(E)?

1 MR. BUTLER: That's correct. That's
2 the recorded harvest from all the villages in 9E. It
3 looks like 1995 we had zero, 2005 11 and that's
4 probably the range for the reported harvest of villages
5 in 9E.

6
7 And the subsistence household surveys
8 indicate that the harvest is much higher, but that data
9 hasn't been confirmed, I guess, if you will.

10
11 CHAIRMAN ALVAREZ: Yes, it's a problem
12 trying to do this when you don't have good reporting.

13
14 Dan.

15
16 MR. DUNAWAY: Unless you had more to
17 go.

18
19 CHAIRMAN ALVAREZ: No, I'm just
20 thinking.

21
22 MR. DUNAWAY: Well, if we have
23 significant non-reporting, we -- prior to this whole
24 problem, because of that already, I mean it's kind of
25 an example, I think of why folks need to comply with
26 the reporting. I went through that when I was in Sand
27 Point, people didn't want to report their caribou use
28 and they nearly lost their traditional customary access
29 to Stepovak. So I guess I'd like to send a message to
30 the folks down there, that they really -- I see that
31 there's not a lot of excuse for not reporting better.

32
33 We have phones, we have radio's, we
34 have mail, and if they want better moose hunting
35 they're going to have to help. And so I'm sympathetic
36 if folks are having trouble getting their meat but they
37 got to help.

38
39 That's all.

40
41 CHAIRMAN ALVAREZ: Orville.

42
43 MR. LIND: Orville Lind, King Salmon.
44 I'd like to comment on reporting. For one thing, the
45 local harvest data, the household service data, how old
46 is that?

47
48 MR. BUTLER: That survey was from the
49 '90s. I looked into a more recent report for Laura,
50 Laura mentioned that that Exxon Valdez technical report

1 had some additional information, but was unable to
2 obtain an estimate. So again it's just an estimate,
3 don't really know what the actual reported harvest is.

4
5 But while we're on the topic of
6 reporting harvest, again, I'd like to restate that it's
7 also to report unsuccessful as well as successful
8 harvest, so it's not just moose that we want reported,
9 although that's certainly a big part of management, but
10 unsuccessful hunters so we know what the effort level
11 is for different areas, particularly if we run into
12 user conflicts so we can look at total hunters
13 associated with a hunt.

14
15 MR. LIND: I just want to share at the
16 last local harvest data that was done by the State
17 subsistence was over 10 years ago and Craig is the one
18 that upheld that.

19
20 As far as local reporting, I've been
21 talking to all the villages down there, all six, seven
22 villages and there's a real low harvest of moose in the
23 winter. And I'd also like to comment that a lot of
24 these people aren't used to paperwork, and I've been
25 saying that for years. You know, they're not familiar,
26 they don't know really -- it's going to take a lot of
27 educational stuff to get them to do that, it's going to
28 take some time. But I think we have a situation where
29 the subsistence are the target here and we really need
30 to think about that and how we can help them out.

31
32 CHAIRMAN ALVAREZ: Do you know why the
33 harvest is so low in the winter season?

34
35 MR. LIND: According to Perryville and
36 Chignik, again, it's the access, during that time,
37 moose is a big animal and you need some equipment to
38 haul that animal and if the going's not good, if they
39 don't have frozen ground, they don't have snow, it
40 makes it difficult to do that.

41
42 Now, the weather that Laura gave is for
43 King Salmon, I was born and raised in Chignik Lake and
44 the weather is really up and down and it's quick. It
45 can freeze quick and it can thaw quick, and I think
46 that needs to be taken into consideration also.

47
48 CHAIRMAN ALVAREZ: Nanci.

49
50 MS. MORRIS LYONS: Oh, I'm just

1 curious. Lem, do you have the numbers -- do you give
2 your numbers to Lem that you get from.....
3
4 MR. LIND: I've shared data with Lem,
5 yes, I have.
6
7 MS. MORRIS LYONS: So we've got those
8 -- those are fresh numbers are in front of us then,
9 too, then.
10
11 MR. BUTLER: The reported harvest, is
12 that what we're referring to?
13
14 MS. MORRIS LYONS: Yes. Yes.
15
16 MR. BUTLER: Yeah.
17
18 MS. MORRIS LYONS: Okay.
19
20 MR. BUTLER: Yeah, the Federal and the
21 State system are linked. I think there's a little lag
22 time but.....
23
24 MS. MORRIS LYONS: No, good, I just
25 wanted to make sure that the numbers that we're looking
26 at are the same.
27
28 Okay.
29
30 CHAIRMAN ALVAREZ: Pete.
31
32 MR. ABRAHAM: You have guided hunters
33 down there, don't you?
34
35 MR. BUTLER: Yeah, there are guided
36 hunters in that area.
37
38 MR. ABRAHAM: Well, what's the
39 difference between a guider's hunter return and the
40 local subsistence users, I mean what's the balance of
41 the numbers?
42
43 MR. BUTLER: It's always tough to say
44 when you're trying to estimate something you aren't
45 sure about but, generally, non-local hunters are more
46 familiar with reporting systems and those requirements,
47 so typically they're much higher.
48
49 MR. ABRAHAM: Mr. Chairman. I think we
50 need more information on this situation because it's

1 important to know what the local subsistence users are
2 doing, using, how much of it while the guided -you know
3 they report more than this over here, I think we need
4 some more information on the whole situation over
5 there.

6

7 CHAIRMAN ALVAREZ: Nanci.

8

9 MS. MORRIS LYONS: I would totally like
10 to jump on that in support of what Pete's saying.
11 Because i think when I take a look at this population
12 and what's going on with the cow/calf ratio, that it's
13 such a delicate balance, that to start swaying it one
14 way or another could be very detrimental to that whole
15 population. And so without further information I think
16 we're -- I think we could be doing ourselves a big
17 disservice by taking actions that we can't justify.

18

19 MR. ABRAHAM: Mr. Chairman. And not
20 only that, the weather conditions, I understand that
21 very well because it's similar to the Togiak area, you
22 know, like he says when you're in between these two,
23 summer and winter, it's very difficult to travel,
24 whether by boat or snowmachines.

25

26 CHAIRMAN ALVAREZ: Yeah, Pete, I've
27 been thinking what we can do. I know that I was born
28 in Naknek and raised here and I know that the weather
29 is -- you can't depend on it and we since I moved to
30 Igiugig we had this winter season on State land
31 changed, moved back two weeks because of the weather.
32 And I would like to help these guys harvest, you know,
33 moose in the wintertime but I don't know, I haven't
34 seen good information on how much they get and how many
35 people -- it doesn't sound like they've been getting
36 very much but that's reported, and what's not been
37 reported, I don't know. But I think, you know, it
38 doesn't sound like they're getting very much in the
39 wintertime and they need to and I think we should help
40 them by doing something but I'm -- if you move it back
41 a little bit, I only seeing them having a four month
42 season, maybe change the season and maybe make it bulls
43 with antlers, you know, that way they know that
44 shooting a cow -- I mean not shooting a cow. That's
45 the way it is in the winter season on State land, is it
46 has to be an antler.

47

48 Dan.

49

50 MR. DUNAWAY: I see Ted Krieg in the

1 back here and he's with Subsistence, with Fish and
2 Game, I wonder if he could add any fresh information
3 from the Chignik area.

4
5 CHAIRMAN ALVAREZ: Ted, do you want to
6 comment.

7
8 MR. KRIEG: Yes, Ted Krieg with
9 Subsistence Division of Fish and Game out of
10 Dillingham.

11
12 I apologize I don't have the Chignik
13 report with me. That survey was, I think, for 2002 and
14 it was for the three Chignik communities and
15 Perryville. If I could go on line or I could make some
16 calls and try to find out the numbers if, you know,
17 those -- as far as subsistence harvest numbers were
18 important.

19
20 MR. DUNAWAY: Well, then, Mr. Chair, I
21 think I heard earlier that the most recent report was
22 from the '90s, but you have new data than that?

23
24 MR. KRIEG: Right. The '90s was for
25 the entire Peninsula but there was a survey done in, I
26 think, it was 2002 for Exxon Valdez update.

27
28 MR. DUNAWAY: And do you recall off
29 hand if there was even a -- did you get a say a sense
30 if there was under reporting of moose, maybe more moose
31 taken than really were recorded?

32
33 MR. KRIEG: Well, as far as the
34 subsistence, I mean when we do the surveys, we work
35 with the village council, hire local people, insure
36 confidentiality, if people don't want to give us
37 correct information, we'd rather not have them give us
38 information at all. So what we end up with, you know,
39 we feel is pretty accurate. I think for most of those
40 communities we tried to do 100 percent sample if, you
41 know, we start out identifying each household, contact
42 the households, if they don't want to participate, you
43 know, that's fine, some of them we find out have moved
44 or whatever, but that's all entered into the statistics
45 and so the numbers are expanded for, you know, the
46 harvest for the community for that year.

47
48 MR. DUNAWAY: Did you get a sense that
49 there's under reporting of moose?
50

1 MR. KRIEG: Not in a subsistence
2 survey, I don't think people under report there. I
3 mean that's my sense. I mean when I do the surveys,
4 you know, I feel people are being honest and there's no
5 reason for them not to be, I mean we're not attached to
6 enforcement all, we just try to get the accurate
7 numbers for purposes like this.
8
9 MR. DUNAWAY: Well, it would seem to me
10 it'd be in their best interest to record every moose
11 they get or even like Lem said, that they're trying
12 hard not getting them, hopefully that message gets out,
13 that that's one way of protecting their access and use
14 of that resource.
15
16 MR. KRIEG: Uh-huh. And, yeah, we
17 encourage people to turn in their harvest tickets. I
18 mean that's part of it, too, I mean we're just trying
19 to do, you know, the best we can, get information, help
20 out with accurate numbers. But we do tell people, you
21 know, there's a harvest reporting system and you need
22 to follow that.
23
24 MR. DUNAWAY: Thank you, Ted, that's
25 all I have.
26
27 CHAIRMAN ALVAREZ: Lem.
28
29 MR. BUTLER: I'll just add, you know, I
30 did flip through that report and all's I saw was meat
31 per pound, on a pound basis, so I wasn't able to
32 ascertain the number of moose from that report. And I
33 didn't see that the harvest -- or the reporting
34 addressed specifically in the document.
35
36 CHAIRMAN ALVAREZ: Okay.
37
38 MS. ALECK: I have a comment to make
39 about that one, Lem.
40
41 CHAIRMAN ALVAREZ: Go ahead, Virginia.
42
43 MS. ALECK: Yeah, this -- if they're
44 reporting in pounds then that's the meat that they got
45 from the hunters, the game hunters.
46
47 MR. BUTLER: I guess I couldn't say
48 based on what I reviewed. Again, I was just looking at
49 the columns and the tables to see if I could obtain a
50 number before coming to this meeting, so I just saw it

1 listed as a per pound basis. It appeared to be the
2 format they were using so that may include -- maybe Ted
3 could tell you if that would include what's donated to
4 the community as well as what's harvested or how they
5 come up with that particular statistic.

6

7 Again, in terms of biology, though, it
8 doesn't really tell us a whole lot since we don't know
9 if it was a calf that was harvested or a prime age bull
10 or something in between. So a per pound basis is just
11 a difficult unit to address on a population.

12

13 MR. DUNAWAY: Converted to moose on the
14 hoof, uh?

15

16 MR. BUTLER: Right.

17

18 MR. ABRAHAM: Mr. Chairman.

19

20 CHAIRMAN ALVAREZ: Pete.

21

22 MR. ABRAHAM: They must have a reason
23 to wanting to extend the season down there. I mean,
24 you have a reason to do it, you know, but we need
25 accurate information before we make a move.

26

27 CHAIRMAN ALVAREZ: Yeah.

28

29 MR. ABRAHAM: And then not for that,
30 you know, every time we have a Staff report, if it's
31 incomplete, it's time consuming and it's just
32 costing, costing us more money, but with an accurate
33 report, it was touch and go and you save a lot of time.
34 I mean I think in the future before somebody approaches
35 the table here, the person should have the most
36 accurate report so this way we can work better and
37 faster instead of keep repeating what we're trying to
38 solve here all the time.

39

40 CHAIRMAN ALVAREZ: Yeah, I think it
41 shows -- if you look at the harvest history it says an
42 average of 95 percent of the moose reported was
43 September, from '99 until 2004. And then the winter
44 season, you know, is five percent, they're just not
45 being able to get moose in the wintertime. I don't
46 know if they're there or they just can't get to them.
47 And the farther you go down the chain the less the ice
48 there is.

49

50 Go ahead Virginia.

1 MS. ALECK: I've been trying to tell
2 the people that the moose season out here, there are
3 predators out there, I'm sure they're getting the calves
4 too, just like they did with the caribou. And it seems
5 like either our subsistence users aren't doing
6 something right, they fail to see, you know, what the
7 real problem is, if it's predators, we have a lot of
8 bears, we have a lot of wolves up here, maybe Lem can
9 tell you guys how many wolves he's seen in the area
10 there. He did report that to an Aniakchak meeting down
11 here when we had that.

12
13 CHAIRMAN ALVAREZ: All right, thank
14 you. Considering the harvest history, 95 percent in
15 September and only five percent in the winter season,
16 which is for two months, you know, I would support -- I
17 don't want to deliberate yet, but, yeah, Cliff.

18
19 MR. EDENSHAW: Mr. Chair. Just for the
20 record, too, I think Laura and perhaps Orville and
21 them, you know, when I read through the analysis, Lem,
22 forgive me if I'm wrong, but in the analysis, you know,
23 they're estimating, what, 1,600 moose in 9E. And then
24 you report that the low cow -- perhaps a potential low
25 calf/cow ratio, you know, what happens in the fall if
26 that goes below, are you going to shut down guides, you
27 know, I mean look at the big picture in terms -- you
28 know, I have heartburn when I read through the analysis
29 that there's that many moose down there and they're
30 just asking for -- you know, the Council can -- or at
31 least it -- it all comes down to what the Board says,
32 but even if they did extend the winter moose hunt, in
33 terms of the reporting, you know, they could always sit
34 there and say we could just try it for once and if the
35 harvest was high, you know, they could always come back
36 and revisit that.

37
38 But I think in all fairness when I was
39 talking to Boris on the phone, because he's at
40 Providence, he wishes he was here because, you know,
41 Elliott Lean, he's the one that submitted the proposal
42 but we've not been able to hear any information from
43 the other communities that have C&T and are able to
44 hunt in the winter hunt. So I think in all fairness to
45 the other communities, it would have been nice if we
46 would have been able to hear from them, whereas, some
47 of the information that Laura's collected is from the
48 gentleman over in Chignik Lake. There are other
49 communities that participate in the winter hunt and I
50 think what we have is some isolated information from

1 the Chignik area versus Perryville, and if you look on
2 the map in the analysis, or in the regs, there are
3 other communities that have C&T and are able to hunt
4 during this winter season.

5

6 CHAIRMAN ALVAREZ: Nanci.

7

8 MS. MORRIS LYONS: Lem, that's such a
9 big area and to me I don't think 1,600 moose is a lot
10 for that area, personally, do you have any estimate on
11 those areas, what an estimate of that percentage of
12 that population?

13

14 MR. BUTLER: Not for that particular
15 area. Again, we've established trend areas that we
16 routinely try to get back to. It's from a management
17 point of view, you know, it doesn't just make sense to
18 skip around and try to look at different areas and try
19 to come up with any trend through time for a
20 population, so we like to go back to the same areas and
21 we don't have anything for that particular drainage.
22 It's a 12,000 square mile subunit so it's a big area,
23 it's a low density of moose and it's spread out over a
24 large geographic area, but it's not.....

25

26 MS. MORRIS LYONS: Well, I guess I go
27 back to I agree with Pete that we need more
28 information.

29

30 MR. ABRAHAM: We need some more
31 information.

32

33 CHAIRMAN ALVAREZ: Maybe these other
34 guys can give us some. Number 3, other State and
35 Federal agency comments.

36

37 MR. DUNAWAY: We've got one here.

38

39 CHAIRMAN ALVAREZ: Orville.

40

41 MR. LIND: Before that I just wanted to
42 make comment to give you guys an answer on the support
43 of this proposal comes from the Council of Perryville,
44 Gerald Kosbruk, from Chignik Lagoon Council, Chignik
45 Lake, Port Heiden, Pilot Point and Ugashik, that they
46 support this proposal. However, they are in the
47 process of sending support letters. I did hand one in
48 to you and I know I have another one, I just didn't
49 give it to you.

50

1 CHAIRMAN ALVAREZ: Okay, thank you.
2 Warren.

3
4 MR. EASTLAND: I'm Warren Eastland, the
5 wildlife biologist for the BIA. A lot of my job is to
6 advise Mr. Niles Cesar, the BIA Board member to the
7 Federal Subsistence Board on wildlife proposals and
8 that gets extremely difficult in cases -- in ones like
9 this where the justification and other pieces are full
10 of if's, might's, could's, in other words, with very
11 little solid in there as far as information. And we --
12 Mr. Cesar and I, place a lot of reliance upon
13 discussion within and to the Council. And so the moose
14 population in Unit 9E does appear to be stable, and
15 it's level meets current management objectives and the
16 bull/cow ratio is above the objectives for both low and
17 high density moose populations.

18
19 The proposal, the recommendation to
20 reject, suggests that an extension of the moose season
21 would result in accidental take of cow moose that would
22 jeopardize the population. The BIA understands that
23 it's more than external sex organs or antlers that
24 allow you to distinguish a bull moose, there are
25 differences in head shape, hair coloration around the
26 pedestals, that area, in the ear, some long time
27 hunters tell me that they can tell just by looking at a
28 chest of the moose and other things. And so I would
29 appreciate in your discussions hearing a little bit of
30 discussion on just what is the likelihood of accidental
31 take of cow moose and if there is the likelihood of
32 accidental take of cow moose, what's the magnitude, how
33 often might a hunter make a mistake, and also the
34 Department of Fish and Game reports and subsistence
35 household surveys indicate that there are higher
36 harvest levels than are currently reported. And this
37 might be indicative that the current season regulations
38 and the traditional hunting seasons don't fully overlap
39 and perhaps there's a little hesitancy on the part of
40 hunters to report a take that might not have fallen
41 completely within the existing season. In other areas
42 within the state where the regulations better reflect
43 the local harvesting practices, in other words the
44 seasons and the harvesting practices are a little bit
45 more in line, there's been an increase in the level of
46 reporting, and I'm interested whether the Council
47 believes that extending the moose season might lead to
48 a little bit more accurate reporting in the future.

49
50 So those are some things that I would

1 like to hear the Council discuss during its
2 deliberations so that I could report back to my Board
3 member.

4

5 Thank you, very much.

6

7 CHAIRMAN ALVAREZ: Thank you, Warren.
8 Are there any questions for Warren.

9

10 (No comments)

11

12 CHAIRMAN ALVAREZ: Okay, seeing none,
13 are there other State and Federal agencies. Laura.

14

15 MS. GREFFENIUS: Thank you, Randy.
16 This is Laura Greffenius again. I just wanted to make
17 a comment and I appreciate Ted was here to make a
18 comment to the Council because he's one of the -- one
19 of his reports that he's authored is cited here, and I
20 was concerned about, when I was working this up and
21 gathering up the information I always try to get what's
22 the most current and I was concerned about the years of
23 those surveys that's cited in here and made note of in
24 the harvest history does date back to the mid-1990s.
25 And so I just wanted to mention to folks that I had
26 made an effort to do like a geographic search on the
27 subsistence technical papers and asked around to some
28 folks and this is what had come up and I further --
29 because I wanted to get some further information and
30 I'd talked to one of the anthropologist with ADF&G and
31 she had just left me a message that in that Exxon
32 Valdez report that we referred to earlier, and now Mr.
33 Krieg referred to, that had some surveys like from a
34 2002 and 2003 timeframe, does have some information
35 from the Chigniks. And so I don't know what's all in
36 that chapter, I made an effort, I went into the office
37 several times this weekend to print that out because I
38 wanted to bring that with us and the web site was down
39 and Lem and I were trying to get it this morning as
40 well, and so if that's information we can bring back to
41 the Council we can get that, I'm sure, today, to --
42 because I couldn't find a paper copy and so I just
43 wanted to make sure the Council was aware of that. And
44 if it does have something pertinent that we could make
45 sure that we present to you as far as the -- but I
46 don't know if it would have the kind of information
47 we're looking at reporting, statistics, like how much
48 of the actual is reported -- how much is reported
49 versus the actual harvest, that's the main thing that
50 we're wondering about.

1 CHAIRMAN ALVAREZ: Okay.
2
3 MS. GREFFENIUS: So if that helps you
4 out I just wanted to at least bring you up to date on
5 that.
6
7 CHAIRMAN ALVAREZ: It may.
8
9 MS. GREFFENIUS: Uh-huh.
10
11 CHAIRMAN ALVAREZ: All right, thanks.
12
13 MS. GREFFENIUS: Uh-huh.
14
15 CHAIRMAN ALVAREZ: Ron.
16
17 MR. SQUIBB: Ron Squibb with the U.S.
18 Fish and Wildlife Service, Alaska Peninsula Becharof
19 Refuges.
20
21 Just to update some on the moose
22 numbers on the Peninsula that might be germane to this
23 debate.
24
25 As you know in the past we've mentioned
26 we've been working piecemeal a density estimate for
27 moose on the Peninsula. And last winter, not -- in the
28 winter of 2006 we were able to get four days of good
29 survey time in the vicinity of between Port Heiden, we
30 didn't get to the Chigniks, we got to Black Lake, and
31 in that area the estimate just through that area alone
32 was 860 some moose. And if you add that on to the
33 existing -- we had already done in previous years, that
34 gives us an estimate to that location of 2,485 moose
35 for the Peninsula as a whole. And that is, you know,
36 how far we've gotten, that does not include the area
37 down Peninsula from Black Lake. So, you know, a fairly
38 hard number would be 2,400-some -- 2,500 approximately
39 of surveyed area.
40
41 Now, then we also stuck our neck way
42 out with a statistician, this is going through Western
43 Ecosystems Technology and they're a pretty well
44 established statistical group for wildlife type work,
45 and we got them to extrapolate from what the area we
46 did do to the area we did not do. And in designing
47 this -- it goes way back when Dick Sellers was here, we
48 used his knowledge and knowledge of other people around
49 to define what areas were good moose habitat, and to
50 take -- in making the assumption that, you know, in

1 making an assumption, you know, you can't take this as
2 really hard data, but the earlier one, definitely we
3 got the 2,500 in the area we had done, but we
4 extrapolated and got the statisticians to extrapolate
5 into the areas that Sellers and others helped us decide
6 what was good habitat, we came up with an area, you
7 know, in addition such that, you know, the estimate
8 would take you to Port Moller, and that number would be
9 3,248 moose on the Peninsula. And, again, once you go
10 out, where we haven't surveyed but we're just
11 extrapolated, you got to take that with some grain of
12 salt, but that was what the statistician came up with.

13

14 MR. DUNAWAY: Over 3,000?

15

16 MR. SQUIBB: Yeah, a little over 3,000,
17 yes.

18

19 MS. MORRIS LYONS: Do you have any
20 ratios on that, bull to cow and calf/cow?

21

22 MR. SQUIBB: No. When we did that work
23 we did it after, you know, in -- we needed snow cover
24 to do it so we did it after -- for the most part, you
25 know, antlers are off, so, yeah, we don't have
26 composition there. The composition, you can get that
27 from the trend areas, that's where we normally use
28 them, and last year we didn't have any snow to do them
29 basically.

30

31 CHAIRMAN ALVAREZ: Okay, that's about
32 2,500 moose, would that be 9(E) and 9(D), too?

33

34 MR. SQUIBB: No, nothing in 9(D). And
35 2,500 is the area that we have surveyed so that's a
36 pretty hard number. You know, you can be pretty
37 confident in that. And that the statisticians were
38 willing to jump it all the way down to Port Moller for
39 that area for the number of 3,000 some, that, you know,
40 the statisticians could come up with, you know. We
41 know that down to Black Lake area, from Brooks Lake,
42 you know, and Katmai Park, down Peninsula to Black Lake
43 there are about 2,500 moose, is the best estimate. And
44 beyond that we're -- for the area we did not survey,
45 they extrapolated to an estimate of over 3,000
46 slightly, 3,200 animals, so more or less.

47

48 CHAIRMAN ALVAREZ: Okay. How do you
49 feel that population is, is it average?

50

1 MR. SQUIBB: I'm not a -- I don't know
2 the state as a whole in terms of moose numbers. I
3 don't know whether Jim or Lem might have more insight
4 on that for this area.

5
6 CHAIRMAN ALVAREZ: That population,
7 could it withstand more harvest?

8
9 MS. ALECK: I have a question, Randy.

10
11 CHAIRMAN ALVAREZ: Okay, just a minute,
12 Virginia. With that population, 2,500, 3,000 counting
13 areas you haven't surveyed, could it stand more harvest
14 than what's going on now?

15
16 MR. SQUIBB: I'm not an expert in that
17 I hesitate to say that.

18
19 You know, and the 3,000, you know,
20 you're going to need to look at, not just the whole
21 because there's a lot of land between Perryville and
22 Chignik and Port Moller, and there's hardly, in that
23 whole area, you know, it's functionally out of reach
24 for those folks. So, you know, if you have 3,000 moose
25 and only 500 of them are accessible, you know, you need
26 to look at those angles as well and I think the Fish
27 and Game guys here know more about that than I do. But
28 that's an estimate, a baseline for the whole Peninsula,
29 you know, and we have 2,500 down to Black Lake, we're
30 just getting to the edge of where, you know, there's a
31 lot of people living that could exploit that, for what
32 that's worth.

33
34 CHAIRMAN ALVAREZ: Okay. Lem, maybe
35 you could comment on that. What's the range of a
36 moose, too?

37
38 (Laughter)

39
40 CHAIRMAN ALVAREZ: How far, you know,
41 they're not going to all stay in one little spot, I
42 know they don't travel like these caribou but.....

43
44 MR. BUTLER: Right. Moose vary,
45 depending on the populations, some moose depend to be a
46 bit more migratory or transient, they'll have summer
47 and winter ranges. Other moose tend to be more
48 resident in a given area. I think the collared animals
49 that we've had on the Peninsula so far haven't shown
50 much of a tendency towards movement but our trend data

1 definitely suggests that there may be some seasonal
2 movement and it may, again, be more prevalent in some
3 areas than others.

4

5 Just a comment on the extrapolation
6 done by those statisticians, 9(D)s estimated to have
7 about three to 500 moose total, so it's likely that the
8 moose densities do begin to drop off as you move into
9 this unknown area. So I'd caution the statisticians
10 against extrapolating.

11

12 The Board often wants to know moose
13 population estimates and 2,400 is about what I was
14 going to report to the Board for this particular
15 meeting addressing some of these predator issues, so
16 that seems like a reasonable estimate and I wouldn't
17 keep extrapolating to the south from there based on the
18 other densities.

19

20 CHAIRMAN ALVAREZ: Okay, Virginia, did
21 you have a question.

22

23 MS. ALECK: Yeah, I had a question for
24 Ron Squibb, I think, he was saying there was 2,500
25 moose from Black Lake to the Port Heiden area, that's a
26 big area, where is the moose, more concentrated at
27 because.....

28

29 (Laughter)

30

31 MS. ALECK:we go around Black
32 Lake and we don't see them.

33

34 MR. SQUIBB: Virginia, I apologize,
35 maybe I misspoke, that area for the 2,500 goes all the
36 way to Katmai Park, Brooks Lake area, all the way down
37 in Pacific drainage -- excuse me in the drainages into
38 the bay all the way down to Black Lake. It's not just
39 Port Heiden to Black Lake, it's -- that number 2,500 is
40 from Katmai National Park all the way down to Black
41 Lake, so it's not a -- you know, we didn't discover a
42 really dense area. Does that make sense?

43

44 MS. ALECK: Yeah, thank you.

45

46 CHAIRMAN ALVAREZ: Pete.

47

48 MR. ABRAHAM: Does somebody know the 10
49 year average of the population or someplace in that
50 neighborhood or against the guided and unguided.....

1 MR. SQUIBB: You mean harvest?
2
3 MR. ABRAHAM:the harvest and the
4 population?
5
6 MR. BUTLER: Both are amazingly stable
7 for the last 20 years so there really hasn't been much
8 change in total harvest. If anything there's a
9 tendency towards a decrease in harvest based on -- and
10 it's associated with a decrease in the number of
11 hunters. We seem to have that trend to some degree but
12 it's not a significant trend so, you know, it's not a
13 big change over that 20 year period, but both harvest
14 and total hunters are slowly decreasing.
15
16 In terms of populations and I think
17 this was the question being discussed before, again,
18 we're looking at about a three percent exploitation
19 rate for the population based on reported harvest
20 compared to the estimate that I was going to present to
21 the Board of Game at 2,400 moose, so it's a moderate
22 harvest level. Again, you know, the area could
23 definitely sustain some additional harvest but as Ron
24 was alluding to, it's a low density population and, you
25 know, again, we don't have any reason to believe that
26 if one area is depleted of moose that moose will be
27 able to move in from other areas, moose aren't taking
28 off in any one location. So really looking at the
29 whole subunit, I don't think, is the way to address
30 this particular question. It's what's happening in
31 that local area.
32
33 And what we hear repeatedly at these
34 meetings, both Aniakchak meeting and at this RAC in the
35 past is that people are having a hard time finding
36 moose, not that there's an abundance of moose out
37 there.
38
39 CHAIRMAN ALVAREZ: You know if this
40 passes, it's not only Chignik Lake, it's going to be
41 Port Heiden, Pilot Point, Egegik, all those villages,
42 but 9(E) has a low harvest for all of the villages so
43 we're not only talking about Chignik Lake, we're
44 talking about all the villages in 9(E), that would
45 harvest in Federal land.
46
47 MR. BUTLER: And I believe that message
48 has been repeatedly relayed is that people are having a
49 hard time finding a moose so again it's -- and that's
50 the State's concern is what it's going to do to local

1 easily accessed areas in the future subsistence hunting
2 in those areas, not for the moose population was a
3 whole.

4
5 CHAIRMAN ALVAREZ: Ron, did you have
6 something.

7
8 MR. SQUIBB: No, sir.

9
10 CHAIRMAN ALVAREZ: Okay.

11
12 MR. SQUIBB: I'll just pass that out,
13 in the back of that handout, looking for harvest, you
14 know, we can talk about that later, but there's a table
15 in there for moose harvest and bear harvest, you asked
16 that question about moose harvest.

17
18 CHAIRMAN ALVAREZ: I got a question --
19 do you guys want to finish this or do it after lunch?

20
21 MR. DUNAWAY: How much more in the
22 process, we've got to -- have we heard from all
23 agencies?

24
25 CHAIRMAN ALVAREZ: No, we got.....

26
27 MR. DUNAWAY: Public.

28
29 CHAIRMAN ALVAREZ: We probably -- I
30 don't know -- the InterAgency Staff wasn't going to say
31 anything, how many written comments do we have, we
32 could probably go through written comments pretty --
33 public testimony, is there going to be any public
34 testimony -- Joe -- then deliberation, so probably over
35 halfway done, probably two-thirds of the way done,
36 another hour though.

37
38 MR. DUNAWAY: We can.....

39
40 CHAIRMAN ALVAREZ: I'd like to look at
41 what Ron gave us at lunchtime that way -- and review
42 some of this stuff before we start deliberating. That
43 would probably take less time to deliberate then. I
44 think we should review some of this stuff at lunch time
45 and maybe we can come back around 1:30, what do you
46 guys think -- anybody need to get out of here.

47
48 Virginia.

49
50 MS. ALECK: Uh-huh.

1 CHAIRMAN ALVAREZ: I think we're going
2 to take lunch now and come back around 1:30, we're
3 going to look at some of the papers that got handed out
4 during lunch instead of -- otherwise we might not be
5 able to review some of this stuff before we deliberate
6 so we'll take lunch and meet -- starting again at 1:30.
7
8 MS. ALECK: Calling back?
9
10 MR. EDENSHAW: I'll call you back
11 Virginia.
12
13 MS. ALECK: Okay, thanks, have a good
14 lunch.
15
16 MR. DUNAWAY: Thank you, Virginia for
17 being patient.
18
19 (Off record)
20
21 (On record)
22
23 CHAIRMAN ALVAREZ: Let's see where are
24 we Cliff.
25
26 MR. DUNAWAY: We were thinking about
27 that there proposal.
28
29 MR. CLIFFORD: You're at number 3.
30
31 MR. DUNAWAY: Oh, yeah, step three in
32 Proposal 24.
33
34 CHAIRMAN ALVAREZ: Okay, I'll call the
35 meeting back to order, we're on -- I guess we're still
36 on number 3. Other State and Federal agency comments,
37 is there anybody else -- Mary. Good to see you.
38
39 MS. MCBURNEY: Thank you, Mr. Chair.
40 For the record, Mary McBurney, Aniakchak National
41 Monument and Preserve.
42
43 I just wanted to jump ahead a little
44 bit to bring to your attention specifically a comment
45 by the Aniakchak SRC on this proposal. There was a
46 great deal of conversation and discussion regarding the
47 extension of the winter moose harvest and it was --
48 while the SRC was very supportive of an extension of
49 some sort to provide increased opportunity, it was very
50 much balanced by a concern that there was a potential

1 for an increase take of cows at that time. And so what
2 they would like to also offer is perhaps a modification
3 to the proposal that they would like you to consider,
4 which would be the inclusion of only antlered moose
5 that may be taken during that extended hunting period
6 so that it would avoid any incidental take of cows.

7
8 And then I also wanted to make a
9 suggestion that perhaps when it comes to the weather
10 observations, that perhaps looking at Kodiak might be
11 one of the weather stations that might better reflect
12 the weather conditions down in the Chignik Lake area as
13 well, since it's got more of that Pacific Coastal
14 influence and they certainly do get most of the same
15 storm systems in that area as well.

16
17 And those are my only comments, Mr.
18 Chair.

19
20 CHAIRMAN ALVAREZ: Thank you, Mary.
21 Any questions for Mary.

22
23 (No comments)

24
25 CHAIRMAN ALVAREZ: Okay.

26
27 MR. DUNAWAY: Thank you, very much.

28
29 CHAIRMAN ALVAREZ: Any other State and
30 Federal agency comments.

31
32 (No comments)

33
34 CHAIRMAN ALVAREZ: Hearing none,
35 InterAgency Staff Committee comments.

36
37 (No comments)

38
39 CHAIRMAN ALVAREZ: Okay, number 5,
40 ADF&G Advisory Committee comments.

41
42 (No comments)

43
44 CHAIRMAN ALVAREZ: Seeing none, summary
45 of written public comments, Cliff.

46
47 MR. EDENSHAW: Mr. Chair and Council
48 members. Just as Mary said there were written public
49 comments from the Lake Clark and the Aniakchak SRC. As
50 she stated the Aniakchak supports Proposal 24, the

1 intent of this proposal, but it is concerned about the
2 potential for increasing the take of cows during the
3 period when many moose are without antlers. And the
4 way to address that was the SRC's suggestion to amend
5 the proposal to specify that during the proposed
6 December 1 through February 20th, season, only moose
7 with antlers may be taken.

8

9 That was the extent of public comments.

10

11

12 Thank you.

13

14 CHAIRMAN ALVAREZ: Okay. I got a frog
15 in my throat. Well, I guess that brings us down to
16 public testimony, we have one card, Joe Klutsch, would
17 you like to testify on this proposal. Joe, you have
18 down here three proposals, maybe you can just do one at
19 a time, whenever we bring the proposal up.

20

21 MR. KLUTSCH: Okay. I got a frog in my
22 throat, too, Mr. Chairman. Mr. Chairman. Members of
23 the Council. Appreciate the opportunity to speak to
24 you on these proposals today. You'll notice that the
25 written comment I've submitted to you has written
26 comment on 07-23, 07-24, 07-25. Additionally, I'm
27 representing myself on these comments.

28

29 I had intended today to have a written
30 comment on behalf of Alaska's Guide Association, Alaska
31 Professional Hunter's Association as drafted by Bill
32 Horne in Washington. My computer skills aren't all
33 that great and the attachment is stuck in cyberspace so
34 I couldn't have that document for you today, but will
35 get it. And Bill was going to comment on some of the
36 provisions of ANILCA related to these proposals.

37

38 Anyway I really appreciate the
39 opportunity to comment to you on the above listed
40 proposals. A brief background. I think most of you
41 know me. I've lived and actively hunted, fished, and
42 trapped the Bristol Bay region of the Peninsula for
43 over 34 years now. Served as a member of the Naknek
44 Kvichak Fish and Game Advisory Committee for 27
45 consecutive years, which give me a fairly good
46 historical perspective on the management and allocation
47 of game populations. I'm still struggling with that
48 Comm Fish stuff though.

49

50 But since 1994 I've submitted written

1 and oral testimony to the Council and Board regarding
2 sustaining subsistence opportunity. I want you to be
3 sure that anything I write or speak to you guys in this
4 forum, personally or in writing, is not meant to be
5 anti-or contrary to ensuring legitimate opportunity for
6 rural residents of this region to pursue a genuine
7 subsistence lifestyle. I'll sit with any of you and
8 discuss my background including my family's heritage of
9 hunting and fishing and be happy to do that at any
10 time. My family and I share a common concern for the
11 health of our wildlife resources and trust that they
12 can be managed for long-term sustainable use.

13

14 With that being said I'll go to 24,
15 which is the second comment in the letter, extend the
16 winter moose seasons.

17

18 This proposal would extend the existing
19 subsistence season to 118 days, another 30 day
20 extension to the season which has been -- as it was
21 brought out in Staff report, systematically extended
22 over the last 12 years.

23

24 The justification is better traveling
25 conditions and expanded opportunity. The management
26 justifications, and this is, you know, the way I view
27 it for seasons and bag limits are to ensure the health
28 and vitality of fish and game populations. This means
29 conservation of the resource which prevents us from
30 finding ourselves in a time of shortage, that's why you
31 have seasons and bag limits. This is a very real
32 possibility given new technology for pursuing game,
33 whether it's ATVs or snowmachines or whatever. And I
34 was very pleased to hear the comment earlier today
35 about the importance of reporting. That's invaluable
36 information for you as members of this Council and for
37 the Department to be able to make accurate and wise
38 decisions.

39

40 I do have some skepticism about how,
41 and I've expressed this to Federal Staff on this issue,
42 how unreported harvest has been used in other areas of
43 the state, particularly in the Kuskokwim Moose
44 Management Plan where we saw unreported harvest in 2001
45 at 11, 19A and 19B 11 moose, and then all of a sudden
46 in 2004 it went to 34 and then in 2005 right before the
47 Board of Game meeting it went to 74, which drastically
48 altered the ANS, the amount necessary for subsistence
49 number. And based on what the harvest guidelines were
50 for that population, that eliminated almost all other

1 user groups and non-subsistence use. The validity of
2 those numbers in my mind were in question and the
3 integrity of the process I think is just very important
4 for all of us.

5
6 The rationale that warmer winters have
7 been -- made going more difficult on these machines may
8 be true, but the idea that things might be better in
9 February don't exactly reflect the experience I had. I
10 trapped in the Meshik River Valley from 1974 through
11 1986 every season I'd go down there in November and
12 stay through February 22nd, was D day, I was pulled up
13 and I was out of there and my experience then and I
14 know that was 20 years ago, that by the 1st of February
15 those creeks and rivers, this is middle Meshik River
16 towards the Bering side, which can be entirely
17 different from the Chigniks as most of you guys know,
18 but it starts warming up and those creeks start to rot.
19 I carried snow shoes, hip boots, ice cleats, I needed
20 every technology just to walk around everyday and this
21 was -- a lot of this was pre-ATV stuff, just pounding
22 it out on foot. So I'm not certain that things will be
23 any better for hunting opportunity in February.

24
25 I think the graphs that were submitted
26 are interesting related to temperature and so forth
27 but I think Virginia's point was really well taken that
28 it's so different, warmer, if anything, just the
29 difference between center Meshik River and Port Heiden
30 or center Meshik River and the Chigniks, it's like a
31 different universe, it depends on which way the wind's
32 blowing and it blows all directions down there.

33
34 I believe that under the 81 days I
35 would hope that there's ample opportunity, you know, to
36 harvest moose during the existing season and it's
37 tough, there's no question about it, moose hunting is
38 tough business. I haven't heard of anybody mention
39 this but there's a heck of a lot more bushes down there
40 than there used to be, these alder bushes are -- it's
41 like the ones along the road here, if they cut them
42 with a machine it makes them happy, they grow back even
43 stronger, and these bushes -- I've got pictures of down
44 there, it's incredible to see the amount of alder bush
45 growth that will show two-thirds of a mountain side
46 that's open and bald and now it's just this green,
47 thick jungle, almost impenetrable. So that's a factor
48 in hunting moose, it's just darn tough business, so I
49 empathize with the situation that we all find ourselves
50 in when we're hunting.

1 All that being said, I'm going to
2 request that you defer and follow the recommendations
3 of Staff on this proposal. And to monitor the status
4 of the population, and how that correlates to hunting
5 opportunity through the next regulation cycle and see
6 how it goes. I just know that we all have to hunt
7 harder and it's just darn tough work and I think that's
8 going to be the way out of it, whether it's in February
9 or whether it's in July.

10

11 And that concludes my remarks.

12

13 CHAIRMAN ALVAREZ: All right, thanks,
14 Joe. Any questions for Joe.

15

16 (No comments)

17

18 CHAIRMAN ALVAREZ: I got a comment
19 then. I appreciate your testimony, it's interesting
20 that you know the area and you're familiar with it,
21 when the ice starts getting bad, I know -- I -- because
22 I grew up around here that there's a lot more trees
23 than there used to be. If you look at old pictures of
24 Naknek it looks a lot different than it does now and
25 it's the trees -- it's starting to move around that way
26 but in the wintertime, you know, the trees are leafless
27 so it's a lot easier to see the moose but I think it's
28 the traveling conditions that would be of concern,
29 might make it hazardous if we extend too late. And I
30 think like I said earlier, one of our main concerns is
31 unreported, you know, so we thank you for that, and
32 we'll expect to hear from you again on these other
33 proposals.

34

35 MR. KLUTSCH: Thank you.

36

37 CHAIRMAN ALVAREZ: Okay. Any more
38 public testimony.

39

40 (No comments)

41

42 CHAIRMAN ALVAREZ: Number 8 is Council
43 deliberation. Virginia do you hear?

44

45 MS. ALECK: Yes.

46

47 CHAIRMAN ALVAREZ: Okay, now the
48 Council is going to deliberate on this proposal and
49 then after that we're going to vote, but the first
50 thing we need to do is bring this proposal up before

1 the committee, put it on the table.
2
3 MS. MORRIS LYONS: Move to approve,
4 what is it, 0.....
5
6 MR. DUNAWAY: To adopt. To adopt.
7
8 MS. MORRIS LYONS: To adopt WP07-23, is
9 it -- 24.....
10
11 CHAIRMAN ALVAREZ: 24.
12
13 MR. DUNAWAY: 24.
14
15 MS. MORRIS LYONS: 24, excuse me.
16
17 CHAIRMAN ALVAREZ: Motion on the floor
18 to adopt WP07-24.
19
20 MR. ABRAHAM: Second.
21
22 CHAIRMAN ALVAREZ: And it's been
23 seconded by Pete. Comments.
24
25 MR. DUNAWAY: Well, I just had a
26 question occur to me, maybe Lem or Jim can answer. Is
27 there a corresponding proposal before -- that will be
28 appearing before the State of Alaska Board of Game here
29 in the next meeting?
30
31 MR. BUTLER: Mr. Chair. Lem Butler
32 speaking. We don't have any proposals that would
33 address the season for resident moose hunters, at least
34 not in the winter I should say, we do have a fall
35 proposal.
36
37 MR. DUNAWAY: And that one could
38 possibly be amended to include this kind of language,
39 if the Board chose, or if somebody advocated for it?
40
41 MR. BUTLER: Well, yeah, I think once
42 the season's brought up they can address it, but,
43 again, right now it's just dealing with the fall.
44
45 MR. DUNAWAY: So I guess the next
46 question would be is if we supported this in any form,
47 and say the State didn't adopt a corresponding
48 proposal, what lands would this affect, can anybody
49 show me up here on the.....
50

1 MS. MORRIS LYONS: The packet. In the
2 packet, in the back.
3
4 MR. DUNAWAY: I apologize if I just
5 didn't do all my reading that I should have.
6
7 CHAIRMAN ALVAREZ: It's right here.
8
9 MR. DUNAWAY: Oh, it's right here.
10
11 MS. MORRIS LYONS: No, this was a new
12 one.
13
14 MR. DUNAWAY: I didn't get that far in
15 this one.
16
17 CHAIRMAN ALVAREZ: We looked at this at
18 lunch time.
19
20 MR. DUNAWAY: I should have.
21
22 CHAIRMAN ALVAREZ: But you were
23 talking.
24
25 (Laughter)
26
27 MR. DUNAWAY: Okay. So it would apply
28 to the.....
29
30 MS. MORRIS LYONS: White areas.
31
32 CHAIRMAN ALVAREZ: I've got a question
33 for you, Lem, how would the State feel about being
34 modified, you know, like for instance limiting the hunt
35 to antlered moose and maybe extending it to the end of
36 January instead of the 20th, because February is
37 getting pretty late and then if you have an antlered
38 hunt, which we want them to take bulls anyway and --
39 until the end of January, the 31st, would you be -- how
40 would the State feel about that?
41
42 MR. BUTLER: Mr. Chair. I think my
43 current plan right now is to deal with the moose issue
44 at the Board of Game meeting in 2009 and request an
45 antlered season during the winter at that meeting. I'd
46 have to think about the season extension in relation
47 to, but I certainly think the antlered language is good
48 and that's certainly the direction I want to head with
49 the State regs.
50

1 CHAIRMAN ALVAREZ: I'd like to ask the
2 Fish and Wildlife Staff, the Staff recommendation was
3 not to support and I would like to see what kind of --
4 how it would feel about that proposal if we were to
5 modify the proposal to be antlered moose and then
6 change the -- add a little bit more on the end of
7 January. Right now the existing hunt is until January
8 20th and move it until the end of January which would
9 give it 11 more days, add on 11 more days from the way
10 it is now and make it an antlered. Also I'd like to
11 hear from Virginia. Can you hear me?

12
13 MS. ALECK: Actually I think that's a
14 good idea. To me it sounds -- if it's going to be an
15 antlered hunt then probably the end of January would be
16 good.

17
18 CHAIRMAN ALVAREZ: Yes. Because it
19 starts on the 1st of December and goes to the end of
20 January that's two months, and then there's a month in
21 the fall, so in reality I've been hearing there's a
22 three month season and so really it's not a three month
23 season, it would be a three month season if we you
24 added 11 more days on to the previ -- the way the
25 season it is now, then it would be a three month
26 season. But it would give them a little bit more
27 opportunity and looking at the percentage, I know that
28 the harvest reporting isn't that good but the way that
29 it is -- what's being reported is a five percent winter
30 harvest in 9(E) and a 95 percent fall harvest by all
31 the user groups, and even if, you know, it's 10 percent
32 total or 15 percent total, if you'd take into account
33 what's not being reported, although Joe had said at
34 some places it's pretty high, we need to get better
35 reporting. That's what I don't like about -- it's hard
36 to do anything if you don't have good -- if the people
37 aren't going to cooperate, you know, it's hard to help
38 them out if they're not. And this is what.....

39
40 MS. ALECK: Actually, what Joe.....

41
42 CHAIRMAN ALVAREZ:it's part of --
43 it's cooperation.

44
45 MS. ALECK:brought up, Randy, was
46 really a good point because we do have alders and them
47 alders are everywhere and we go to certain trails and
48 some of them trails bring us right through rivers or
49 creeks and if we can go over the ice it would be
50 better, the lake, but sometimes the conditions aren't

1 good enough for us to go that way, so we have different
2 ways of doing things and then we have the overflow to
3 deal with too, sometimes, in January when it gets
4 extremely cold and water starts coming out of the mud
5 flats up at the end of Last Lake and it makes it
6 impossible for us to go anywhere when the conditions
7 are that way.

8

9 CHAIRMAN ALVAREZ: I know it's -- and
10 then when you're getting into February it's going to be
11 not very good most of the time so by adding another
12 month, my opinion, most of that month might not be
13 usable anyway so, you know, I just -- but giving them
14 another month would be -- I don't feel that's what I
15 want to do.

16

17 Nanci, you got a comment on that.....

18

19 MS. MORRIS LYONS: Yeah.

20

21 CHAIRMAN ALVAREZ:how do you feel
22 about what I just said?

23

24 MS. MORRIS LYONS: I feel like I'm
25 going down the same road as you are, Randy, I'm
26 thinking too like if we have weather like we just had
27 last week that it's going to be bringing in people that
28 are not the intention of bringing in for that hunt,
29 it's to be -- you know, it's mostly to be targeted for
30 local residents only.

31

32 And I still come back to the fact that
33 biologically I am not comfortable with the numbers that
34 we have down there, specifically in our cow/calf
35 ratios, I do not like them. I would like to see them
36 much stronger. I would like to know better about how
37 the population percentages are spread around and about
38 those communities and what their uses are and I
39 definitely know that I could not support an antlerless
40 hunt down there at this time because I just -- I feel
41 like it's too iffy.

42

43 CHAIRMAN ALVAREZ: But isn't it an
44 antlerless -- isn't it that way now, Lem?

45

46 MS. MORRIS LYONS: It is, but I'm
47 talking about extending the season for an additional
48 month.

49

50 CHAIRMAN ALVAREZ: Okay.

1 MS. MORRIS LYONS: If you've only got
2 -- all's I can think of is if you've got 13 or 14 cow
3 to calf ratio per 100, you shoot just one that's going
4 to have twins and you've taken out a huge percentage
5 and I just can't -- I cannot support that.

6
7 CHAIRMAN ALVAREZ: Dan.

8
9 MR. DUNAWAY: I had a question for
10 Virginia. I know moose questions have been kind of a
11 nagging thing from the Chignik area, that area made
12 some other proposals a year ago, at this time is there
13 still a guide permitted to hunt moose on corporation
14 lands down that way Virginia?

15
16 MS. ALECK: Yeah, he has been getting
17 moose except he -- he got four last year, four hunters
18 and he took all that meat and gave it to the village
19 members, and I'm not too sure if the village members
20 are using that as a one whole moose count.

21
22 MR. DUNAWAY: I see. But he actually
23 surrounded all meat to the village, uh?

24
25 MS. ALECK: Right. Right.

26
27 MR. DUNAWAY: Wow. Well, I think --
28 and Nanci articulated quite a few of my concerns better
29 than I could have said them myself. I'm also kind of
30 concerned that we're talking about a really big area.
31 And I think if a proposal could be made for a more
32 focused area would be more appealing. I really like
33 the antlered aspect. I can't help but wonder if --
34 with apologies to Virginia and to the folks down that
35 way, that maybe it could work on this and come back
36 with a more focused proposal in another year or work
37 with Lem on a coordinated approach with State
38 regulations. There's just a lot of reasons to be
39 concerned the way it reads right now and I'm not
40 inclined to support this proposal, even with amended
41 language.

42
43 I certainly cannot support going all
44 the way to February 20th, especially given some of the
45 information we're hearing. It doesn't sound like
46 they're likely to gain much.

47
48 CHAIRMAN ALVAREZ: No, I don't support
49 all the way to February 20th, but, you know, I wanted
50 to ask the Staff, Fish and Wildlife Service, if they

1 could support to the end of January with the antler
2 restriction -- I mean have an antlered restriction.
3
4 Laura.
5
6 MS. GREFFENIUS: Okay, Mr. Chair.
7 Could you hear me Virginia.
8
9 MS. ALECK: I could hear you.
10
11 MS. GREFFENIUS: Okay. This is Laura
12 with OSM back at the table here. What we need to have
13 clarification on.....
14
15 MS. ALECK: Yes.
16
17 MS. GREFFENIUS:just when you
18 suggested these possibilities, alternatives I should
19 say, is that right now if you look on Page 33 of your
20 books, just we go over this again right now, the season
21 is the one bull, December 1 to January 20, proposal,
22 December 1/February 20, if you were to make it until
23 January 31 and have it an antlered season, are you
24 suggesting to make -- we just need to make sure we are
25 clear, are you suggesting having an antlered season
26 only for that 11 additional days or have it the
27 antlered season for the whole time, which actually
28 would be more restrictive than what it is now.
29
30 CHAIRMAN ALVAREZ: The whole time.
31
32 MS. GREFFENIUS: So make it an antlered
33 season from December 1 to January 31, okay, because
34 that makes a difference, we just needed to make sure it
35 would be antlered in addition to just that 11 days
36 added on from the beginning of the season -- okay.
37
38 CHAIRMAN ALVAREZ: Yes. I was just
39 wondering what the Staff, if they would support that
40 amendment or amended proposal if we went with that.
41
42 MS. GREFFENIUS: Well, this is your
43 opportunity, Mr. Chair, you know, we present the
44 information and the proposal as it's -- as you have it
45 here, but then the Council makes the recommendations
46 and then it goes before the Staff Committee when they
47 meet in the middle of April and then the Staff
48 Committee will take into consideration the Council
49 recommendations, including modifications before it goes
50 before the Federal Board in May.

1 CHAIRMAN ALVAREZ: Cliff.
2
3 MS. ALECK: Well.....
4
5 MR. EDENSHAW: Laura, I think what
6 Randy was asking is when we go back, we've known Staff
7 has changed analysis in the past so would you amend
8 your current analysis to extend just until January 31st
9 or would you maintain the opposed, that's what he's
10 asking?
11
12 MS. GREFFENIUS: Okay. That's what
13 you're asking.
14
15 CHAIRMAN ALVAREZ: Yes.
16
17 MS. GREFFENIUS: You're asking me
18 individually and these are your -- these decisions are
19 made.....
20
21 MS. ALECK: Who are you talking to?
22
23 CHAIRMAN ALVAREZ: We're talking to
24 Laura, the.....
25
26 MS. GREFFENIUS: Yeah, Virginia, I'm
27 answering the question. These decisions, I mean what
28 comes out at the end of these is not just me
29 individually it's a multiple input, so your
30 recommendation would go forth and we would write up
31 your recommendation of what it is you wanted to do and
32 then you would vote on it, if you support this
33 modification, and then like I said the Staff Committee
34 will take into consideration what it is that the
35 Council recommends in making their recommendation to
36 the Board. And you're wondering whether or not we'd
37 support that, so I can't say for sure but it's
38 definitely -- you know, any time there's all kinds of
39 alternatives that are put forth that would address both
40 sides of the issues because there's concerns about, you
41 know, the subsistence users wanting to have their
42 harvest and then also the biological side of it and
43 concerns on that. So any kind of alternatives that
44 address both sides will definitely be considered.
45
46 MR. EDENSHAW: No, Laura.....
47
48 MS. GREFFENIUS: I can't say for sure
49 whether -- what's going to happen, I don't have a
50 crystal ball, but procedurally that's how it goes

1 forth. Does that answer your question?

2

3 CHAIRMAN ALVAREZ: Yes.

4

5 MS. GREFFENIUS: Okay.

6

7 MR. EDENSHAW: Well, see, what you were
8 asking was that in the current Staff analysis it says
9 opposed.

10

11 CHAIRMAN ALVAREZ: Yes.

12

13 MR. EDENSHAW: So Randy was asking you
14 when you go back to Anchorage is there any way that you
15 would amend that to reflect what the Council's
16 requesting?

17

18 MS. GREFFENIUS: Yeah, that's the
19 procedures. I'll go back and we'll put in what the
20 Council recommends and the modification of this
21 particular -- the whole thing isn't going to be
22 rewritten, that's not how it happens. What we end up
23 doing is recommending to the Staff Committee, the
24 Council's recommendation is taken before the Staff
25 Committee.

26

27 CHAIRMAN ALVAREZ: Okay.

28

29 MS. GREFFENIUS: And then once that
30 takes place and they want to go forth with that then,
31 yeah, this gets changed to go with that.

32

33 CHAIRMAN ALVAREZ: Rod.

34

35 MR. CAMPBELL: Well, I'll just add to
36 that. We're very interested in obviously what the
37 Council's have to say and if this gets changed, we have
38 Staff Committee people that are here and all this will
39 be taken into consideration, and as Laura said and as
40 you know when it goes before the Federal Board, that is
41 no longer an OSM Staff recommendation, then the Staff
42 Committee takes that recommendation, it's no longer the
43 analyst's recommendation, it's from the Staff
44 Committee. So they're here and we're bringing that
45 information back and certainly all this stuff will be
46 -- this information will be considered as we're kind of
47 working our way through the process.

48

49 CHAIRMAN ALVAREZ: Okay, thanks.

50 Steve, did you have something.

1 CHAIRMAN ALVAREZ: Virginia, did you
2 say you would support that amendment to have the season
3 extended 11 days but restrict it to antlered moose?
4
5 MS. ALECK: Right. Right.
6
7 CHAIRMAN ALVAREZ: Okay.
8
9 MS. ALECK: That's right, Randy.
10
11 CHAIRMAN ALVAREZ: Okay, thank you.
12 Laura.
13
14 MS. GREFFENIUS: Just to point out one
15 other thing because I had asked for -- go ahead and go
16 to Page 33 then we all can be looking at the same page.
17 So your suggestion, your recommendation is to make it
18 -- I'm looking at the proposed Federal regulation and
19 you're suggesting as a modification, and for it to go
20 forth is to go for January 31 and then when I clarified
21 with you, Mr. Chair, you'd like to have it antlered for
22 the whole season so it would be December 1 to January
23 31 as you've brought forth. I just wanted to make sure
24 that you realize when you look at the State regulation
25 it would be more restrictive than the State regulation
26 because it would be antlered for that time period from
27 December 1 to January 20 [sic]. If you look on the
28 State regulation on Page 33, so if that's what you want
29 to recommend, but just so that you're clear on the
30 difference there.
31
32 CHAIRMAN ALVAREZ: Okay, so the State
33 regulation says, it's the same thing except they
34 don't.....
35
36 MS. GREFFENIUS: They don't have an
37 antlered.....
38
39 CHAIRMAN ALVAREZ:antlered.....
40
41 MS. GREFFENIUS:specific antlered
42 season at this point. And as Lem mentioned.....
43
44 CHAIRMAN ALVAREZ: But it says one
45 bull.
46
47 MS. GREFFENIUS: Right, one bull,
48 there's not.....
49
50 CHAIRMAN ALVAREZ: This is basically

1 the same thing except for you're kind of restricted if
2 a bull doesn't have antlers, you won't be able to
3 harvest it.

4

5 MR. ABRAHAM: Mr. Chairman.

6

7 MS. GREFFENIUS: And there's not.....

8

9 CHAIRMAN ALVAREZ: Pete.

10

11 MR. ABRAHAM: I think it's safe to
12 extend it 11 more days because the bulls still have
13 antlers at the time.

14

15 CHAIRMAN ALVAREZ: I think so. You
16 know, not necessarily the big ones but the medium and
17 small ones should.

18

19 MR. ABRAHAM: And at the time the
20 weather would be moderate, you know, Aleutian chain is
21 like my wife, unpredictable.

22

23 (Laughter)

24

25 MR. ABRAHAM: So I cannot predict the
26 weather out there.

27

28 (Laughter)

29

30 CHAIRMAN ALVAREZ: Okay, Pete. It
31 would make it more restrictive than the State but it
32 would add 11 more days so you would be more restricted
33 on the moose that you would see but you'd have more
34 opportunity, 11 days longer.

35

36 Lem, you want to comment on something.

37

38 MR. BUTLER: Mr. Chair. I just thought
39 I'd point out, you know, of course subsistence hunters
40 can hunt under the State regs as well so they'd still
41 have that opportunity to hunt until the State regs were
42 changed and that is my intent, to go to an antlerless
43 season and so I expect that to -- or, sorry, excuse me,
44 antlered season.....

45

46 CHAIRMAN ALVAREZ: Okay.

47

48 MR. BUTLER:during the winter
49 hunt. So I intend to get that corrected.

50

1 CHAIRMAN ALVAREZ: So that's probably
2 going to change then. It will probably be an antl --
3 instead of one bull it'd be one antlered moose, so it
4 could be a cow if she's got horns.
5
6 (Laughter)
7
8 CHAIRMAN ALVAREZ: Dan.
9
10 MR. DUNAWAY: I don't want to sidetrack
11 too much, but do you have any sense, Lem, how an
12 antlered requirement might have affected previous
13 harvests, those animals in the past been antlered
14 anyway or has there been some -- so that's a tough one
15 to ask.
16
17 MR. BUTLER: Yeah, that's a tough one,
18 I don't do surveys that time of year so I kind of like
19 couldn't tell you.
20
21 MR. DUNAWAY: There's no kind of
22 reporting requirement on the harvest cards that would
23 tell you?
24
25 MR. BUTLER: We do have that as one of
26 the requests on the harvest tickets and I can certainly
27 try to look at the data and see if there's any pattern
28 there. But generally, I guess, it would tell us if
29 they were antlered or I guess just be blank if they
30 were antlerless, in which case it wouldn't really be
31 known.
32
33 MR. DUNAWAY: You don't know if they
34 just failed to answer it or if there weren't any
35 antlers to measure.
36
37 MR. BUTLER: Right. I think the
38 question on the report card says antler spread and then
39 how many brow tines.
40
41 MR. DUNAWAY: Thank you, Mr. Chair.
42
43 CHAIRMAN ALVAREZ: Nanci.
44
45 MS. MORRIS LYONS: Yeah, I think I'm
46 ready to offer an amendment to the Board. I would like
47 to see this proposal amended to dictate that the
48 closing date would be January 31st and that only
49 antlered animals would be taken. Does that cover it
50 well enough.

1 MR. ABRAHAM: (In Native)
2
3 CHAIRMAN ALVAREZ: Okay. We have a
4 motion to amend Proposal 24 to be opened until January
5 -- through January 31st, which would be the end of the
6 month, and that the moose have to be antlered, motion
7 by Nanci, and seconded by Pete.
8
9 MR. EDENSHAW: Mr. Chair.
10
11 CHAIRMAN ALVAREZ: Cliff.
12
13 MR. EDENSHAW: Can we back track,
14 because the original motion was to adopt the proposal
15 Nanci put on the table so it'd probably be easier if
16 the Council just went through and rejected their -- and
17 voted on the proposal because her motion was to adopt
18 the proposal.
19
20 CHAIRMAN ALVAREZ: Don't we have to do
21 that to.....
22
23 MR. DUNAWAY: No, it'd be appropriate
24 to propose an amendment and then vote on the amendment
25 and then vote on the proposal.
26
27 CHAIRMAN ALVAREZ: We have to adopt it
28 to bring it up on the table.
29
30 MR. EDENSHAW: Well, for record keeping
31 for me it would be just easier. Nanci had a motion on
32 the table to adopt the proposal, so the proposal is to
33 -- is opposed.
34
35 MS. MORRIS LYONS: Well, the vote can
36 be adopt it as amended.
37
38 MR. EDENSHAW: Well, you didn't say
39 that in your language so I'm just telling you.....
40
41 MR. DUNAWAY: Well, you would, I know,
42 that's the process which is.....
43
44 MS. MORRIS LYONS: That's what the next
45 step is.
46
47 MR. EDENSHAW: Yeah, because you're
48 going to sit there and -- well, for me for record
49 keeping because I have to do this it's easier if
50 you.....

1 CHAIRMAN ALVAREZ: Okay.
2
3 MR. EDENSHAW:just went there and
4 opposed the proposal and then you come back and say
5 let's go ahead and do an amendment. It's just easier
6 for me.
7
8 CHAIRMAN ALVAREZ: Okay.
9
10 MS. MORRIS LYONS: Let's not screw up
11 Cliff's record.
12
13 (Laughter)
14
15 MS. MORRIS LYONS: Call for the
16 question on the original proposal.
17
18 CHAIRMAN ALVAREZ: Okay, you understand
19 that Pete.
20
21 MR. ABRAHAM: (In Native)
22
23 CHAIRMAN ALVAREZ: Virginia, do you
24 understand that.
25
26 (No comments)
27
28 CHAIRMAN ALVAREZ: Virginia.
29
30 MS. ALECK: Yeah, I understand that.
31 Randy, I was just wondering, is Orville there, Orville
32 Lind?
33
34 CHAIRMAN ALVAREZ: Yes. And what we're
35 going to do is we're going to vote on the proposal the
36 way it's written and then we're going to vote on --
37 bring up the amended proposal where it adds 11 more
38 days and then antlered moose, so that's what we're
39 going to do.
40
41 Well, wait a minute, we might not,
42 there's discussion going on here, Virginia.
43
44 MR. DUNAWAY: Point of order here for a
45 minute.
46
47 CHAIRMAN ALVAREZ: Just wait a minute,
48 we're going to step down for a second.
49
50 MS. MORRIS LYONS: Right, that's what I

1 say, first we have to adopt the amendment.
2
3 (Pause)
4
5 CHAIRMAN ALVAREZ: What's our procedure
6 then Cliff.
7
8 MR. EDENSHAW: To go through with the
9 amendment.
10
11 MS. MORRIS LYONS: Adopt the proposal
12 as amended, so we need two votes.
13
14 CHAIRMAN ALVAREZ: Yeah. Okay, so the
15 first thing we have an amended -- Virginia, what we're
16 going to do is we're going to vote on the amendment
17 that Nanci made to add.....
18
19 MS. ALECK: Okay.
20
21 CHAIRMAN ALVAREZ:until the end
22 of the month antlered moose, we'll vote on the
23 amendment and then after we vote on that we're going to
24 vote on the amended proposal.
25
26 MS. ALECK: Okay.
27
28 CHAIRMAN ALVAREZ: Is there any
29 more.....
30
31 MR. DUNAWAY: Didn't she want to ask
32 Orville something.
33
34 CHAIRMAN ALVAREZ: Did you want to ask
35 Orville something?
36
37 MS. ALECK: Well, I kind of wanted his
38 opinion on that amendment.
39
40 CHAIRMAN ALVAREZ: Orville, could you
41 answer Virginia on that.
42
43 MR. LIND: Virginia, at this point I
44 would go along with the recommendation of the Board.
45
46 MS. ALECK: Okay.
47
48 CHAIRMAN ALVAREZ: So -- Laura.
49
50 MS. GREFFENIUS: Yes, Mr. Chair,

1 just.....

2

3

MS. ALECK: Thanks, Orv.

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31

32

33

34

35

36

37

38

39

40

41

42

43

44

45

46

47

48

49

50

CHAIRMAN ALVAREZ: Okay.

MS. GREFFENIUS:so that we have

that clarified.

CHAIRMAN ALVAREZ: Okay.

MS. GREFFENIUS: Because you said to

extend it to January 31 and have it antlered, but

please state the dates for the antlered season for your

modification.

Thank you.

MS. MORRIS LYONS: Mr. Chairman. Let

me clarify. I would like to see the season open from

December 1st through January 31st, through, not to, for

antlered bull only.

CHAIRMAN ALVAREZ: Okay, Laura, is that

clear -- satisfy you.

MS. GREFFENIUS: That's very specific,

thank you.

CHAIRMAN ALVAREZ: Any more comments or

questions from the Board.

MR. DUNAWAY: Question.

CHAIRMAN ALVAREZ: Question's been

called for. Okay, we will vote on the amendment that

Nanci just stated. All in favor in support of the

amendment signify by saying aye.

IN UNISON: Aye.

1 CHAIRMAN ALVAREZ: Opposed.
2
3 (No opposing votes)
4
5 CHAIRMAN ALVAREZ: So hearing none,
6 five to zero in support. Okay, now, we will vote on
7 the amended proposal, and any more question or comment
8 before we do that.
9
10 MR. DUNAWAY: I still kind of wish that
11 since it seems to be kind of a recurring Chignik
12 problem, we're not hearing from Egegik, Pilot Point,
13 even locally here, if there is a way we could -- I
14 don't know, I kind of wish Chignik could address
15 Chignik.
16
17 CHAIRMAN ALVAREZ: If you look at the
18 history, the harvest history.....
19
20 MR. DUNAWAY: Yeah.
21
22 CHAIRMAN ALVAREZ:it's zero to
23 seven in 9(E), that means, I don't -- they're not
24 getting many in any of the villages on Federal land.
25 And we have two villages here, Chignik Lagoon Village
26 Council and Native Council of Port Heiden that were in
27 support of the original one, so I'm sure that they must
28 feel the same way.
29
30 Orville.
31
32 MR. LIND: Mr. Chairman. Members. As
33 I mentioned earlier, that I was in contact with all the
34 villages, Perryville, Chignik Bay, Lagoon Lake, Port
35 Heiden, Ugashik, Pilot Point and Egegik, and they're
36 all in support of that proposal.
37
38 MR. DUNAWAY: Okay, I might have missed
39 that, thanks.
40
41 CHAIRMAN ALVAREZ: Anybody else.
42
43 MR. DUNAWAY: No.
44
45 CHAIRMAN ALVAREZ: Okay. Seeing none,
46 we will vote on the amended proposal, 07-24. All in
47 favor signify by saying aye.
48
49 IN UNISON: Aye.
50

1 CHAIRMAN ALVAREZ: Opposed.
2
3 MR. DUNAWAY: Aye.
4
5 CHAIRMAN ALVAREZ: Okay, I hear a four
6 to one. motion passed.
7
8 Okay, we will go to Proposal 23 and
9 then I was asked that Laura give the analysis of the
10 proposal and then we'll go to Mr. Woolington and he
11 wants to show us some slides, or a PowerPoint.
12
13 All right, Laura.
14
15 MS. GREFFENIUS: Thank you. Before we
16 start, since I'll be mentioning these items that I
17 passed out, just to make sure that you have them before
18 you, there was a -- and for those of you in the
19 audience these are on the table, there's a Map 2,
20 that's labeled Map 2 Federal regulations. I handed it
21 to you after I gave you the Board of Game OSM's
22 comments.
23
24 CHAIRMAN ALVAREZ: Okay.
25
26 MS. GREFFENIUS: I gave you some of the
27 Board of Game information and then I handed this to you
28 right afterwards. There's Map 2 and Map 3, one says
29 Unit 17 current Federal regulations, the other one's
30 Unit 17 current State regulations. It just has Unit 17
31 on there. And we'll get to that but I just wanted to
32 make sure you had it in front of you before I started.
33 And then the other thing is, I know you'll be
34 addressing the recommendations from the Council to the
35 Board of Game but since it's all wrapped up together I
36 was going to bring it up and just wanted to make sure
37 you had the -- it says preliminary recommendations, the
38 Alaska Board of Game proposals, these are OSM comments,
39 and so we'll talk about our comments pertaining to the
40 Mulchatna Caribou Herd. And these are on the table as
41 well. And also there was the State Board of Game
42 proposals and I'll refer to those at the end because
43 your deliberations would be just kind of intertwined.
44
45 Okay. So No. 23 beings on Page 19 in
46 your Council book. And this proposal was submitted by
47 this Council and it requests the Federal regulations
48 for harvest limits of caribou in Units 9B and 17 align
49 with the current State regulations. And the open
50 seasons would remain the same but harvest limits would

1 be reduced from five to three caribou and it would
2 remove the restriction on a bulls only harvest in the
3 fall and allow no more than one caribou to be harvested
4 prior to November 30th.

5
6 One of the issues is that the -- the
7 main issue is that the Mulchatna Caribou Herd has
8 undergone a drastic decline in population and so this
9 proposal -- the proposed changes are aimed at
10 maintaining a stable population and the action would
11 also align the Federal harvest limits with the State
12 regulations. And the current State regulations were
13 adopted by the Alaska Board of Game in March 2006, so
14 just one year ago, and so they've been effective for
15 this current regulatory year 2006/2007.

16
17 One thing that I wanted to mention, I
18 pointed out these maps, Map 2 and Map 3, the current
19 Federal regulations and the current State regulations.
20 On the middle of Page 23 we wanted to make a note here
21 that the proposed Federal regulation above that's
22 listed for Units 17A remainder and 17C differ from the
23 proposal as it first appeared in the Federal
24 subsistence wildlife proposals 2007/2008 book. This
25 confusion occurs because the area's designated as
26 remainders in Unit 17 and State and Federal regulations
27 are not the same geographical areas, so Nanci's got a
28 look on her face, yeah, it is a bit confusing, but
29 normally we never change the proposed regulation
30 because we want to just make sure that we pointed out
31 that we made it so that it would end up reflecting the
32 remainder's difference -- point it out on the map's
33 there.

34
35 So since the intent of the proponent,
36 the Council was to have the regulations align with the
37 State regulations that's why we ended up making sure
38 that we did so and that was just a slight modification
39 of what occurred in the proposal book.

40
41 So as far as the Federal public lands,
42 that's part of this proposal, we're dealing with 9(B)
43 which includes Lake Clark National Park and Preserve,
44 about a quarter of that area, and then some small
45 isolated tracts of BLM lands, and then for Unit 17 a
46 good -- primarily 17A is Togiak National Wildlife
47 Refuge and so we have some people from there also who
48 can answer questions and provide some information as
49 well.

50

1 The regulatory history is involved in
2 these for -- for the Mulchatna Caribou Herd, there's
3 been lots of modifications made but at the bottom of
4 Page 24, as I mentioned already, the reduction in the
5 harvest limit under the State's regulations, which was
6 effective this year, is the most recent and
7 significant, that I wanted to point out.

8
9 At the top of Page 25 I wanted to draw
10 your attention to the current events involving this
11 particular herd, and as we all know there's a
12 substantial continuing decline. And the reduced
13 harvest limits were -- that the Board of Game passed
14 last year were applicable to Units 9, 17, 18, 19A, and
15 19B to reduce the fall bull harvest.

16
17 The most -- notably one thing that we
18 wanted to update was the results from the most recent
19 photo census which were conducted in July 2006. As of
20 a memo -- a memo from ADF&G in January of 2007 the
21 estimated size of the herd is now 45,000 caribou so
22 with this updated estimate there's a substantial
23 reduction in the herd size and it has considerable
24 bearing on future management decisions.

25
26 Also composition counts were conducted
27 in October of 2006, this past fall, and a summary of
28 these composition counts, and ones done previously are
29 on Table 1 and that's on Page 27. Just to point out on
30 this table, looking at it, the first column, you can
31 see the bull to cow ratio has gone down significantly
32 and it's now at an estimated 14.9 percent, also on the
33 last column is the herd size and you can see as of 1996
34 it was up to 200,000 and now the most recent is 45,000.

35
36 And another column at the top, the
37 large bulls, percentage of bulls, that's also quite low
38 now, it's at nine percent.

39
40 Also under current events, there's
41 currently Alaska Board of Game proposals that will be
42 considered at the Board of Game meeting in March 2007
43 in Anchorage, and as I said I'll go over some of the
44 comments that we had from the Office of Subsistence
45 Management.

46
47 So I've already mentioned the
48 population size and some of the items on Table 1 under
49 the biological background, we've covered that, and for
50 the harvest there's a table on Page 28, and mostly that

1 was just to point out, on Page 28 it just -- if there's
2 been non-resident hunters -- have declined in
3 comparison to the resident hunters, and you can see the
4 numbers harvested on each column on that table.

5

6 Can you hear me okay, Virginia?

7

8 MS. ALECK: Yeah, I can hear you.

9

10 MS. GREFFENIUS: Do you have a book in
11 front of you when I'm referring to the page numbers or
12 do you want me to say more when I tell people to look
13 at the tables.

14

15 MS. ALECK: No. Actually I have a book
16 in front of me.

17

18 MS. GREFFENIUS: You do have a book,
19 okay, I just wanted to double check, because I thought
20 of that. Okay, thank you.

21

22 CHAIRMAN ALVAREZ: Laura, I -- can you
23 go over that last part again, about the numbers.

24

25 MS. GREFFENIUS: On Table 2 on Page 28?

26

27 CHAIRMAN ALVAREZ: Yeah.

28

29 MS. GREFFENIUS: There's been about a
30 62 percent decline in caribou harvest between 1999 and
31 2004 and this naturally reflects the overall population
32 decline and then also just the non-resident hunters
33 have significantly declined as well so you can see
34 early on in this table the non-resident hunters and
35 amount harvested was about equal with the resident
36 hunters, and then as the years go by the non-resident
37 hunters have decreased to about one-half, one-third of
38 the harvest compared to the resident hunters.

39

40 So the effects of this proposal is that
41 Federally-qualified subsistence users would still have
42 an opportunity to harvest caribou but their harvest
43 limit would be reduced from five to three caribou. And
44 the caribou's range also includes portion of Units 18,
45 19A and 19B, so if this proposal were adopted the
46 regulatory changes should also take place in these
47 units as well. And on Page 26 there's a map that just
48 gives the Mulchatna Caribou Herd range, just showing
49 how it overlaps those other units.

50

1 So the preliminary conclusion, going to
2 Page 28 is to support this proposal with modification
3 that includes the whole range of the herd so to have
4 the proposal as it initially existed, from what the
5 Council proposed and then also to include Units 18, 19A
6 and 19B. So -- and the harvest would still be
7 reflecting what the original proposal was.

8
9 On Page 29 I just wanted to point out
10 that there's a strike thru in our -- the reformatting
11 when the book was published, for the Unit 18, it has
12 August 1 to April 15, that should have a strike
13 through, and then underneath it is August 1 to March
14 15th, and that's how it is on Page 20 but it needs to
15 be the case on Page 29. And that's the alignment with
16 the State's regulations that -- so one of the effects
17 of the proposal would be that in Unit 18 the season
18 would be shortened by one month.

19
20 So the justification for our conclusion
21 is that based on the population decline, there's
22 management concerns which necessitate a reduction in
23 the harvest and this modification also would align the
24 harvest limits and open seasons across the range of the
25 herd and not be specific to 17 and 9B. And as I
26 mentioned there is currently -- there's more than three
27 now, because there was an additional one, there's
28 currently four Alaska Board of Game proposals for the
29 Mulchatna Caribou Herd to further reduce/and/or change
30 harvest limits in open seasons, and the Council should
31 have these proposals before them when they deliberate
32 and make recommendations on No. 23 so the information
33 that you carry forth here at the Council meeting today
34 will be considered at the March 2007 Board of Game
35 meeting as well as those decisions will be influential
36 in what the Federal Board of -- the Federal Subsistence
37 Board will be considering at their May meeting.

38
39 So that concludes my summary of this
40 particular analysis.

41
42 And then I just wanted to point out on
43 the recommendations that I had handed out, the OSM
44 recommendations for the OSM proposals, if you look at
45 Page 3.....

46
47 Virginia, you don't have this in front
48 of you, it just came out on Friday so I gave it as a
49 hand out to the Council members, it's.....
50

1 MS. ALECK: Okay.

2

3 MS. GREFFENIUS:it's this one
4 right here. And these are the OSM comments pertaining
5 to the proposals that are before the Board of Game and
6 what the OSM recommendations are for those. So for
7 those of you who have it in front of you it would be
8 Page 3 -- starting on Page 3 and it lists the proposals
9 and the analysis, it -- well, there's also Proposal No.
10 209, which was added later on. And I'll just read some
11 of this so it's in the record and also so that Virginia
12 can hear it.

13

14 So the State's proposed actions are
15 also for reductions and changes in the seasons and I'll
16 let the State Staff address that further, but just our
17 Federal position recommended action, is that OSM
18 recommends any -- to adopting any regulations which
19 would reduce the harvest of the Mulchatna Caribou Herd
20 throughout its range. And as I mentioned on the bottom
21 of Page 4, just I'll reiterate that the Councils will
22 have these proposals and you've got them in your packet
23 that I handed out, when they deliberate and make
24 recommendations on this one and actions taken by the
25 Board of Game on these proposals at their March 2007
26 meeting will directly affect subsequent modifications
27 to No. 23 prior to the deliberations at the Federal
28 Subsistence Board meeting in May 2007.

29

30 So presently, I just wanted to bring
31 that to your attention and so now as far as considering
32 No. 23 and whenever you decide to take -- whatever
33 recommendation you want to make to the Board of Game,
34 we discussed that at the beginning of where you wanted
35 to put that on the agenda, but I just wanted to bring
36 that to your attention.

37

38 So that concludes the information that
39 I have for this one.

40

41 Thank you.

42

43 CHAIRMAN ALVAREZ: Thank you, Laura.
44 Now, we are on the ADF&G PowerPoint.

45

46 (Pause)

47

48 MR. WOOLINGTON: Mr. Chairman. Members
49 of the Council. Appreciate you bearing with me on
50 delaying this proposal and letting me get a chance to

1 get set up and I also appreciate Daryle and the folks
2 from the Refuge in King Salmon for bringing it on short
3 notice. I'm probably the last hold out with Fish and
4 Game as far as using PowerPoint and computers and they
5 finally got me whipped into shape and so we'll see what
6 we got.

7

8 But what I thought I would do is give a
9 rundown on information on the Mulchatna Caribou Herd.
10 I discussed with the Chairman, I'll hold off on the
11 Department's comments until the regular order, but I
12 thought it would be valuable to present some
13 information on what the numbers have been doing and
14 harvest information and that sort of thing. She
15 presented some of the numbers and harvest information
16 but I've got a few data points that are updated since
17 we were able to provide the Federal office with the
18 numbers.

19

20 But basically your proposal is to
21 change the resident bag limit for Mulchatna Caribou.
22 Because of the distribution of the Mulchatna Caribou
23 Herd, it's actually through the years been kind of a
24 difficult one to deal with regulatory-wise, because we
25 have -- this is kind of an outline of the distribution
26 of the herd and for State purposes it's in the Interior
27 region, which is managed, the Fairbanks Regional
28 Office, so that's one Game Board meeting, it's in the
29 Region 5, the Bethel Office, so that's another Board of
30 Game meeting, and then this is in 17 and 9, which is
31 the Southcentral Region for Fish and Game, so that's a
32 third Board of Game meeting that would have to be have.
33 So at one point we had quite a range of regulations,
34 seasons and bag limits for the range of the Mulchatna
35 Caribou.

36

37 Part of that was due to kind of the
38 history of the herd, it's called the Mulchatna Caribou
39 Herd because it -- that's the Mulchatna River there.
40 Well, we name caribou herds based on the area where
41 they calve. Back in the '70s this was a very small
42 herd and barely able to count them actually, as it grew
43 then it expanded its range and then it moved into areas
44 where there had been no caribou, like over in Game
45 Management Unit 18 and that went from an emergency
46 order opening or went from closed and then when they
47 had caribou over there went to emergency order opening
48 when caribou would move over there, and then at one
49 point then the Board of Game took proposals to
50 establish a regular season, and it was the same in 17A.

1 So these blocks here sort of -- these are what we call
2 our survey areas and there's quite a number of agencies
3 that are working cooperatively on management of -- and
4 information on the Mulchatna Caribou.

5
6 I'm in the Dillingham Office and the
7 Togiak National Wildlife Refuge, Paul and his staff are
8 also in Dillingham. They generally -- when we have
9 surveys they take care of Unit 1, I take care of 4 and
10 try to get 3. The Lake Clark National Park and
11 Preserve Staff have been taking care of 5. Lem Butler
12 here and the King Salmon Fish and Game office has been
13 taking care of 6 looking for caribou in there. Number
14 2 is the -- you've got the Bethel, the Yukon-Delta
15 National Wildlife Refuge and the Bethel office of
16 Alaska Department of Fish and Game. So we've got a
17 whole bunch of people coordinating for the different
18 surveys we do for Mulchatna Caribou.

19
20 Most of the work that we do on this
21 herd is dependent upon getting radio collars on the
22 caribou and following their movements. Mike Hinkes
23 formally with Togiak Refuge and these are one of the
24 caribou collars that we use.

25
26 So one of the surveys we do every fall
27 is the fall composition counts in which we take a
28 helicopter out, have one survey over just inside where --
29 if we've got caribou over there in Unit 18 and then we
30 usually have some over in the 17 and 9B area, we pool
31 the numbers and then we're able to -- what we look at
32 is the number of bulls per 100 cows and the number of
33 calves per 100 cows. And what we have seen is that the
34 number of bulls per 100 cows has been declining.
35 Calves, we've had some bad years and then it's been kind
36 of moving around, last year it was actually halfway
37 decent.

38
39 In the early '70s couldn't hardly count
40 the caribou, if you could find them, and then through
41 until about '96 we had a survey and that was right at
42 200,000, no survey until the 1999 one. So I've always
43 said that it peaked in 1996, we don't know what it did
44 in '97 or '98, but at some point it dropped down. Now,
45 one of the things, and everybody has keyed in on this,
46 this part here, the sharp decline, one of the things
47 that's always intrigued me is what in the world was
48 going on there. The herd increased at 17 percent a
49 year and going from a herd of, you know, 14,000 or
50 15,000 up to 200,000 in just a relatively short number

1 of years, and the Mulchatna Caribou Herd is sort of
2 known for doing things really dramatically.

3
4 As it increased in here, again, this is
5 the time when it was up in the Mulchatna River
6 drainage. By 1994 it was going over into Unit 18 over
7 towards the Bethel and the foothills over there in
8 large numbers, kind of swamped the former Kilbuk Herd
9 and then moved. They've gone on down, there's been
10 caribou down on Cape Newhalan, Goodnews Bay. Prior to
11 that, some of those areas hadn't seen caribou in a
12 hundred years.

13
14 MR. ABRAHAM: Excuse me.

15
16 MR. WOOLINGTON: Go ahead.

17
18 MR. ABRAHAM: What you mean, former
19 Kilbuk, what do you mean by that?

20
21 MR. WOOLINGTON: That in past years we
22 had caribou, we called it the Kilbuk Caribou Herd up in
23 the Kilbuk Mountains, and there's no caribou calving up
24 there anymore. During our calving surveys we find no
25 large groups of caribou calving in the Kilbuk Mountains
26 anymore.

27
28 MR. ABRAHAM: In other words Kilbuk are
29 mixed with -- joined the Mulchatna and became one?

30
31 MR. WOOLINGTON: That's what it looks
32 like, yeah, and it's kind of an interesting point,
33 because of whether -- you know, where did they come
34 from to start with and where did the Mulchatna Caribou
35 Herd come from to start with, you know, relatively
36 small herds. Some of these things we don't know, we
37 don't know what -- back in -- you know so far back, one
38 of the theories is that more than a hundred years ago
39 there was a big mega caribou herd that was in all of
40 Western Alaska and as that declined it may have had
41 little remnant herds scattered about and then what we
42 saw there in the mid-1990s is large numbers of
43 Mulchatna Caribou moving through the Nushagak Hills,
44 through the Shotgun Hills, through the hills over there
45 in the Upper Kwethluk and when they left everybody left
46 with them. And then what we see now is every year
47 movements back and forth through the hills over onto
48 the west.

49
50 MR. ABRAHAM: Because in 1984/85 we had

1 a small heard up around Kisaralik area.

2

3 MR. WOOLINGTON: Uh-huh.

4

5 MR. ABRAHAM: That was well protected.

6 I mean when the people found out, you know, we were

7 going after them.

8

9 MR. WOOLINGTON: Right.

10

11 MR. ABRAHAM: They started there and we

12 called them Kilbuks.

13

14 MR. WOOLINGTON: Right, I agree, yeah,
15 there were some there and I think John Rowe even called
16 them the Kisaralik Herd in some of the reports so it
17 was up in that area. But by the late 1990s they
18 couldn't find them up there anymore during calving
19 time. And they're caribou in there during the
20 wintering and then they blast out of there come April
21 and come back over to calf.

22

23 MR. ABRAHAM: Thank you, Jim.

24

25 MR. WOOLINGTON: Looking at this
26 decline and the photo estimate from last summer we take
27 -- that's the other thing we use the caribou radio
28 collars for is during the last week or 10 days of June
29 and the first week of July, all caribou herds in the
30 state do what's called a post-calving aggregation, in
31 which they just group up into these big wads, probably
32 has to do with insect avoidance and you'll see them
33 just stacked up nose to tail, shoulder to shoulder on
34 either gravel pads or snow patches up in the hills.
35 During that time we have a Beaver with a photo -- a
36 large format camera that will come in and take transect
37 line of photos across these large groups and then count
38 the caribou on the photos, spend the next few months
39 counting the photos. And that's how I came up with
40 those -- the 1999 numbers and the 2006 numbers, that's
41 what that's based on, the 45,000 that's noted is based
42 on the July 11th, 2006 photo census.

43

44 Potential causes for this dramatic
45 decline is perhaps there's some density dependent food
46 limitation. My personal feeling is the worst thing
47 that ever happened to that herd was that it got to
48 200,000 and perhaps we're seeing some results of that.

49

50 Harvest might be an issue but I don't

1 think the numbers -- reported numbers support it.
2
3 Predation we've seen increased wolf
4 numbers throughout much of the range of the Mulchatna,
5 there's always been a good bear population.
6
7 We've noted some disease issues with
8 this herd as well as with the North Peninsula Herd. If
9 you'll remember during the -- some of you remember
10 during the fall of 1998 we had quite an outbreak of
11 foot rot and that was pretty dramatic. There were a
12 lot of caribou out there limping and I think a lot of
13 them died.
14
15 We're probably also looking at some
16 climate changes that might be driving something that's
17 going on with the caribou.
18
19 But, again, I like to relate these to
20 what happened prior to the peak. What were these --
21 what was going on with these as the herd was growing.
22 I don't have any answers for that.
23
24 But as far as the decline, it's
25 probably a combination of all of these and probably
26 some more things.
27
28 One of the things that one of our
29 caribou researchers took a look at, Bruce Dale, out of
30 the Palmer Office, is taking our composition and
31 population estimation -- or estimates, he threw the
32 numbers into a model to take a look at age structure
33 during the various years because we get an idea on the
34 calf/cow ratio, we can kind of back calculate and fit
35 the model to the actual numbers that we see. So some
36 of this, take it with a grain of salt, but it is a
37 model. I'm going to show you some slides that are
38 generated from that model, but I think it's pretty
39 interesting to look at what was going on with the age
40 structure during this dramatic rise and then decline.
41
42 This is through the years and then the
43 number of caribou.
44
45 You'll notice this shows the peak at
46 '98 instead of '96 like I'm giving it, but that's just
47 the effect of the model.
48
49 The other thing is because we have the
50 fall composition data so we're -- into this model we're

1 able to put in the relative proportion of bulls, calves
2 and cows into these population numbers.

3
4 One of the things that's real striking
5 with this is during the years when it was rapidly
6 growing, the number of calves that were being put out
7 there every year, what we refer to as a cohort, 30 --
8 almost 35,000 calves out there every year, new calves,
9 and so the calves born in '96 are going to be one year
10 old in '97 and two year olds in '98 and that sort of
11 thing. And then the other thing, I find this
12 interesting, is we found in that composition, the
13 tables of the composition data and also the chart that
14 I put out, fall 1999 was just a really bust for the
15 calf/cow ratio and I've never been able to figure out
16 why that was. I'm real confident of the numbers
17 because we had some really good survey pilots and good
18 counters and stuff and we had a very poor, something
19 like 14 calves per 100 cows. It was right after the
20 fall of '98 -- during the fall of '98 is when we had
21 the big hoof rot outbreak, so I suspect there was some --
22 cows went into the winter in really bad condition,
23 either they didn't have calves or they weren't able to
24 take care of their calves that next spring. It's a good
25 theory and it sure -- the number -- the calf numbers
26 for that year.

27
28 Another thing is this low calf is right
29 after the peak. This low calf cohort is followed
30 through, I mean every year after that there's -- it's
31 going to be -- as you lose some through these it's
32 going to follow through on the age structure.

33
34 This is early '98, this part -- it'll
35 be this part of the herd growth graph here on the
36 model. And this is for the females only. And this is
37 kind of what you'd expect on kind of a normal age
38 structure for the population. You got a bunch of
39 calves, this is like in October so these would be five
40 months old and so you got a bunch of calves and then the
41 next year they're going to be these and then these and
42 so you lose some and so you -- the cohort just
43 naturally declines because you have a certain amount of
44 natural mortality, hunting loss, predation, things like
45 that.

46
47 Get out to seven, eight and nine, those
48 cows are starting to get quite a bit of age on them.
49 By the time they're 10, 11, 12 basically they're dying.
50 They're just not going to make it. That's about as old

1 as they get. Few of them get that old, and they're
2 probably not having calves when they get out there. The
3 other thing is about six, seven, eight is when the
4 bulls die. They do not live as long as the cows. So
5 that's a -- keep that in mind when I talk about the
6 bull/cow ratio a little later on.

7
8 And jump up here to 1993, I've got a
9 graph for each one of these but it takes forever to get
10 through it. 1993 it kind of shows what -- these are
11 the numbers. You've got -- again, you've got kind of
12 the normal distribution of the age structure and
13 because you had some pretty good numbers out here
14 you've got more numbers in the older age classes.
15 These real productive age classes of cows here are
16 pumping out a lot of calves and that's when we see the
17 population is growing real dramatically.

18
19 '96, probably because of some density
20 issues we're seeing we had some low calf/cow ratio
21 years so we're seeing a decrease in the cohorts being
22 born by these prime age cows. The other things we're
23 seeing, you know, there's some pretty good numbers in
24 these older cows, nine, 10, 11's and even probably some
25 12's out there.

26
27 By 1999 when it start -- over the hump
28 there and started declining, we're seeing these cohorts
29 from these seven year olds that were from these really
30 big cohorts that they came from are carrying through in
31 the older age class cows and the calf/cow ratio shows
32 -- information shows that we're not doing so good over
33 here on the younger calves.

34
35 By 2003 it's looking really bumpy and
36 the other thing is we're carrying a lot of really old
37 cows out there in the population. That's probably
38 contributing to some of this decline in the calf
39 production that we're seeing.

40
41 By 2006, the current fall 2006, this is
42 what we're looking at, our last big cohorts out here,
43 nine and 10 years old. They're getting ready to check
44 out, about ready to do the big dirt nap because they
45 just aren't going to live much longer, whether they get
46 eaten by a wolf or a bear or just trip over a rock and
47 die. Caribou don't live forever, that's just the way
48 it is.

49
50 We see some really poor calf production

1 years that resulted in these low cohorts.

2

3 To summarize it we're probably looking
4 at some -- a lot of causes that -- probably don't know
5 all of them but we may be looking at kind of a regional
6 type cause.

7

8 The Nushagak Peninsula Caribou Herd,
9 this is the Nushagak Peninsula here, it resulted from
10 an introduction in -- Paul is it '98 -- 198 -- yeah,
11 1988, '87, caribou from the North Peninsula Herd were
12 moved over on to the Nushagak Peninsula and these
13 numbers are multiplied by a hundred so we can actually
14 see them on the same graph. But we've got really good --
15 you know, we know what we started out with, the age of
16 the animals and we do surveys every year, get a
17 population estimate and get composition counts, and it
18 tracks or almost -- very close with what the Mulchatna
19 Caribou Herd did, so there's probably something going
20 on here that is just being driven by regional issues,
21 whether it's climate change or whatever.

22

23 The age structure probably was
24 exacerbating the current decline that I showed -- you
25 know, we see these -- the large cohorts, these cows
26 here were calfs back in here and there were lots of
27 calfs being pumped out. These cows are getting old and
28 they're going through getting older and producing less
29 calfs. The other thing we're seeing on the Mulchatna,
30 is I do calving surveys every May for the radio
31 collared adult cows and we see no productivity from the
32 two year old cows, they're just not having calfs. Down
33 on the Nushagak Peninsula, a fair proportion of the two
34 year old Nushagak Peninsula Caribou cows have calfs,
35 Mulchatna they don't, and few of the three year olds
36 have calfs. So we're seeing it on both ends, with the
37 lack of productivity both from a large proportion of
38 old cows that are probably having few calfs and the
39 younger cows that have calfs at that age in other herds
40 but they're not having calfs at that age in the
41 Mulchatna Herd.

42

43 And the bull/cow ratio it's, as the
44 chart shows, it's low, it's extremely low. It's one of
45 these dramatic things that the Mulchatna Herd has done
46 and I haven't been able to figure it out. But one of
47 the things this model kind of pointed out was back in
48 the days when we had higher bull/cow ratios we didn't
49 have large numbers of cows in that 10, 11, 12 year old
50 age class. Well, the bulls are dying at six, seven and

1 eight where we've got large numbers of cows that are
2 living longer because they came from large cohorts and
3 so that might be contributing to this really skewed
4 bull/cow ratio but as soon as those old cows check out
5 and the smaller cohorts become those older age class
6 cows, I think we're going to see a turnaround in the
7 bull/cow ratio. And that bull/cow ratio, that may not
8 necessarily mean great big giant bulls because that,
9 the large antler growth is very related to habitat and
10 food. But I think we're looking at an improvement in
11 the bull/cow ratio in the next few years.

12

13 That's kind of what the herd has done
14 to itself.

15

16 We want to look at some harvest numbers
17 -- Laura -- as Laura said, we've seen a decline in the
18 harvest of the caribou. 1999 was the first year that
19 the Department sent out reminder letters for caribou
20 hunters so I don't go back any further than that
21 because as far as the reported harvest, before that is
22 not reliable, and this is the reported harvest. These
23 is from the orange harvest cards. Subsistence Division
24 does the village surveys and they come up with some,
25 might be different numbers for specific villages than
26 what we would be able to get. But this is from the
27 orange harvest cards, people reporting that they hunted
28 caribou within the range of the Mulchatna Caribou, and
29 the residents and none residents -- non-resident
30 harvest -- the number of caribou killed by non-
31 residents has declined dramatically the past few years.
32 And this is still when the five caribou for residents
33 and back in here it's two caribou for non-residents.
34 That got changed in 2003 or 2001.

35

36 It used to be that less than a third of
37 reported harvest was cows and now the past few years
38 it's even or in 2005 it actually exceeded the reported
39 harvest for bulls. And it's not just a factor of
40 people being less successful hunting, it's a matter
41 there's fewer hunters out there going after Mulchatna
42 Caribou. The number of people reported hunting
43 Mulchatna Caribou within the range of the Mulchatna has
44 remained about the same since 2001, 2002, somewhere in
45 there. So you've got about the same number of people
46 saying they didn't get a caribou, people who did get
47 caribou have gotten fewer, and so my interpretation of
48 that is we have had a decline in the number of people
49 going after Mulchatna Caribou, and it's a real decline
50 in non-residents.

1 CHAIRMAN ALVAREZ: Jim, you know, one
2 reason, too, why the cow harvest has gone up is because
3 from back in '99 until lately is because there's been
4 less caribou around here in the falltime when people
5 are shooting bulls. People tend to shoot bulls in the
6 fall but in the wintertime they tend to shoot cows.
7 And they've only been coming around in the wintertime
8 so people tend to shoot cows because they're not as --
9 they have a little bit more fat. Sometimes they have
10 some fat on them and they're a little bit better,
11 people like them better, so that's probably the main
12 reason why the cow harvest is way up now from what it
13 used to be.

14
15 MR. WOOLINGTON: Yeah, Mr. Chairman, I
16 agree with what you say. But looking at the numbers,
17 and I don't know that I have a figure showing that. Up
18 through these years anyhow, the biggest proportion of
19 the reported harvest comes from the fall. But I do
20 agree that in the wintertime the people are selecting
21 cows because they're generally in better shape.

22
23 CHAIRMAN ALVAREZ: Where's the big
24 harvest in the falltime at, way up in the Kuskokwim?

25
26 MR. WOOLINGTON: Because people are
27 hunting from all the way from Port Alsworth to Bethel
28 now in the falltime. There's a lot of access out of
29 Aniak and Bethel now days, where there didn't used to
30 be.

31
32 As far as the number of caribou for
33 resident hunters, the number of caribou per hunter from
34 the -- this, again, from the harvest cards, most of the
35 hunters report just taking one caribou.

36
37 Again, as far as this Federal proposal
38 before you, it's to change the resident -- no, it's
39 change the bag limit, Federal bag limit for Mulchatna
40 Caribou to the current regulatory year, I guess there's
41 also a season date change in there also. And to get
42 back from when I started out with, that it's been very
43 difficult to deal with the regulations on this, when
44 this was proposed, the -- our current State season and
45 bag limit is a total of three, only one in the fall
46 prior to December 1st, and since then there are some --
47 and your proposal is to make the Federal regulations
48 consistent with the State, but we're in the process now
49 of going through the Board of Game proposals and
50 there's five dealing with Mulchatna Caribou. And so it

1 makes it kind of difficult on dealing with this one as
2 far as the actual proposal is to make it consistent
3 with the present State reg, but by the time March 12th
4 rolls around the State regs may change. So I'm not
5 sure how you're going to handle that.

6

7 So if you have questions about what I
8 showed there or if I can clarify something, or if I
9 totally put everybody to sleep.

10

11 CHAIRMAN ALVAREZ: That was an
12 excellent presentation, learned a lot. I didn't know
13 that the -- the map there, where they went, you know, I
14 knew they went up there somewhere.....

15

16 (Laughter)

17

18 CHAIRMAN ALVAREZ:but I really
19 didn't know where they actually went, what units that
20 they were in and where the people were harvesting them
21 from, and also the age composition. And.....

22

23 MR. WOOLINGTON: Well, that is.....

24

25 CHAIRMAN ALVAREZ:the cows.....

26

27 MR. WOOLINGTON: Excuse me, Mr.
28 Chairman, that is just a new kind of a -- Bruce Dale,
29 our caribou researcher has just sort of put that
30 together in the last month or so, actually less than a
31 month, and we're kind of -- it's pretty intriguing and
32 we're also interested in maybe plugging some of the
33 North Peninsula caribou information into that to see
34 how that works also.

35

36 CHAIRMAN ALVAREZ: I know I appreciate
37 it. I enjoy it, you know, I'm on this Council and I'm
38 on the Lake Iliamna Committee, you know, and neither
39 one of them you get any pay for it, it's just, you
40 know, public.....

41

42 MR. DUNAWAY: Service.

43

44 CHAIRMAN ALVAREZ:for -- you
45 know, I can't think of the word, but, you know.....

46

47 MR. DUNAWAY: Volunteers.

48

49 CHAIRMAN ALVAREZ:it's
50 volunteers, you know, that's all it is. I mean I

1 wouldn't do it unless I liked it, you know, and I like
2 doing this, you know, trying to make sure we have a
3 good populations of this and I learned a lot from your
4 presentation so appreciate it.

5

6 Dan.

7

8 MR. DUNAWAY: Yeah, Mr. Chairman, a
9 comment to Jim, but I want your help on it, Randy. I
10 remember sitting up there in Igiugig with Dan Salmon
11 and he talked about how rabies had kind of whacked the
12 canines at least in the Igiugig area and I'm trying to
13 remember but I thought that was back in the mid- to
14 late '80s. He said he used to see the wolves up there
15 for the Department, and I thought I remember him saying
16 that rabies kind of came through and he saw very few
17 wolves after that and I'm wondering if -- this is where
18 I'm looking for you for comment, too, Randy, if my
19 memory serves he was speculating a little bit that if
20 rabies affected the wolf population in say the north of
21 Lake Iliamna area, if that might have contributed to
22 some of that rapid increase in the Mulchatna Herd. But
23 Randy knows that country better than I do.

24

25 CHAIRMAN ALVAREZ: I don't remember him
26 saying that, if there were rabies -- I don't remember
27 anything coming around town.

28

29 MR. DUNAWAY: Well, it was back when
30 they were tagging rainbows.

31

32 CHAIRMAN ALVAREZ: I remember foxes, we
33 had times where foxes were -- had rabies, but I don't
34 remember wolf, but it's possible at the time.

35

36 MR. DUNAWAY: Right. It might be worth
37 asking Dan again, but I seem to remember that from one
38 of those times we were up there tagging rainbows and
39 had time to talk about things.

40

41 CHAIRMAN ALVAREZ: But there still was
42 landing and shooting going on, too, wasn't it?

43

44 MR. WOOLINGTON: I believe that stopped
45 in about '95 or '91.

46

47 CHAIRMAN ALVAREZ: So at least -- once
48 land and shoot was eliminated then the wolves really --
49 the population went up. Before that they were kind of,
50 you know, I think they were average densities, you

1 know.
2
3 Pete.
4
5 MR. ABRAHAM: Mr. Chairman. Well, you
6 know, the nature take care of animals and stuff. You
7 know, I think the crash they're having right now, you
8 know, you never know what really causes them to decline
9 that fast, but, you know, I hope in time we can find
10 out and we can tell a story about it. But right now
11 you cannot -- like I say, cannot, the nature, we just
12 have to watch it how it happens a couple more years or
13 so and it'll be pretty clear.
14
15 CHAIRMAN ALVAREZ: Virginia, are you
16 still on the line?
17
18 MS. ALECK: Yeah, I sure am.
19
20 CHAIRMAN ALVAREZ: Congratulations,
21 you're sticking with us.
22
23 MR. DUNAWAY: Yeah, that was brave.
24
25 CHAIRMAN ALVAREZ: It's getting hot in
26 here, everybody's getting sleepy. Anyway, is that --
27 does anybody got any questions or comments to Jim.
28
29 (No comments)
30
31 CHAIRMAN ALVAREZ: Thank you, Jim.
32 Let's move to other State and Federal agency comments.
33
34 (No comments)
35
36 CHAIRMAN ALVAREZ: Seeing none,
37 InterAgency Staff.
38
39 (No comments)
40
41 CHAIRMAN ALVAREZ: Fish and Game
42 Advisory Committee comments.
43
44 MR. DUNAWAY: Yeah.
45
46 CHAIRMAN ALVAREZ: Dan.
47
48 MR. DUNAWAY: This is more with regard
49 to the proposal 209 that the Fish and Game is taking
50 before the Board of Game, but I really have to speak up

1 for the Nushagak River villages, which I believe came
2 out, correct me if I'm wrong, Jim, but I believe they
3 came out rather emphatically opposed to the current one
4 caribou bag limit that the Department's proposing for
5 this next Board of Game meeting and I wanted to make
6 sure folks know that here. They felt it was not worth
7 it for them to go for one. They felt, given, from what
8 I understand, given some of the material that Jim
9 presented, he presented the same thing to the Nushagak
10 Advisory Committee, I believe they voted to oppose the
11 one caribou bag limit and support the reduced non-
12 resident season, support elimination of the same-day
13 airborne winter hunt, but retain the three animal bag
14 limit for residents. I think there's also a slightly
15 shortened recommended resident season.

16

17 CHAIRMAN ALVAREZ: A little bit of time
18 on the end, too.

19

20 MR. DUNAWAY: Yeah, so I would be less
21 concerned about this group trying to adjust the
22 regulations to meet the latest, freshest proposal that
23 the State has. Because I think what the -- seriously
24 subsistence users of the Dillingham, Nushagak area
25 proposed is closer to what we're looking at right here
26 in this proposal.

27

28 CHAIRMAN ALVAREZ: Yeah, all right,
29 Dan. Lake Iliamna Committee met yesterday too, in
30 Igiugig and they supported basically the same thing
31 that Nushagak did. The State proposal, the only thing
32 that they amended was the bag limit of dropping down to
33 one and leave it at three and everything else in the
34 proposal they supported eliminating land and shoot,
35 shortening the season and restricting more the non-
36 resident hunters. But basically that was the extent of
37 that proposal -- I mean the Advisory Committee
38 recommendation.

39

40 Okay, any other.

41

42 MR. ABRAHAM: (In Native)

43

44 CHAIRMAN ALVAREZ: Summary of written
45 public comments, Cliff.

46

47 MR. EDENSHAW: Thank you, Mr. Chair and
48 Council members. There was the one here from the Lake
49 Clark SRC on Proposal 23. The SRC supports reducing
50 hunting pressure on the Mulchatna Caribou Herd to

1 reverse the declining population trend and allow the
2 number of animals to stabilize.

3

4 And that concluded written public
5 comments, Mr. Chair.

6

7 CHAIRMAN ALVAREZ: The SRC supported
8 Proposal 23 as written?

9

10 MR. EDENSHAW: Yes.

11

12 CHAIRMAN ALVAREZ: All right. Public
13 testimony, number 7. Joe, would you -- your form says
14 you wanted to testify on 23.

15

16 MR. KLUTSCH: Thank you, Mr. Chairman.
17 Following Jim Woolington's -- I thought this was a
18 great report. I'm just going to keep my comments very
19 brief. You'll notice in my written comments I did
20 about a three paragraph version of what he just
21 described in great detail.

22

23 But the one point I would want to make
24 here and I remember at last year's meeting, Mr.
25 Chairman, you made a comment about how you remember
26 when the herd was about 55 and 60,000 animals and how
27 happy we were about it when it got to that level. I
28 can remember in the '70s, 1978, '79 it was listed as a
29 minor herd at 11 to 12 and when it got to 15 and 18
30 everybody was really happy. And so we had that great
31 ride from 150,000 to 200,000 animals and now the wave
32 has hit the beach and I guess maybe the lesson is that
33 happens with caribou, it's the nature of the beast and
34 sometimes maybe we take abundance for granted.

35

36 And I'll support the Staff
37 recommendations as written.

38

39 CHAIRMAN ALVAREZ: Thank you, Joe. Any
40 more public testimony.

41

42 (No comments)

43

44 CHAIRMAN ALVAREZ: Okay. Right now,
45 okay, before -- I guess right before deliberation our
46 coordinator wants to take a quick break.

47

48 MR. EDENSHAW: Don't say that.

49

50 (Laughter)

1 CHAIRMAN ALVAREZ: I'm ready for one.
2
3 (Off record)
4
5 (On record)
6
7 CHAIRMAN ALVAREZ: We just got done
8 with public testimony and that brings us down to
9 Council deliberation. And do we -- does somebody want
10 to move to adopt Proposal 23.
11
12 MR. DUNAWAY: I'll move to adopt.
13
14 CHAIRMAN ALVAREZ: We have a motion to
15 move to adopt to bring to the table to.....
16
17 MR. ABRAHAM: (In Native)
18
19 CHAIRMAN ALVAREZ:07-23, seconded
20 by Pete to reduce the harvest -- the bag limit for
21 caribou in 23.
22
23 The proposal says -- the general
24 description of it is -- I don't know if our intent was
25 to align everything with the State regulations but we
26 did ask to lower the bag limit down but anyway I'm
27 wondering if we would want to modify -- amend our
28 proposal to take into account what Fish and Game is
29 doing by restricting non-residents.
30
31 Our proposal, if you'd look on existing
32 State regulations on Page 23, non-residents would still
33 be allowed to take caribou from August 1st until August
34 30th, that's in 9, and then 17B the same, and the
35 State's proposal's recommending that 17B they not be
36 allowed to -- the non-resident season be closed and in
37 9B they be allowed two weeks.
38
39 I would go along with that because of
40 the present situation but I still feel the bag limit of
41 three, what we proposed in this proposal, stay in
42 effect. I was wondering how do you guys feel about
43 amending our proposal to restrict non-residents in 17B
44 and shortening the season somewhat in 9B or probably --
45 or do we need to also make recommendations on 18 and
46 19.
47
48 MR. DUNAWAY: Mr. Chair.
49
50 CHAIRMAN ALVAREZ: Dan.

1 MR. DUNAWAY: As I remember it, some of
2 this proposal was begun with part of my discussion
3 where I did want us to try as much as possible to align
4 with the State, not knowing that they were going to
5 propose one bag limit. Like I said earlier I
6 personally, after listening to up river testimony, feel
7 I got to speak up for those folks. I support the three
8 animal bag limit.

9
10 I could support the new proposed
11 season, shortened seasons. I'm not clear whether we
12 have authority or jurisdiction over non-resident
13 hunting seasons and that would be a question for the --
14 we're gathering Feds here, and I don't think we ever
15 did allow same-day airborne on Federal lands.

16
17 CHAIRMAN ALVAREZ: No, it's not.

18
19 MR. DUNAWAY: That didn't fly so to
20 speak. So my inclination is to try to align the
21 seasons with whatever the State ultimately adopts. But
22 I think -- I know I want to retain that three animal
23 bag limit at least for another year or so, we haven't
24 even completed a full season under the -- or the State
25 hasn't completed a full season under the three animal
26 bag limit, and there's been a fairly dramatic drop in
27 harvest in general like what Jim was showing just
28 because they're not out there. They're harder to find.
29 But for when there's an opportunity for those folks to
30 take some it's probably going to benefit the locals
31 more than anything, so with that maybe we can answer
32 jurisdictional issues.

33
34 CHAIRMAN ALVAREZ: Let's see what Rod
35 has to say.

36
37 MR. CAMPBELL: Yeah, for the record,
38 Rod Campbell, with OSM and I may need some help from
39 the background. But, yes, that's my understanding is
40 you don't have that jurisdiction to restrict a non-
41 resident hunter. In some areas -- in some instances,
42 areas, I know in fishery instances can be closed to
43 non-Federally-qualified users if you meet certain
44 criteria, but I might need some help from someone else
45 but I don't really think we have the authority to
46 restrict a non-resident hunter.

47
48 MR. DUNAWAY: Mr. Chair. I think we
49 kind of travel along the path, I hope we do here, I
50 think we'll have a pretty good effect, we'll be doing

1 some conservation good. I'm confident that the State's
2 going to curtail the non-resident hunting sufficiently.
3 I think we could end up with a happy compromise that
4 would work for everybody.

5
6 CHAIRMAN ALVAREZ: What do you think
7 about the comment on 18 and 19, Units 18 and 19 also,
8 part of the proposal, because it is the Mulchatna, it
9 affects us, make that part of our proposal. It wasn't
10 originally. Our original proposal was only 9 and 17.

11
12 MR. DUNAWAY: I looked at Cliff, what's
13 been our tradition, I guess as far as it affects the
14 Mulchatna, I'd encourage it. But at the same time you
15 got to respect the users in other areas.

16
17 CHAIRMAN ALVAREZ: Nanci.

18
19 MS. MORRIS LYON: Yeah, after hearing,
20 you know, Jim's information that he just gave us I
21 would feel it would be imperative that we would include
22 it because it is a part of their range, and if we're
23 going to protect the herd, we need to protect them in
24 all corners of their range. So I guess I would feel
25 like we're not doing a good job by not covering those
26 areas as well in our proposal.

27
28 MR. ABRAHAM: Have to.

29
30 MS. MORRIS LYON: I agree.

31
32 CHAIRMAN ALVAREZ: Cliff.

33
34 MR. EDENSHAW: Mr. Chair and Council
35 members. If you would go to Page 22 what probably
36 would work easier is Laura has written out the proposed
37 regulation and perhaps with what we have the Board of
38 Game -- before the Council puts any motion on the
39 table, we can go through 9B. They asked that the
40 caribou harvest be reduced to three, is that what's on
41 the current Board of Game proposal, would that remain
42 the same or is that being reduced to one, so you could
43 pencil in, you could work with the Council or in saying
44 right now that would be one, correct, for next month's
45 Board of Game meeting?

46
47 MR. DUNAWAY: I don't want to do that,
48 I want to keep our.....

49
50 MR. EDENSHAW: Because Randy's -- the

1 Chair is bringing up some -- I know they've spoken to
2 Steve and we have that hand out where we want the
3 Council to make recommendations, not only on this
4 proposal but also on this hand out and I just thought
5 it might be easier if they saw what was being proposed
6 now in spite of what Dan had mentioned from last year
7 when we met, the Council was asked by the State to go
8 ahead and -- current reductions, but now they're being
9 asked to do another reduction, so I just thought it
10 would be easier if they showed what's being proposed
11 for next month under the proposed regulations.
12
13 MR. DUNAWAY: The State proposal?
14
15 MR. EDENSHAW: Yeah.
16
17 MR. DUNAWAY: Yeah, I have a copy of
18 that proposal here but 209 condenses I believe what was
19 in those other ones, 7.....
20
21 CHAIRMAN ALVAREZ: I think we kind of
22 over everything on 209.....
23
24 MR. DUNAWAY: Correct.
25
26 CHAIRMAN ALVAREZ:it was
27 just.....
28
29 MR. DUNAWAY: 209's kind of a catch
30 all.
31
32 CHAIRMAN ALVAREZ: You had mentioned
33 yesterday that basically that -- you guys have another
34 comment there.
35
36 MR. CAMPBELL: Yes, Mr. Chair. I just
37 wanted to clarify what I said. As I mentioned, the
38 Federal system does have the authority to restrict non-
39 Federally-qualified users, and when I said you didn't
40 have the ability to -- or jurisdiction to restrict non-
41 resident hunters, I meant you can't distinguish between
42 resident and non-resident hunters. You do have the
43 authority under certain -- if you meet certain criteria
44 to restrict non-Federally-qualified but not
45 differentiate, my understanding anyway is you can't
46 differentiate between resident and non-resident. And
47 someone may, you know, correct me if that's not --
48 that's my understanding.
49
50 CHAIRMAN ALVAREZ: Well, how do

1 you.....

2

3 MR. CAMPBELL: You'd have to call it to
4 all -- you could close it to all non-Federally-
5 qualified.....

6

7 MS. MORRIS LYON: Open to only
8 Federally-qualified.

9

10 MR. CAMPBELL: Or open, yeah.

11

12 MR. DUNAWAY: State it in the positive,
13 yeah.

14

15 CHAIRMAN ALVAREZ: Okay, I understand.
16 All right, Laura, did you have something.

17

18 MS. GREFFENIUS: Well, not really to
19 add -- I mean Rod already said what he needed to say.
20 It was more -- we need to compare 209 is when you're
21 referring to the State Board of Game, and just so
22 there's not confusion, I mean you need to -- there was
23 the vote on this one and then the separate
24 recommendation to the Board of Game on 209, and when
25 you started talking about non-resident, I was wondering
26 when you started talking about it for the Federal one,
27 I was getting concerned about the confusion of mixing
28 those together. Maybe that's not the case at all and
29 I'm way off base, but just so that we're keeping that
30 separate.

31

32 The deliberation on the Federal one and
33 then the recommendation to the Board of Game on the
34 other one, but, yet we need to compare them if you want
35 to -- like Cliff was saying, if you want to see what
36 the current proposal is.

37

38 CHAIRMAN ALVAREZ: Dan.

39

40 MR. DUNAWAY: I guess I was trying to
41 adjust my comments thinking that what action we take on
42 23 could be interpreted by the Board as a
43 recommendation or a comment on 209 but I'd be happy to
44 turnaround and specifically address 209 if the Board of
45 Game even cares what we think. But that's what I was
46 thinking, by our action to 23, the Board of Game could
47 say well this is what the RAC wants for those areas
48 where we have authority.

49

50 CHAIRMAN ALVAREZ: Laura.

1 MS. GREFFENIUS: Well, what I think
2 what we'd like from our office is Dan LaPlant, the OSM
3 liaison to the Board of Game, I mean there's the
4 deliberation on 23 but he'd also like from the Council,
5 if you so choose, specific comments, recommendations,
6 pertaining to these. And it wouldn't -- I mean you
7 could make it so that it's whatever you decide on 23 as
8 long -- but -- or you could make it specific and say
9 this is -- and we could inform them what you decided on
10 23 or you could make it specific, the Council
11 recommends to 209, so that's what Dan LaPlant just
12 takes to the Board of Game, is the Council
13 recommendations.

14
15 Is that -- am I making that clear.....

16
17 CHAIRMAN ALVAREZ: Yeah.

18
19 MS. GREFFENIUS:the
20 differentiation.

21
22 MR. DUNAWAY: I think like Nanci says,
23 we better be very clear and say what we want in 23 and
24 say what we want in 209.

25
26 MR. GREFFENIUS: Yeah, that's what I'm
27 trying to get at.

28
29 MR. DUNAWAY: And don't leave no doubt.

30
31 MS. GREFFENIUS: Uh-huh.

32
33 MR. DUNAWAY: Yeah, I'm very
34 comfortable with that.

35
36 CHAIRMAN ALVAREZ: We can do that.

37
38 MS. GREFFENIUS: Okay.

39
40 MR. DUNAWAY: But we should be
41 consistent.

42
43 MR. ABRAHAM: (In Native)

44
45 CHAIRMAN ALVAREZ: So I got a question.
46 Our proposal, we -- do we want to just make it for
47 Federally-qualified users or do you want to leave it
48 open for everyone -- that would be different because we
49 can't -- like what they said, we can't regulate non-
50 residents either, everything's open for both user

1 groups or everything's only going to be open for
2 Federally-qualified users. The State proposal is
3 closed in 17B to non-residents but in 9B it's going to
4 be open for non-residents so we can't follow that.

5
6 We're going to have one or the other.

7
8 Nanci.

9
10 MS. MORRIS LYON: Yeah, I'll weigh in
11 my two cents, for what it's worth on that. I don't
12 think we can go there at this point because I don't
13 think that we can show that there is a need, a
14 biological concern that is that great yet, and I
15 believe that we have to meet those requirements before
16 we start doing those kinds of restrictions. Is that
17 also not correct, lots of nods, so.....

18
19 MR. EDENSHAW: And also, Mr. Chair,
20 just as Nanci stated, the Council would have to -- the
21 proposal would have had to have been submitted so it's
22 due public process if they're wanting to close Federal
23 lands to non-subsistence users, which is in essence
24 what would be occurring.

25
26 MR. DUNAWAY: So we don't have
27 sufficient public knowledge to.....

28
29 MR. EDENSHAW: Right.

30
31 MR. DUNAWAY:or announcement to
32 go there.

33
34 CHAIRMAN ALVAREZ: So then we.....

35
36 MR. EDENSHAW: So in terms of Unit 9
37 you just couldn't go through and say we want to
38 restrict Federal lands to only Federally-qualified
39 users, you'd just have to -- a proposal.

40
41 CHAIRMAN ALVAREZ: Well, that kind of
42 takes care of that, doesn't it?

43
44 MR. DUNAWAY: Yeah, well, Mr. Chair,
45 and I think from what Mr. Woolington was showing it's
46 kind of naturally sorting out. I believe one of the
47 guides from over in the Dillingham area said that he
48 can't honestly offer a caribou hunt, what he tells the
49 few moose hunters and bear hunters that he has anymore,
50 that we might have an opportunity for a caribou. But I

1 don't think he cannot even ethically offer a hunt is I
2 think what Mr. Triplett had said in an advisory
3 meeting. So -- and we saw that there, the non-resident
4 folks are self-sorting. I'm on a hunting chat room
5 where the word is going out that it used to be the
6 place to go for a self-guided hunt but don't go there
7 now. In fact I think I posted some of the information
8 the Department had on population size.

9

10 So I think we'll get at a lot of the
11 conservation issues by -- and I still, to the extent
12 possible, keep things consistent State and Feds so we
13 have -- so people aren't going, well, where's the line
14 on that little square of BLM land over there on the
15 Iowithla River, things like that. I really want to
16 stay in tandem as much as we can.

17

18 CHAIRMAN ALVAREZ: I've got one more --
19 so let's see it does take into -- the proposal does
20 take into 18 and 19, right?

21

22 MR. EDENSHAW: The original proposal
23 was for Unit 9 and 17.

24

25 MR. DUNAWAY: Well, I'd move to amend
26 to include those Game Units 18, 19A and 19B, I
27 believe.....

28

29 CHAIRMAN ALVAREZ: Yeah.

30

31 MR. DUNAWAY:that's what the.....

32

33 CHAIRMAN ALVAREZ: On Page 20 the Staff
34 recommendation is Unit 18, 19A and 19B.

35

36 MR. DUNAWAY: Well, maybe it'd be
37 easier just to move to adopt the recommended language
38 -- language recommended by Staff, it cleans up any
39 other little loose ends.

40

41 I'm still struggling with that possible
42 change in season lengths because I would be supportive
43 of the shortened season that I expect the State to
44 adopt. Maybe we ought to do this piecemeal, though.

45

46 MR. EDENSHAW: Mr. Chair. The Council,
47 you know, just as Dan was speaking to in regards to the
48 Staff analysis, as amended, which included the
49 additional units as friendly language, also the Council
50 may -- you know, of course, Mr. Chair, Randy will be at

1 the Board meeting, the Federal Subsistence Board
2 meeting and, you know, he could sit there and state
3 that the Council, in their deliberations, spoke about
4 the Board of Game proposals. Certainly they're going
5 to sit there -- after you guys are done doing that, you
6 could also ask them to sit there and.....

7
8 MR. DUNAWAY: Well, especially if we go
9 and make an official position on 209 here also today.
10 Clarify again I'd move to adopt the language
11 recommended by the Staff on Page 20.

12
13 CHAIRMAN ALVAREZ: Is that an
14 amendment?

15
16 MR. DUNAWAY: That's an amendment,
17 yeah, make an amendment to 23, and as Cliff said we can
18 have this hedge language recognizing there might -- we
19 could accept potential changes the State could propose
20 to season lengths only.

21
22 CHAIRMAN ALVAREZ: Pete's going to
23 second that?

24
25 MR. ABRAHAM: Uh-huh.

26
27 CHAIRMAN ALVAREZ: Okay.

28
29 MR. DUNAWAY: Complicated.

30
31 CHAIRMAN ALVAREZ: So we have a motion
32 to amend Proposal 23 and seconded by Pete to use the
33 Staff recommendation so that would also include Unit
34 18, 19A and 19B.

35
36 Any more comment.

37
38 (No comments)

39
40 MR. ABRAHAM: Question.

41
42 CHAIRMAN ALVAREZ: Question's called.
43 Virginia.

44
45 MS. ALECK: Yes.

46
47 CHAIRMAN ALVAREZ: Okay, we're going to
48 vote on an amendment.....

49
50 MS. ALECK: Yes.

1 CHAIRMAN ALVAREZ:for 23. The
2 amendment would take in -- would use the Staff
3 recommendation so it would also add Units 18 and 19A
4 and B. And then we're going to vote on the proposal
5 after the amendment.
6
7 Okay, question's been called. All in
8 favor of the amendment signify by saying aye.
9
10 IN UNISON: Aye.
11
12 CHAIRMAN ALVAREZ: Opposed.
13
14 (No opposing votes)
15
16 CHAIRMAN ALVAREZ: Okay, that motion is
17 carried five to zero. The amendment's been passed.
18
19 Okay, now we will vote on the amended
20 proposal. All in favor signify by saying aye.
21
22 IN UNISON: Aye.
23
24 CHAIRMAN ALVAREZ: Opposed.
25
26 (No opposing votes)
27
28 CHAIRMAN ALVAREZ: Five to zero in
29 support of the proposal.
30
31
32 When would be a good time to take up --
33 at the end of the meeting, at the end?
34
35 MR. DUNAWAY: I think so.
36
37 CHAIRMAN ALVAREZ: All right, then that
38 would be -- we are on 25. Okay. Proposal WP07-25, and
39 we're on number 1, introduction of proposal and
40 analysis.
41
42 MS. GREFFENIUS: Okay. No. 25, this
43 one starts on Page 39 in your book. No. 25 was
44 submitted by this Council and it requests that non-
45 Federally-qualified subsistence users hunting moose in
46 Unit 9 and 17A may not harvest a moose on Federal
47 public lands two miles on either side of certain rivers
48 and creeks. And this one, the proponent, the Council,
49 requests that there be a two mile buffer on both sides
50 of the specified rivers and creeks with the intent that

1 it would help moose populations remain stable and even
2 increase. And the proponent points out that there was
3 discussion that there were too many moose -- that too
4 many moose are harvested on either side of the rivers
5 by hunters using boats.

6
7 So then the proposed regulation for
8 Unit 9 is on Page 42, the specified rivers and creeks
9 and then also for Unit 17, it's on Page 43. The
10 existing State regulations are long and lengthy but
11 just in general to summarize that in certain subunits
12 for Unit 9, 9A, B, C and E, there's a 10 or 14 day
13 season in September for residents and non-residents.
14 And then there's also in 9B, C, D, and E, there's a one
15 bull harvest limit during the winter season ranging
16 from December to January for residents. And in Unit
17 17A it's for residents only there's a fall season, and
18 for residents there's a winter season that may be
19 announced.

20
21 So just as there's a lot of variations
22 in the existing State regulations, in the regulatory on
23 the Federal side for Unit 9 there's a fall season and
24 also there's a winter season as well and past
25 regulatory changes that have occurred have adjusted the
26 season dates to accommodate local hunting practices and
27 to restrict the antlerless moose hunting because of the
28 low calf/cow ratios. And in Unit 17 a fall season
29 exists throughout all the subunits and there was a
30 winter season established in 17A in 2004. And past
31 regulatory changes have included some changes in the
32 season lengths and also aligning with State
33 regulations.

34
35 So overall just a general highlight of
36 the issues in Unit 9, the moose population in most of
37 Unit 9 is considered to be stable and the management
38 objectives for bull/cow ratios are being maintained.
39 And as far as Unit 17 there's -- gives some numbers
40 there on Page 45 just as far as the estimated
41 population and it appears to be above -- appears to be
42 1,100 and it's above in 17A and just overall is above
43 the target population set by ADF&G.

44
45 And generally most suitable habitat is
46 along the waterways including most of the river
47 drainages.

48
49 Since we're discussing the harvest
50 along the waterways I provided under harvest history on

1 Page 45 some of the modes of harvest and about 87
2 percent, so most of the total moose harvest is in
3 September and in Unit 9 boats were the second most
4 common transport mode after aircraft averaging about
5 one-quarter. And about half of the total hunters using
6 boats in Unit 9 are those who are local users.

7

8 And in Unit 17A for the harvest that
9 occurs there, boats were used exclusively as the
10 transport mode during the fall season.

11

12 The effects of the proposal. If
13 adopted, in some areas the -- considering -- questions
14 could arise considering the land status along rivers
15 and it would be difficult to determine the two mile
16 boundaries. And the State has jurisdiction on the
17 rivers up to the ordinary high water mark so moose
18 harvested below the ordinary high water mark would be
19 allowed under State of Alaska regulations. So there
20 could be some -- so some nebulous circumstances is what
21 this is alluding to.

22

23 The proposed change would not affect
24 Federally-qualified subsistence users, that they would
25 still have the same opportunity to harvest moose and
26 non-Federally-qualified subsistence users could not
27 hunt moose on Federal public lands within two miles of
28 a river but past the two mile buffer moose could be
29 harvested.

30

31 The preliminary conclusion on this one
32 is to oppose the proposal.

33

34 The justification is that Federal
35 public lands in Unit 9 and 17A should not be closed or
36 restricted to non-subsistence users for the taking of
37 moose unless it is necessary for the conservation of
38 healthy populations in moose in these areas and to
39 continue subsistence uses; and moose populations in
40 Unit 9 and 17A are not concurrently considered a
41 conservation concern; and creating a buffer along the
42 rivers would be a closure to non-Federally-qualified
43 subsistence users and would not be consistent with
44 ANILCA. There was also concern -- and if there was an
45 adequate -- even if there was an adequate rationale for
46 closure, a two mile closure area would be impractical
47 for the user and very difficult to enforce. So some of
48 the discussions focused on just how it would -- the
49 enforceability of the issue.

50

1 So that's a synopsis, just getting to
2 the highlights of what's in the analysis. That
3 concludes my presentation on that one.
4
5 CHAIRMAN ALVAREZ: I've got a question.
6
7 MS. GREFFENIUS: Uh-huh.
8
9 CHAIRMAN ALVAREZ: You said it would
10 not be consistent with ANILCA, what does ANILCA say
11 about this?
12
13 MS. GREFFENIUS: Okay. Well, I did
14 have it on Page -- let me go to it, on Page 44, the
15 middle, right above biological background, Federal
16 regulations are established for the harvest on Federal
17 public lands need to follow the guidance in ANILCA and
18 Section .815(3). It discusses restrictions that are
19 necessary for the conservation of healthy populations
20 of fish and wildlife.
21
22 So any restrictions would need to
23 adhere to, if there's a conservation concern.
24
25 And then there was also the issue of
26 the continuation subsistence uses and so we wanted to
27 bring up if there's any alternatives that are brought
28 forth -- to be brought forth by the Council.
29
30 CHAIRMAN ALVAREZ: All right, thanks.
31 Comments or questions to Laura.
32
33 (No comments)
34
35 CHAIRMAN ALVAREZ: Are you done then,
36 Laura.
37
38 MS. GREFFENIUS: If there's any other
39 questions I'd be glad to.....
40
41 CHAIRMAN ALVAREZ: I didn't see
42 anyone.....
43
44 MS. GREFFENIUS: Okay.
45
46 CHAIRMAN ALVAREZ:I asked.
47
48 MS. GREFFENIUS: All right.
49
50 CHAIRMAN ALVAREZ: So I guess you're

1 done with the proposal analysis?

2

3 MS. GREFFENIUS: Uh-huh.

4

5 CHAIRMAN ALVAREZ: Okay. Then we're on
6 ADF&G comments.

7

8 MR. WOOLINGTON: Mr. Chairman. Jim
9 Woolington, ADF&G Dillingham. I would like to read
10 some of the ADF&G comments from the book into the
11 record for this proposal.

12

13 As far as for conservation issues,
14 neither the proposal nor the Staff analysis offer
15 evidence of a conservation issue that justifies closure
16 to non-Federally-qualified hunters. Furthermore, no
17 evidence is provided of a conservation issue that would
18 necessitate creation of the proposed buffers to
19 stabilize moose populations in the unit.

20

21 I'd like to point out for in 2005 non-
22 resident hunters for all of 9B, not just the corridor
23 being discussed, but all of 9B reported taking four
24 moose in all of 9B.

25

26 The other thing is that Federal
27 seasons, I believe, open earlier than the State seasons
28 in this area. So the Federal people hunting under
29 Federal qualified seasons are able to hunt out there
30 before non-residents or other non-Federally-qualified.

31

32 In ANILCA Section .815(2) Congress
33 prohibits authorization authorizing a restriction on
34 the taking of fish and wildlife for non-subsistence
35 uses on the public lands unless necessary for
36 conservation of healthy populations of fish and
37 wildlife or to continue subsistence uses for sub-
38 populations. And the available information about
39 locations and the amount of harvest does not indicate
40 that a closure to non-Federally-qualified users is
41 necessary to provide for conservation of the resource
42 or continued subsistence uses.

43

44 As far as for jurisdiction, many of the
45 rivers listed for closure to non-Federally eligible
46 hunters are not subject to Federal Board jurisdiction.
47 I'd like to point out specifically in 9 under the
48 proposal, it says the Kvichak River, the Kvichak River
49 is not surrounded by Federal land in 9B. The proposal,
50 general description of the proposal says Game

1 Management Unit 17A, which is over in this area,
2 however listed under the proposal is Klutuk Creek in
3 17C, the Kokwok River in 17C, the Mulchatna River in
4 17B, none of which are Federal lands. So in addition
5 ADF&G requests the Federal Staff to specify
6 specifically identify and provide maps detailing the
7 lands and waters where Federal jurisdiction is claimed
8 and where the proposed regulations would apply.

9
10 In conclusion the Department of Fish
11 and Game does not support this proposal as it would
12 result in an unnecessary closure to non-Federally-
13 qualified users. Additionally ADF&G recommends
14 deferring actions on this and all other proposals
15 regarding closure until the Federal Subsistence Board
16 establishes policies and procedures for implementing
17 and reviewing closures for both Federally-qualified and
18 non-Federally-qualified harvesters as directed on
19 October 27th, 2005 by the Secretary of Interior.

20
21 CHAIRMAN ALVAREZ: Okay.

22
23 MR. ABRAHAM: Question.

24
25 CHAIRMAN ALVAREZ: Yes.

26
27 MR. ABRAHAM: Who are the non-Federal
28 hunters -- non-Federally-qualified hunters?

29
30 MR. WOOLINGTON: Well, I'd kind of
31 defer -- well, if I mess this up too much maybe the
32 Federal Staff could -- but my understanding would be
33 that Federally-qualified hunters would be the ones that
34 the Federal Subsistence Board establish as their
35 residency qualifies them to hunt in those Federal
36 lands, hunt or fish, you know, subsistence activities
37 in those Federal lands. Is that.....

38
39 MR. ABRAHAM: Who are non-
40 Federally.....

41
42 MR. WOOLINGTON: People who live --
43 people who are not identified by the Federal Board.
44 Say for instance if 17A, if the Togiak came under this
45 sort of regulation saying that -- and the Federal Board
46 established that only people living in 17A meet the
47 Federal -- were Federally-qualified, it would mean
48 people that did not live there would not be qualified,
49 the people in Dillingham, Anchorage, King Salmon.
50 That's -- is that my -- did I butcher that up too much?

1 MR. EDENSHAW: No. No, that's right.
2
3 MR. ABRAHAM: Now, that you answered my
4 question. Now, the people in Togiak, we have different
5 races over there. For instance, my son-in-law, because
6 he is not a Native so he cannot qualify as non -- as a
7 non-person, but see the reason why I'm asking these
8 questions is when I go back there and tell them about
9 this over here there's going to be confusion and then
10 how am I going to answer these questions, you know.
11
12 MR. WOOLINGTON: Yeah, Mr. Chairman,
13 and Pete, I'm not sure how to answer this one. But my
14 understanding is that the decisions are made on where a
15 person lives and not who they are. Does that.....
16
17 MR. ABRAHAM: Okay.
18
19 MR. WOOLINGTON:so I'm assuming
20 if this -- if the Federal Subsistence Board would pass
21 this then they would have to decide who was Federally-
22 qualified based on where they live.
23
24 MR. EDENSHAW: That's already
25 determined under our current regulations.....
26
27 MR. WOOLINGTON: Okay. Okay.
28
29 MR. EDENSHAW:who has C&T.
30
31 MR. WOOLINGTON: Okay.
32
33 MR. EDENSHAW: Those rural residents in
34 17A and Unit 9 are already determined in our regs book.
35
36 MR. WOOLINGTON: Okay.
37
38 MR. EDENSHAW: And so it would be just
39 non-residents -- non-Federally-qualified users that may
40 not hunt within a two mile buffer on either side of the
41 stipulated streams.
42
43 MR. WOOLINGTON: But other Alaska
44 residents who do not live in the areas identified by
45 the Federal Board would not be qualified; is that
46 correct? If the Board has said that people living in
47 17A and 9 and what not are Federally-qualified, people
48 living in Fairbanks would not qualify?
49
50 MR. EDENSHAW: Correct.

1 MR. WOOLINGTON: Yeah.
2
3 MR. EDENSHAW: Except they could also
4 hunt under State regulations too, though.
5
6 MR. WOOLINGTON: Right.
7
8 MR. EDENSHAW: State lands.
9
10 MR. ABRAHAM: Now, we're talking about
11 the Federal-qualified person, you know, the State
12 controls -- you know if the State issues the permits,
13 how are you going to separate the Federally-qualified
14 person from the State hunters.
15
16 CHAIRMAN ALVAREZ: Either one of you.
17
18 MS. GREFFENIUS: Well, I'd just refer
19 you to in your Council book on the bottom of Page 43,
20 the customary and traditional use determinations, and
21 it continues on the top of Page 44. So for anyone
22 hunting in those units listed, the persons who have the
23 C&T determination.....
24
25 MR. ABRAHAM: Uh-huh.
26
27 MS. GREFFENIUS:are the rural
28 residents of those listed on each of those columns.
29
30 MR. ABRAHAM: Well, I just bring this
31 up for, you know, just for the argument. Because we're
32 not going to get done tonight anyway so I want to
33 argue.....
34
35 (Laughter)
36
37 MR. DUNAWAY: He's throwing up his
38 hands even if we go to 10:30.
39
40 (Laughter)
41
42 MR. WOOLINGTON: Yeah, Mr. Chairman,
43 Member Abraham. I think the question referred to the
44 State registration permits that we issue for moose
45 hunting, the 17A moose hunt, State regulations are that
46 those permits are available to all Alaska residents.
47
48 MR. ABRAHAM: Uh-huh. On the
49 Federally, you know, that's what you pointed out, you
50 know, but you go like 19 -- 9E and 9 everywhere over

1 there, I mean they're a different -- I was opposed to
2 this thing over here when I seen it.
3
4 CHAIRMAN ALVAREZ: What thing?
5
6 MR. ABRAHAM: What?
7
8 CHAIRMAN ALVAREZ: What thing?
9
10 MR. ABRAHAM: The buffer.
11
12 CHAIRMAN ALVAREZ: Oh.
13
14 MR. ABRAHAM: Because I'm quietly
15 sitting down on my couch over there and I look at it,
16 you know, why more confusement when I'm not so bright
17 on these things here.
18
19 CHAIRMAN ALVAREZ: You're fooling us.
20
21 (Laughter)
22
23 CHAIRMAN ALVAREZ: You're telling us
24 that.
25
26 (Laughter)
27
28 CHAIRMAN ALVAREZ: I was going to wait
29 until deliberation to comment on it but it doesn't like
30 we can do it. So I guess any more comments to ADF&G.
31
32 (No comments)
33
34 CHAIRMAN ALVAREZ: Okay, otherwise
35 we'll move down.
36
37 MR. ABRAHAM: Thank you, Jim.
38
39 CHAIRMAN ALVAREZ: Other State and
40 Federal agency comments.
41
42 (No comments)
43
44 CHAIRMAN ALVAREZ: Seeing none,
45 InterAgency Staff.
46
47 (No comments)
48
49 CHAIRMAN ALVAREZ: ADF&G Advisory
50 Committee comments. Our committee didn't comment on

1 this. Although we did comment on this same proposal
2 dealing with State land for this -- we supported
3 basically the same thing but it's dealing with State
4 land.

5
6 I don't know what proposal that was,
7 Lem, do you remember what -- we supported the proposal
8 on State land, right, does it -- we had the same
9 proposal on 9B in State land and -- but anyway we
10 didn't comment on the Federal -- this proposal but we
11 did comment on a similar proposal on State land in 9B
12 and part of 9C.

13
14 And I guess that's it for the Advisory
15 -- did you want to say something.

16
17 MS. GREFFENIUS: I just wanted to
18 mention, you were asking for which the proposals were,
19 it's No. 110, and No. 112 and I handed you a sheet
20 earlier when I gave you a sheet on the OSM
21 recommendations, so it's 110 and 112 and those two
22 dealt with a two mile buffer situation and the OSM
23 recommendation on the State proposals was to reject
24 those proposals.

25
26 CHAIRMAN ALVAREZ: Okay.

27
28 MS. GREFFENIUS: So just for
29 clarification.

30
31 CHAIRMAN ALVAREZ: Summary of written
32 public comments, Cliff.

33
34 MR. EDENSHAW: Mr. Chair. Council
35 members. Both the Lake Clark and Aniakchak SRC
36 provided comments.

37
38 The Aniakchak supports establishing a
39 two mile wide buffer zone along specific river
40 corridors that are closed to non-Federally-qualified
41 subsistence -- qualified moose hunters. This proposal
42 would reduce conflicts between subsistence and sport
43 users and increase the likelihood of a successful hunt
44 for Federally-qualified subsistence users.

45
46 The Lake Clark SRC opposed the
47 proposal. The SRC opposes establishing a two mile wide
48 buffer zone closed to non-Federally-qualified moose
49 hunters. This proposal would not provide much benefit
50 to subsistence users in Lake Clark National Park and

1 Preserve because it would only apply to a remote part
2 of the Preserve that is not regularly used by
3 subsistence users.

4
5 The concluded the written public
6 comments, Mr. Chair.

7
8 CHAIRMAN ALVAREZ: Okay. Number 7
9 public testimony. Joe, did you want to comment on that
10 one.

11
12 MR. KLUTSCH: Thank you, Mr. Chairman.
13 As I indicated earlier this morning in my testimony, I
14 have submitted my own personal comments on this
15 proposal and I anticipated on having Bill Horne our
16 Hunter Association's council to submit written
17 testimony as well. Hopefully I'll be able to get that
18 to you tomorrow. Certainly it will be there by the
19 time the Main Board meeting comes around.

20
21 And what Bill was going to focus on are
22 the provisions of Title VIII of ANILCA relating to non-
23 subsistence, the .815(2) and .815(3) sections that
24 you've already heard. In fact, he helped write a lot
25 of that language during that 1978 to 1980 period.

26
27 My comments on the proposal are that it
28 doesn't meet the criteria or the standards required to
29 effect a closure of non-subsistence hunting opportunity
30 as outlined under the provisions of Title VIII.
31 There's no evidence of a conservation issue that can
32 warrant this proposed area closure. A zoning closure
33 or a buffer, which is the term I've heard used, must
34 meet the same standards to justify adopting this
35 proposal.

36
37 Additionally the two mile corridor on
38 either side of these major rivers from, call it the
39 Kvichak all the way south King Salmon, Igiugig, Dog
40 Salmon, Ugashik, Cinder, Meshik, Alex, Sandy, Milky,
41 Bear, that's basically the whole shooting match, that
42 is the -- that is 90 plus percent of the prime moose
43 habitat, it's a lot more than just a buffer.

44
45 The biological data, as I think Jim
46 Woolington outlined fairly well and as Lem Butler has,
47 do not indicate that the harvest of old age class bulls
48 at current levels by non-qualified subsistence users is
49 affecting the productivity of this population, it's not
50 going to affect calf production or calf mortality. To

1 the contrary the harvest of cows is potentially a much
2 greater threat and I think we've dealt with that in
3 Proposal No. -- did address that in Proposal No. 23.

4
5 Calf survival and production and
6 survival is optimal and it always has been since the
7 boom in this population. And, Nanci, you were talking
8 earlier about your concern of that 17 per 100 for 30
9 years, and I think the Staff can corroborate this,
10 we've been living in those parameters for a long, long
11 time. It's just the nature of predation and part of
12 the equation for some time.

13
14 Again, please understand I'm not
15 opposed to a subsistence allocation or a priority in
16 times of shortage. We are not at that threshold,
17 however, at this time. I said it this morning,
18 hunting's tough, but tough hunters hunt hard. Look at
19 the Staff recommendation which states in ANILCA,
20 Section .815(2) Congress prohibits authorizing a
21 restriction on the taking of fish and wildlife for non-
22 subsistence uses on public lands unless necessary for
23 the conservation of healthy populations of fish and
24 wildlife or to continue subsistence uses of such
25 populations. The available information about the
26 locations and amounts of harvest do not indicate that a
27 closure to non-Federally-qualified users is necessary
28 to provide for conservation of the resources or
29 continue subsistence uses.

30
31 A few other factors that I think it
32 would be wise for us all to consider is that -- oh, and
33 the other provision that was mentioned in the ADF&G
34 Staff proposal, and that's the directive -- the 205
35 directive from the Secretary of Interior to the Federal
36 Board to develop specific guidelines and policies
37 related to non-subsistence closures. That has not been
38 completed as yet.

39
40 Also this wasn't mentioned, it was in
41 our meeting last spring, and that is the amount of
42 private conveyed land along some of these key
43 corridors, particularly the one on Alek River and that
44 Black Lake corridor, a substantial amount of private
45 land where the land owner has the ability to restrict
46 or not to grant trespass for people to operate there.
47 So there's additional opportunity along a lot of
48 private land corridors up and down the Peninsula.

49
50 Consider also that in terms of the

1 Central Peninsula, Unit 9 and the Aniakchak National
2 Monument is also basically a subsistence only zone, I
3 don't like to use the term, zone, but only members of
4 those communities in close proximity to Aniakchak have
5 authorization to hunt there. There's another expanded
6 opportunity with essentially exclusive hunting
7 privileges.

8

9 I just don't think we're at the
10 threshold yet and I think that given the scrutiny that
11 the Main Board will be receiving on recommendations of
12 this nature will be extensive. I know our comments
13 will address it on behalf of the Hunter's Association
14 that -- I will request that you follow Staff
15 recommendations and table or reject this proposal.

16

17 Thank you

18

19 CHAIRMAN ALVAREZ: Thank you, Joe. I'm
20 with -- thinking that our population is kind of getting
21 near the threshold because, you know, looking at --
22 although they've done some population counts down
23 around Chigniks and in 9E the last couple years because
24 of some of these proposals up the other way we've got
25 9B and even some of C, that counts are kind of old and
26 I have to look at how much harvest has been --
27 actually, you know, what kind of success and what's
28 been harvested by the people in the fall and
29 wintertime, and it's -- I think it's not at the
30 threshold yet but it's pretty low. It's between low
31 and medium, which means it's right at the edge of being
32 a conservation problem. And I'm hoping it goes up.
33 I'm not going to vote for this proposal because in my
34 opinion it violates ANILCA because we're not there yet.
35 And the Board -- the Federal Subsistence Board would
36 have to do some things before we could do so.

37

38 But I still think I would like to see
39 the Federally-qualified user have more opportunity than
40 the non-resident hunter. So, anyway, thank you Joe.

41

42 Dan.

43

44 MR. DUNAWAY: Joe.

45

46 CHAIRMAN ALVAREZ: Joe.

47

48 MR. DUNAWAY: Before you go, Joe, I was
49 trying to write note and I think I only partly got it.
50 You said kind of towards the end of your talk that it's

1 your understanding -- let's see that the -- there still
2 haven't been clear standards adopted to -- criteria
3 adopted to restrict non-Federally-qualified users.
4 Could you elaborate on that or repeat it again, I don't
5 think I got it all the way.

6

7 MR. KLUTSCH: It's listed in -- Mr.
8 Chairman, it's cited in a section of the State Staff
9 comments.

10

11 MR. DUNAWAY: Oh.

12

13 MR. KLUTSCH: And I believe that's the
14 Section .815(2) that Jim Woolington addressed.

15

16 My understanding is that part of this
17 agminated from a lawsuit that was filed against the
18 Federal Subsistence Board 2001/2002, it took about
19 three years to get this thing sorted out and this was a
20 response by the Secretary of Interior to be -- the
21 ruling in that lawsuit. And I think it had to do with
22 C&T determinations and some other issues in Chino and
23 also sheep hunting closures that were affected in the
24 Western Arctic where the lawsuit contended and I
25 believe the judge concurred they didn't have ample
26 evidence or justification to effect those non-
27 subsistence closures. And there were inconsistencies
28 between Regional Council's interpretation -- this is
29 complicated stuff and that's why I wish Bill Horne
30 could speak to this, but there were inconsistencies in
31 the way -- understandably, the way Regional Councils
32 interpreted this and the way the Main Board interpreted
33 it. And that's why he made the directive, let's get
34 guidelines and criteria so that we're all on the same
35 page before you take this next step. And it's within
36 the framework of the law. That's a layman's
37 interpretation of it as best I can say it.

38

39 CHAIRMAN ALVAREZ: Rod, did you want to
40 have a comment on that.

41

42 MR. DUNAWAY: Thank you, Joe.

43

44 CHAIRMAN ALVAREZ: Thank you, Joe.

45

46 MR. CAMPBELL: There may be some people
47 in the audience, I'm sure, that have a better handle on
48 this than I do.

49

50 But the Federal program was directed to

1 review its closure policy on closures to non-Federally-
2 qualified users and actually we've been working on that
3 for quite awhile just to address some of the State and
4 other concerns that these closures were -- some of them
5 were put in quite awhile ago, that there was some
6 periodic review to see that either conservation
7 concerns or whatever originally brought those closures --
8 put them into effect were still there, there were
9 still conservation concerns and they were still
10 legitimate reasons to have those closures. And we have
11 been looking at those for quite awhile and that has not
12 been completed.

13

14 There may be some other Federal Staff
15 here that can add to that.

16

17 MR. DUNAWAY: It looks like one's
18 coming.

19

20 MR. CAMPBELL: Like Mr. Kessler.

21

22 CHAIRMAN ALVAREZ: Steve.

23

24 MR. KESSLER: Mr. Chairman. Steve
25 Kessler with InterAgency Staff Committee.

26

27 The reason that the whole policy on
28 closure came forward was discussions that occurred at a
29 fairly high level between the State and the Federal
30 Subsistence Program. And as a result of that the
31 Secretary of Interior issued a letter of direction to
32 develop policy on two things, closure policy and on
33 customary and traditional use. And you might remember,
34 I think it was about a year and a half ago that there
35 was a draft closure policy that came to you for your
36 comments and I can't remember if it was a year ago or a
37 year and a half, it's probably about a year and a half
38 ago by now, maybe three meetings ago, and we received a
39 lot of comments from the different Councils all the way
40 from this looked fairly good to why do we need it, just
41 follow ANILCA. And so the Federal Subsistence Board
42 has been working on developing that policy since that
43 time. And in the meantime we have, you know, a number
44 of different closures that have been addressed. We
45 have various litigation that has to do with customary
46 and traditional use and closures and other things. So
47 all of this gets very complicated.

48

49 But the Federal Board has been working
50 on developing that policy and maybe we'll see that

1 policy come out fairly soon.
2
3 But in any case I want to make sure you
4 realize that did not come out, that that policy and the
5 development of that policy is not as a result of any
6 litigation that occurred, it is a result of these
7 discussions that happened between the State and the
8 Federal program
9
10 CHAIRMAN ALVAREZ: Thanks, Steve. Dan,
11 do you want.....
12
13 MR. DUNAWAY: That really helps me to
14 try to figure out where we are in all of this. Okay,
15 thank you.
16
17 CHAIRMAN ALVAREZ: I guess we are at
18 number 8, Council deliberations. Are you still with us
19 Virginia.
20
21 (No comments)
22
23 MR. DUNAWAY: Virginia.
24
25 CHAIRMAN ALVAREZ: Virginia, are you
26 with us?
27
28 MS. ALECK: Oh, I'm here.
29
30 CHAIRMAN ALVAREZ: Hey.
31
32 MR. DUNAWAY: Hey.
33
34 CHAIRMAN ALVAREZ: Wow, you are tough,
35 yeah. It would have been easier to.....
36
37 MS. ALECK: No, I was just looking at
38 my book.
39
40 (Laughter)
41
42 CHAIRMAN ALVAREZ: We are now on
43 Council deliberation on Proposal WP07-25, the two mile
44 buffer zone.
45
46 And I'm going to oppose the proposal
47 because -- okay, good idea, Nanci, reminded me we need
48 to put it on the table. Did you move.
49
50 MS. MORRIS LYON: I move that we adopt

1 WP07-25.
2
3 MR. DUNAWAY: Second.
4
5 CHAIRMAN ALVAREZ: It's been moved and
6 seconded to adopt 07-25.
7
8 MR. ABRAHAM: Question.
9
10 (Laughter)
11
12 CHAIRMAN ALVAREZ: Okay. Pete already
13 called for the question. I guess that answers that.
14
15 All in favor of Proposal 07-25 say aye.
16
17 MR. ABRAHAM: Aye.
18
19 CHAIRMAN ALVAREZ: I thought you were
20 opposed to it.
21
22 MR. ABRAHAM: Uh?
23
24 CHAIRMAN ALVAREZ: I thought you were
25 opposed.
26
27 MR. ABRAHAM: Oh, I'm sorry, I wasn't
28 paying attention.
29
30 (Laughter)
31
32 CHAIRMAN ALVAREZ: All in favor of this
33 proposal say aye.
34
35 MR. ABRAHAM: Oh, okay.
36
37 CHAIRMAN ALVAREZ: All opposed.
38
39 IN UNISON: Aye.
40
41 CHAIRMAN ALVAREZ: Did you -- I guess I
42 have a zero to five we are opposed to the proposal.
43
44 We are on 07-03.
45
46 What do you guys think, Cliff. We have
47 two more, request for proposals, and then we have 10,
48 11 and 12.
49
50 MR. DUNAWAY: Yeah, Mr. Chair, I think

1 we were also hoping to tackle 209 of the State
2 proposals.

3
4 And if I could I'd like to ask for a
5 reconsideration on -- I lost track of which one it was
6 now, the one about flexibility in permit reporting, if
7 it's.....

8
9 CHAIRMAN ALVAREZ: That would be.....
10

11 MR. DUNAWAY:or I'd like to
12 discuss it briefly but only I think after we get some
13 of the more pressing business done.

14
15 CHAIRMAN ALVAREZ: We have time to do
16 one more, don't we, anyway, this is an action, it's
17 statewide. Is there any other action ones besides
18 these last two proposals, Cliff.

19
20 MR. EDENSHAW: Mr. Chair. The last two
21 statewide proposals 03 and 04 and the Council
22 composition. Certainly we could, like you said, I
23 think No. 03 and 04 are pretty straightforward. I
24 think what's going to happen is we'll just have to call
25 up Virginia in the morning after we recessed for just a
26 few more because there's 03 and 04, there's the Council
27 composition and then the Board of Game ones that Laura
28 had that she wanted the Council to make a
29 recommendation on.

30
31 So, you know, it's a quarter to 5:00
32 and I was just telling Randy that the Borough, they
33 gave me an extra key so if you wanted to finish up the
34 last two statewide proposals, we could do that and
35 recess and -- Virginia, will you be available tomorrow
36 morning?

37
38 MS. ALECK: Sure.

39
40 CHAIRMAN ALVAREZ: Okay. We better
41 continue before we lose everybody.

42
43 MS. MORRIS LYON: Yeah, quick.

44
45 CHAIRMAN ALVAREZ: Anyway let's work on
46 one more and we'll see what happens and.....

47
48 MR. DUNAWAY: Yeah, we need to get some
49 work done, it's slow, slog.

50

1 MR. ABRAHAM: Mr. Chairman.
2
3 CHAIRMAN ALVAREZ: Yeah. Pete.
4
5 MR. ABRAHAM: What are we working on?
6
7 CHAIRMAN ALVAREZ: Statewide Proposal
8 03.
9
10 MS. MORRIS LYON: Page 78.
11
12 MR. ABRAHAM: 03.
13
14 CHAIRMAN ALVAREZ: I'd like to do one
15 more at least.
16
17 MR. ABRAHAM: If we can do -- because
18 they're similar, 03 and 04.
19
20 CHAIRMAN ALVAREZ: But we can't take
21 them both at the same time, can we?
22
23 MS. MORRIS LYON: But we can listen
24 quick.
25
26 MS. GREFFENIUS: I can go through it
27 quickly.
28
29 CHAIRMAN ALVAREZ: Okay, let's go
30 through it, start, go ahead Laura.
31
32 MR. ABRAHAM: I want to push.
33
34 MS. GREFFENIUS: Okay, this is Laura
35 Greffenius with OSM and we'll begin with WP07-03 which
36 begins on Page 78 in your book and this also is a
37 statewide proposal so all 10 Councils will be hearing
38 this one and making recommendations to the Staff
39 Committee, so the Council recommendations will go
40 forth.
41
42 This proposal is the combination of
43 three separate proposals submitted by the Eastern
44 Interior Alaska Subsistence Regional Advisory Council,
45 the Upper Tanana Fortymile Fish and Game Advisory
46 Committee and the Wrangell-St. Elias National Park
47 Subsistence Commission. And the proponents request
48 Federal regulations and the proposed regulation I'll
49 refer you to Page 80 so you can look at the top of the
50 page in the bolded area, that allow the sale of raw,

1 untanned hides and capes of goat, sheep, caribou or
2 moose that have been legally harvested on Federal
3 public lands by Federally-qualified subsistence users.

4
5 The proponents state that adoption of
6 this proposal would align Federal subsistence harvest
7 regulations with State of Alaska hunting regulations
8 which allow for the sale of raw untanned hides and
9 capes from legally harvested goat, sheep, caribou and
10 moose.

11
12 And just to make note and as you can
13 see on Pages 79 and 80, current Federal subsistence
14 regulations do not allow the sale of unmodified non-
15 edible byproducts of fish and wildlife and they must
16 have been made into handicrafts. Raw untanned hides
17 and capes do not meet the Federal definition of
18 handicraft and the proposed sale of raw untanned hide
19 and capes from animals harvested under Federal
20 subsistence regulations may be consistent with the
21 Federal definition of customary trade. And the Federal
22 definition of customary trade is an exchange of cash
23 for fish and wildlife resources regulated in this part
24 but not otherwise prohibited by Federal law or
25 regulation to support personal and family needs and
26 does not include trade which constitutes a significant
27 commercial enterprise.

28
29 The analysis goes through an
30 interesting history, a long history -- there's a long
31 history of trade in untanned hides and capes that began
32 prior to the arrival of Europeans in Alaska and
33 continues today.

34
35 Under State regs it is legal for State
36 of Alaska -- excuse me, cancel what I said about State
37 regulations. Starting with it is legal for State of
38 Alaska residents to harvest ungulates under State of
39 Alaska hunting regulations on Bureau of Land
40 Management, National Wildlife Refuge, National Preserve
41 and National Forest Service lands and to sell the raw
42 untanned hides and capes from these animals. However,
43 just to make clear this State of Alaska hunting
44 regulation does not apply to National Park or National
45 Monument lands.

46
47 Under effects of the proposal. The
48 proponents state that adoption of this proposal would
49 not increase harvest but would allow Federally-
50 qualified subsistence users to fully utilize the

1 animals they harvest for food and to obtain cash needed
2 to access traditional hunting areas. The adoption of
3 this regulation would allow Federally-qualified
4 subsistence users to sell raw untanned hides and capes
5 of goat, sheep, caribou or moose that have been legally
6 harvested under State subsistence regulations on
7 Federal public lands except as noted, the National Park
8 and National Monument lands.

9
10 Regional variation and uses of the raw
11 untanned hides and capes can be addressed by region
12 specific regulations such as that already exist -- such
13 as those that already exist for brown bear handicrafts
14 and customary trade of fish. For example, it could be
15 listed in the existing regulations section -- or it is
16 listed in the existing regulations section. Current
17 harvest limits are not affected by this proposal and
18 there do not appear to be conservation concerns
19 associated with this proposal. And this proposal
20 should not affect other user groups.

21
22 The preliminary conclusion is -- the
23 Staff analysis is to support the proposal. And also in
24 the course of discussions, the author of this
25 particular analysis is an anthropologist in OCM [sic]
26 and she would like to get examples from any Council
27 members to strengthen this analysis, any examples such
28 as customary trade of raw and untanned hides and capes
29 in the -- in the literature are examples of barter but
30 she would like -- there are few examples of raw and
31 untanned hides and capes being exchanged for cash. If
32 any of the Council members or others present in the
33 audience have examples of the sale of untanned hides or
34 capes for cash we'd like to get that information for
35 the record.

36
37 Thank you, very much, that concludes
38 the presentation on No. 03.

39
40 CHAIRMAN ALVAREZ: Question or
41 comments.

42
43 (No comments)

44
45 CHAIRMAN ALVAREZ: Hearing none. ADF&G
46 comments.

47
48 (No comments)

49
50 CHAIRMAN ALVAREZ: None.

1 MS. GREFFENIUS: Okay.
2
3 CHAIRMAN ALVAREZ: I guess Cliff can
4 read -- do you want to briefly read the Fish and Game --
5 let's see.
6
7 MS. MORRIS LYON: 88.
8
9 CHAIRMAN ALVAREZ: 88.
10
11 MR. DUNAWAY: Yeah.
12
13 MR. EDENSHAW: Mr. Chair and Council
14 members. On Page 88 the ADF&G comments. At the bottom
15 of it is the conclusion, the ADF&G recommends against
16 adoption of this proposal because;
17
18 1. The opportunity to sell raw
19 untanned hides is already
20 provided under State
21 regulations;
22
23 2. State regulations are already
24 adopted into Federal regulation
25 by reference; and
26
27 3. Adopting this proposal would
28 increase regulatory complexity
29 and create duplicative
30 regulations.
31
32 However, if the Federal Board moves
33 forward with this proposal, ADF&G recommends the
34 Federal Board make customary and traditional use
35 determinations and limit the Federal regulation to
36 those areas of the state where evidence of a long-term
37 historical pattern of community use exists.
38
39 CHAIRMAN ALVAREZ: Thank you, Cliff.
40 Other State and Federal agency comments.
41
42 (No comments)
43
44 CHAIRMAN ALVAREZ: InterAgency Staff
45 comments.
46
47 (No comments)
48
49 CHAIRMAN ALVAREZ: ADF&G Advisory
50 Committee comments. We didn't comment on this.

1 Nushagak.
2
3 MR. DUNAWAY: No, I don't think.
4
5 CHAIRMAN ALVAREZ: Hearing none.
6 Written -- summary of written public comments.
7
8 MR. EDENSHAW: Mr. Chair. There were
9 the Lake Clark SRC and the Aniakchak SRC, they
10 supported the proposal with modification.
11
12 The SRC supports this proposal with
13 modification. The reference to raw untanned hides
14 should be deleted to allow the sale of any hides so
15 subsistence users may maximize the value they can
16 derive from selling parts of legally taken animals.
17 That was by the Lake Clark SRC.
18
19 And the Aniakchak, on No. 3, they just
20 support -- the SRC supports measures that create
21 opportunities for subsistence users to maximize the
22 value they can derive from selling parts of legally
23 taken animals.
24
25 CHAIRMAN ALVAREZ: Public testimony.
26
27 (No comments)
28
29 CHAIRMAN ALVAREZ: Seeing none. We
30 area on the 8 Council deliberation.
31
32 MR. DUNAWAY: Move to adopt.
33
34 CHAIRMAN ALVAREZ: There's been a
35 motion, Dan moved to adopt.....
36
37 MR. ABRAHAM: Second.
38
39 CHAIRMAN ALVAREZ:Proposal WP07-
40 03, seconded by Pete. And before you call for the
41 question, do we want to consider Lake Clark SRC, their
42 modification, we'd have to amend it.
43
44 They asked the reference to raw
45 untanned hides should be deleted to allow the sale of
46 any hide.
47
48 How do you guys -- is Staff -- what
49 does Staff -- can Staff comment on this?
50

1 MR. DUNAWAY: Question, too.
2
3 CHAIRMAN ALVAREZ: Anybody.
4
5 (No comments)
6
7 CHAIRMAN ALVAREZ: Laura.
8
9 (No comments)
10
11 CHAIRMAN ALVAREZ: Rod.
12
13 (No comments)
14
15 CHAIRMAN ALVAREZ: Mary.
16
17 (No comments)
18
19 MR. EDENSHAW: What's the question.
20
21 CHAIRMAN ALVAREZ: I was wondering if
22 we were to amend it to reflect this would that be
23 against the recommendation or a conflict in any way.
24
25 MS. MCBURNEY: Mr. Chair. My name is
26 Mary McBurney with Lake Clark National Park this time.
27
28
29 Let me give you a little bit of context
30 for the conversation. We kind of went around in
31 circles with this one and it was confusing to many of
32 the SRC members as to exactly why this was necessary.
33 And so in the end it seemed logical to them to just say
34 any hide is okay and then we went on to the next point
35 of business.
36
37 But -- and this is, again, maybe I
38 should be looking at Steve because he's really good at
39 coming up and answering these icky questions.
40
41 (Laughter)
42
43 MS. MCBURNEY: But I believe that
44 tanned hides are covered elsewhere in our regulations
45 with respect to trade and that this is just one aspect,
46 though, that is currently not covered.
47
48 Mr. Kessler, would that be correct?
49
50 MR. KESSLER: I don't know. It would

1 take some research for me to figure that out.

2

3 MS. MCBURNEY: We can get back to you
4 on that one.

5

6 CHAIRMAN ALVAREZ: Dan.

7

8 MR. DUNAWAY: While you're here, maybe,
9 because what I read out of the Fish and Game comments
10 is they're saying that there's already adequate
11 provisions but apparently then some of the folks in the
12 Federal system don't think they're adequate provisions.
13 So I guess I'm not too eager to create another
14 regulation if it's not needed, but.....

15

16 MS. MCBURNEY: Well, let me see if I
17 can understand what your question might be. The
18 Department basically believes that the ADF&G
19 regulations that are currently in place to allow people
20 to trade untanned hides is adequate. That is true
21 everywhere except National Parks and National
22 Monuments. So in order for subsistence users that are
23 harvesting animals on Parks and Monuments to be able to
24 trade untanned hides you would need to approve this
25 proposal. So there's just that little wrinkle in
26 there. It's true everywhere else except for National
27 Parks and National Monuments.

28

29 MR. DUNAWAY: So should we adopt this
30 strictly for National Parks and Monuments or -- I don't
31 want to bog down another discussion really, but, if we
32 don't have to adopt it at all and things are covered,
33 then I'd be happy to -- I guess I see your point, if we
34 have kind of this black hole there, to address it.

35

36 CHAIRMAN ALVAREZ: You're talking
37 about, do we need to make an amendment for the
38 modification.

39

40 MS. MCBURNEY: Oh, for -- okay, we've
41 now kind of diverged where we now have two different
42 things running on different tracks. One as to the
43 applicability of where this would apply and whether
44 it's necessary and the answer to that one is if you
45 would like to allow this activity in Parks and
46 Monuments, you should take action on this.

47

48 CHAIRMAN ALVAREZ: Okay.

49

50 MS. MCBURNEY: With respect to the

1 question of whether it's necessary for all hides,
2 which is assuming that somehow that tanned hides are
3 currently not allowed to be traded, that's the question
4 that I think Steve and I are going to have to research
5 to find out because it's a fine point that we haven't
6 looked at, you know, at least in preparation for this
7 meeting to come to the table.

8

9 CHAIRMAN ALVAREZ: Okay.

10

11 MS. MCBURNEY: And here's Laura.

12

13 MR. DUNAWAY: We got somebody coming to
14 the table.

15

16 MS. GREFFENIUS: Mr. Chair.

17

18 CHAIRMAN ALVAREZ: Laura.

19

20 MS. GREFFENIUS: Just a couple items
21 that were brought up. As far as pertaining to -- on
22 the bottom of Page 79, I just wanted to refer you to
23 the comment, it says no provision currently exists for
24 the sale of raw untanned hides or capes from legally
25 taken animals. I'm under the existing Federal
26 regulations. Dan just made a comment about why we need
27 this if the State says the sale of untanned hides or
28 antlers is already provided for under State
29 regulations. That's not true. Presently under Federal
30 regulations it has to be specifically provided for and
31 the Federal system prohibits the sale of fish and
32 wildlife or other parts taken under Federal Subsistence
33 Management regulations unless specifically provided for
34 in our subsistence -- in the Federal Subsistence
35 Management regulations, so that's why this is providing
36 for it in the proposed regulation on top of Page 80.

37

38 So that's the different in the State
39 and Federal, if that helps answer that.

40

41 And then as far as the sticky question
42 on any hide versus the sale of raw untanned hides, I'd
43 be glad to get some clarification from the
44 anthropologist who is the author of this and get that
45 to you, I could call her tomorrow morning. I wouldn't
46 be able to do it right now but if you wanted to
47 continue on and just -- whatever you'd like to do, I
48 could just provide that information tomorrow morning,
49 if you'd like.

50

1 MR. DUNAWAY: Mr. Chair. To move
2 things along, I'd be tempted to amend the language to
3 include processed hides, if necessary, to make things
4 smoother here. We make kind of inclusive language and
5 just move on but if it's needed we could include it, if
6 covered elsewhere then we don't need to make it
7 redundant. I would hope that the Board could put that
8 out at that level.
9
10 CHAIRMAN ALVAREZ: I would support
11 that.
12
13 MR. DUNAWAY: So I guess I'd be willing
14 to move -- adopt language that would allow processed
15 hides as described by the Lake Clark SRC.
16
17 CHAIRMAN ALVAREZ: Cliff.
18
19 MR. EDENSHAW: Perhaps what -- you
20 know, this is a proposal that originated in the Eastern
21 Interior. And when Mary said that the Lake Clark
22 addressed any hide, perhaps what Dan could do, if he
23 was, and I don't want to belabor the point, but I guess
24 I would be asking Dan to -- you know, they list goat,
25 sheep, caribou and moose and what other animals here in
26 Units 9 and 17 do they harvest for and utilize the
27 hide, that would be the question that I'm sure would be
28 asked of Randy at the Board meeting if they're going to
29 amend the proposal and say, well, what other animals
30 are there then in this region. Certainly the Council
31 would support the Eastern Interior's original proposal
32 for sheep, caribou and moose, but my question to the
33 Council would be, what other animals here in this
34 region -- and for moose.
35
36 MR. DUNAWAY: Legally taken big game
37 hides I think might be more broadly inclusive because I
38 think that's what it's addressing.
39
40 MR. EDENSHAW: That's -- but anyway.
41
42 MR. DUNAWAY: We could go with that
43 language.
44
45 CHAIRMAN ALVAREZ: Okay.
46
47 MR. DUNAWAY: I guess I'd move to adopt
48 that more inclusive language, taking processed big game
49 hides.
50

1 MS. MORRIS LYON: Second.
2
3 CHAIRMAN ALVAREZ: Seconded by Nanci,
4 motion by Dan Dunaway to amend it. More comment.
5
6 (No comments)
7
8 CHAIRMAN ALVAREZ: Seeing none.
9
10 All in favor of amending the proposal
11 -- just a minute, we have somebody -- somebody hollered
12 Bingo.
13
14 MR. DUNAWAY: The BIA guy.
15
16 MR. EASTLAND: Yeah, the BIA guy needs
17 to muddy the waters a little bit.
18
19 Under the Federal system we have no
20 definition of big game. As I understand it, and,
21 please correct me if I'm wrong, but some cultures
22 object to their foods being called game. And the
23 Federal system has, in an effort to be sensitive to
24 these cultures, avoided the terminology big game. So
25 the amendment essentially would authorize something
26 totally unknown because we have no definition of what
27 big game is. So, whoa, looky here, I was dead wrong,
28 okay, good.
29
30 That would include.....
31
32 (Laughter)
33
34 MR. EASTLAND:black bear, brown
35 bear, bison, do we have any subsistence bison.....
36
37 MR. DUNAWAY: As soon as we get them
38 transplanted to Yukon Flats.
39
40 MR. EASTLAND:caribou, black-
41 tailed deer, elk, mountain goat, moose, muskox, dall
42 sheep, wolf and wolverine. And then your amendment
43 would be setting the Federal system up, not that this
44 is a good thing -- or a bad thing, for a direct
45 conflict with the State because it would authorize the
46 sale of untanned bear hides and we include the claws
47 with that and the State doesn't.
48
49 MR. DUNAWAY: That's why they
50 didn't.....

1 MR. EASTLAND: So please be aware that
2 there is a can of worms associated with this and I
3 apologize for the big game fiasco.
4
5 MR. DUNAWAY: Well, no, that was
6 actually -- you got us back to -- that's why it's just
7 a few words. I don't know, would you be willing to
8 withdraw your second and we could reword the.....
9
10 MS. MORRIS LYON: Either that or we
11 could butt it down, you have your choice.
12
13 MR. DUNAWAY: Well, I'd be willing to
14 make an amendment but narrow the scope of the.....
15
16 MS. MORRIS LYON: I'll withdraw.
17
18 MR. DUNAWAY: So I'll withdraw my
19 original motion and move to.....
20
21 CHAIRMAN ALVAREZ: Okay.
22
23 MR. DUNAWAY:include the.....
24
25 CHAIRMAN ALVAREZ: Considering new
26 information.....
27
28 MR. DUNAWAY:certain animals.
29
30 CHAIRMAN ALVAREZ:the maker of
31 the motion and the seconder withdraw their.....
32
33 MS. MORRIS LYON: Go again.
34
35 MR. DUNAWAY: So I'd make a new motion
36 to just include the animals named in the original
37 proposal, but include processed hides as recommended by
38 Lake Clark Park.
39
40 MS. MORRIS LYON: I'd second that.
41
42 CHAIRMAN ALVAREZ: Does that work.
43
44 MR. ABRAHAM: (In Native)
45
46 CHAIRMAN ALVAREZ: Okay.
47
48 MR. DUNAWAY: That was helpful Mr.
49 Westland [sic], thank you.
50

1 CHAIRMAN ALVAREZ: We're ready to vote.
2 All in favor of the amendment signify by saying aye.
3
4 IN UNISON: Aye.
5
6 CHAIRMAN ALVAREZ: Opposed.
7
8 (No opposing votes)
9
10 CHAIRMAN ALVAREZ: Okay. Amendment
11 carried five to zero. Now, we shall vote on the
12 amended Proposal 03. All in favor of the amended
13 proposal signify by saying aye.
14
15 IN UNISON: Aye.
16
17 CHAIRMAN ALVAREZ: Opposed.
18
19 (No opposing votes)
20
21 CHAIRMAN ALVAREZ: I didn't hear you
22 that time Virginia, but I'll.....
23
24 MS. ALECK: I did say aye.
25
26 CHAIRMAN ALVAREZ: Okay. So that would
27 be a five to zero in favor.
28
29 All right, that would bring us down to
30 statewide Proposal 07-04. Laura.
31
32 MR. DUNAWAY: That was pretty good.
33
34 MS. GREFFENIUS: Okay. This one begins
35 on Page 89 in your book. This is another statewide
36 proposal. Proposal WP07-04 is the combination of two
37 similar proposals submitted by the Eastern Interior
38 Alaska Regional Advisory Council and the Upper Tanana
39 Fortymile Fish and Game Advisory Committee.
40
41 In this particular proposal the
42 proponents request Federal regulations that allow the
43 sale of antlers or horns of goat, sheep, deer, elk,
44 caribou, moose or muskox that have been naturally shed
45 or removed from the skull of an animal harvested on
46 Federal public lands under Federal subsistence
47 regulations by Federally-qualified subsistence users.
48 And you'll see on the bottom of Page 91 the existing
49 regulation and then on Page 92 the proposed regulation
50 is in the middle of the page in bold there.

1 Again, just like the other one it was
2 specifying that unless it's provided for in this part,
3 as it says earlier on, so the bolded portion is the
4 specified part.

5
6 The proponent states that adoption of
7 this proposal would align Federal subsistence harvest
8 regulations with State of Alaska hunting regulations
9 which would allow the sale of antlers or horns that
10 have been naturally shed or if legally harvested,
11 completely removed from any part of the skull of the
12 animal. The exception is this is not the case in Unit
13 23.

14
15 State regulations specifically prohibit
16 the sale of caribou antlers from Unit 23 unless the
17 antler is naturally shed or made into an article of
18 handicraft. Just as some background, this prohibition
19 is due to local conservation concerns about the Western
20 Arctic Caribou Herd because of the Asian antler market.

21
22 Federal subsistence regulations do not
23 include the gathering of naturally shed antlers.

24
25 Gathering of naturally shed antlers is
26 prohibited on National Park Service lands. Current
27 Federal subsistence regulations do not allow the sale
28 of unmodified, non-edible by products of fish and
29 wildlife, they must first be made into handicrafts.

30
31 Unmodified antlers or horns do not meet
32 the Federal definition of handicraft. The proposed
33 sale of antlers or horns from animals harvested under
34 Federal subsistence regulations may be consistent with
35 the Federal definition of customary trade. And as we
36 noted in the previous discussion, on the previous
37 proposal, the Federal definition of customary trade is
38 the exchange for fish and wildlife resources regulated
39 here and not otherwise prohibited by State or Federal
40 law -- State or Federal law or regulation to support
41 personal and family needs and does not include trade
42 which constitutes a significant commercial enterprise.

43
44 There's a lot of interesting background
45 in the analysis. There's a long history of trade in
46 unmodified horns and antlers in Alaska that began prior
47 to the arrival of Europeans and continues today.

48
49 The proponent state that adoption of
50 this proposal would not increase harvest but would

1 allow Federally-qualified subsistence users to fully
2 utilize the animals they harvest under Federal
3 subsistence regulations for food and to obtain cash
4 needed to access traditional hunting areas.

5
6 The effects of this proposal. If
7 adopted, this proposed regulation would allow hunters
8 to sell horns and antlers from animals harvested under
9 Federal subsistence regulations, however, shed antlers
10 are not regulated under Federal Subsistence Board
11 jurisdiction. And on Page 92, just to make not on the
12 NPS, the National Park Service regulations are on Page
13 92, the gathering of naturally shed antlers is
14 specifically prohibited on National Park Service lands.
15 And on U.S. Fish and Wildlife Service lands, gathering
16 naturally shed antlers is prohibited unless one has a
17 special use permit from the Refuge manager.

18
19 Authorization to collect animal parts
20 from animals not harvested within the approved Federal
21 subsistence harvest limits would not be consistent with
22 Federal subsistence harvest regulations.

23
24 So on Page 96 the proposed regulations
25 for the preliminary conclusion, the proposed regulation
26 should be modified to exclude reference to shed antlers
27 or collections from animals obtained outside the
28 Federal subsistence harvest regulations.

29
30 The regional variation and uses of
31 horns and antlers can be addressed by region specific
32 regulations such as those for bear, handicrafts and
33 customary trade of fish.

34
35 Current harvest limits are not affected
36 by this proposal and the proposal should not affect
37 other user groups.

38
39 The adoption of this proposal would not
40 lead to an increase in subsistence harvest, but would
41 allow Federally-qualified subsistence users to fully
42 utilize the animals they harvest for food and also for
43 cash needed to access traditional hunting areas.

44
45 And the preliminary conclusion as noted
46 on Page 96 is to support with modification to address
47 only horns and antlers from animals harvested, that is,
48 not naturally shed. So only horns and antler --
49 animals -- only horns and antlers from animals
50 harvested under Federal subsistence regulations and

1 this modification, as noted under the justification,
2 would be consistent with State regulations relative to
3 harvested animals.

4
5 And, again, if there's any examples of
6 sales of horns and antlers for cash, any examples from
7 anyone would be helpful.

8
9 Thank you.

10
11 CHAIRMAN ALVAREZ: ADF&G comments.
12 Cliff, you want to read them.

13
14 MR. EDENSHAW: Council members on Page
15 101 of our Council booklet, at the bottom of the
16 conclusion, the ADF& recommends against adoption of
17 this proposal because;

- 18
19 1. This opportunity is already
20 provided for under State
21 regulations;
22
23 2. State regulations are adopted
24 into the Federal regulations by
25 reference; and
26
27 3. Adopting this proposal would
28 include -- increase regulatory
29 complexity and create
30 duplicative regulations.

31
32 However, if the Federal Board moves
33 forward with this proposal, ADF&G recommends that
34 customary and traditional use determinations be made
35 and that the Federal regulations be limited to those
36 areas of the state where evidence of a long-term
37 historical pattern of community use exists.

38
39 CHAIRMAN ALVAREZ: Number 3, other
40 State and Federal agency comments.

41
42 (No comments)

43
44 CHAIRMAN ALVAREZ: Number 4,
45 InterAgency Staff Committee comments.

46
47 MR. DUNAWAY: He's got InterAgency
48 comments.

49
50 MR. KESSLER: Steve Kessler with

1 InterAgency Staff Committee. I just guess I had one
2 comment and it sort of relates to the State's comments
3 here and I'm sure you all realize this, but when the
4 State says this opportunity is already provided for
5 under State regulations. Well, certain opportunities
6 are. For instance, we, under the Federal regulations
7 have the designated hunter regulation which does not
8 exist under the State regulations. So under the
9 designated hunter regulations, you know, more than one
10 bag limit can be taken and then our regulations would
11 provide for what's being asked for for all of those
12 taken animals.

13

14 So it's just a little bit different,
15 you know, when the State says it's already provided
16 for, there are other differences between the State and
17 Federal systems, but that's just one of them I wanted
18 to bring up to you.

19

20 CHAIRMAN ALVAREZ: Thank you, Steve.
21 Number 5, ADF&G Advisory Committee comments.

22

23 (No comments)

24

25 CHAIRMAN ALVAREZ: Hearing none, number
26 6, summary of written public comments. Cliff.

27

28 MR. EDENSHAW: Mr. Chair. On Page 100
29 The AHTNA Subsistence Committee supports a statewide
30 proposal to allow sale of shed horns and antlers, or
31 horns and antlers that have been separated from the
32 skull from a legally harvested goat, sheep, deer, elk,
33 caribou, moose or muskox.

34

35 Both the Lake Clark and Aniakchak SRC
36 support Proposal 04. The SRCs support measures that
37 allow subsistence users to maximize the value they
38 derive from legally taken animals.

39

40 CHAIRMAN ALVAREZ: Number 7, public
41 testimony.

42

43 (No comments)

44

45 CHAIRMAN ALVAREZ: Seeing none, we're
46 down to number 8. Council deliberation.

47

48 MS. MORRIS LYON: Move to adopt
49 Proposal 04.

50

1 CHAIRMAN ALVAREZ: Motion's been moved
2 to adopt Proposal 04.
3
4 MR. ABRAHAM: Second.
5
6 CHAIRMAN ALVAREZ: Seconded by Pete.
7 Any comment.
8
9 (No comments)
10
11 CHAIRMAN ALVAREZ: Seeing none.
12
13 MR. DUNAWAY: Did you move to adopt the
14 recommended language or just.....
15
16 MS. MORRIS LYON: Let me clarify. I
17 move to adopt the recommended language written on Page
18 88, was it, or 96, modification to adhere to Park
19 Service rules and other Federal agency rules.
20
21 MR. DUNAWAY: Question.
22
23 CHAIRMAN ALVAREZ: Question's been
24 called. All in favor of Proposal 07-04 supporting the
25 Staff recommended version signify by saying aye.
26
27 IN UNISON: Aye.
28
29 CHAIRMAN ALVAREZ: Opposed.
30
31 (No opposing votes)
32
33 CHAIRMAN ALVAREZ: Motion carried.
34 Glad to see you're still with us Virginia, this is the
35 last one.
36
37 MS. ALECK: I did say aye.
38
39 CHAIRMAN ALVAREZ: So it passed, five
40 to zero.
41
42 MR. ABRAHAM: Mr. Chairman. Why can't
43 we just finish that, like Togiak is gone now.
44
45 (Laughter)
46
47 MR. ABRAHAM: Bristol Bay Native
48 Association is gone.
49
50 (Laughter)

1 CHAIRMAN ALVAREZ: No, I think there's
2 a girl right there. Are you from BBNA?
3
4 UNIDENTIFIED VOICE: (Indiscernible -
5 away from microphone)
6
7 CHAIRMAN ALVAREZ: Would you introduce
8 yourself to us.
9
10 (Not at microphone)
11
12 CHAIRMAN ALVAREZ: Okay.
13
14 MR. EDENSHAW: Mr. Chair.
15
16 CHAIRMAN ALVAREZ: How about 11.
17
18 MR. EDENSHAW: How about 11.
19
20 (Laughter)
21
22 MR. EDENSHAW: No, I just wanted to,
23 before Troy left, he was saying that at 6:30 they're
24 going to have a meeting here, so we should be out of
25 here at 6:00.
26
27 CHAIRMAN ALVAREZ: Okay. How about if
28 we start again in the morning, or do you want to do
29 some more.
30
31 Any other action items?
32
33 MR. DUNAWAY: No. 11.
34
35 MR. EDENSHAW: Rod's prepared to go
36 over No. 11.
37
38 MS. MORRIS LYON: Or No. 2.
39
40 CHAIRMAN ALVAREZ: No. 11 and No. 2.
41 Oh, okay, Rod's prepared to go over No. 11.
42
43 MR. CAMPBELL: Thank you, Mr. Chairman.
44 Rod Campbell with the Office of Subsistence Management.
45 I'll be briefly discussing the Council composition.
46
47 In 2003 the Secretary of Interior
48 amended the Council charters to stipulate that Council
49 members would represent either subsistence,
50 commercial/sport users and to set a goal of 30

1 representation of the commercial and sport users on
2 each Council.

3

4 I forgot to note that's on Page 102 of
5 your Council book, I believe.

6

7 And to note that that was a goal, it
8 wasn't an absolute percentage. And it set the Council
9 membership numbers at 10 and 13. The Southeast,
10 Southcentral and Yukon-Kuskokwim have 13 members and
11 the rest have 10. It also allowed three years to
12 completely implement the system.

13

14 In August of 2006 the court ordered the
15 Board to stop using the 70/30 system at the end of that
16 calendar year, and to promptly begin developing a plan
17 for balanced membership that will meet ANILCA and FACA
18 requirements. FACA being the Federal Advisory
19 Committee Act. The judge said that the Board had not
20 provided enough justification for choosing the 70/30
21 measure of balancing Council representation. The
22 Office of Subsistence Management promptly published a
23 request for public comment, a copy of which is included
24 in your book and sent out news releases requesting
25 public comment. A summary of the comments received is
26 included in this document, I believe that's beginning
27 on Page 103 in your Council book.

28

29 The Board now seeks the Council's
30 official recommendations regarding Council membership
31 as you develop your Council recommendations, please,
32 consider the following.

33

34 FACA says:

35

36 1. That the points of view
37 represented on the Council must
38 be balanced with the functions
39 to be performed by the
40 Councils. And a list of
41 Council functions is included
42 in your book, with this
43 briefing, should be.

44

45 2. The court has said that a
46 fairly balanced Regional
47 Council must include
48 consumptive users of fish and
49 wildlife on public lands other
50 than subsistence users because

1 those users are directly
2 affected by the subsistence
3 priority. And that not every
4 user group needs to be
5 represented on the Councils to
6 provide a balanced membership.
7

8 3. The court also said that while
9 70/30 is one way of meeting
10 FACA requirements, the Board
11 should consider other ways of
12 achieving balanced membership
13 on the Councils. The judge
14 says, if ever there was a
15 situation that calls for
16 thinking outside the box, this
17 was it.
18

19 4. In summary, the Board and the
20 Secretaries must be able to
21 show that they have considered
22 points of view represented by
23 other consumptive users of fish
24 and wildlife as well as
25 subsistence users when
26 recommending and appointing
27 Council members, and how can
28 this be done best.
29

30 And that's all I have for this.

31
32 CHAIRMAN ALVAREZ: Okay.
33

34 MR. DUNAWAY: Okay, so are we being
35 asked to endorse a particular process, I'm -- I read
36 through this and ended up pretty confused.
37

38 CHAIRMAN ALVAREZ: That's interesting,
39 you know, with that 70/30, that's how Dan and I and
40 Nanci are on here when it went to a 10 member Board
41 from a seven member Board. We're here, we're still
42 here.
43

44 Cliff.
45

46 MR. EDENSHAW: Mr. Chair. I happen to
47 have the October '06 booklet for when the Council --
48 for when we met the last time and on Page 99 it
49 discussed the Council composition update, and, again,
50 as Rod mentioned in his presentation, the briefing to

1 the Council, if you look on Page 107, I'm going to skip
2 here for a minute though, there's the Federal Register,
3 and that has -- I believe that has how the 70/30 was
4 developed by the -- on the '06 one here, it mentions as
5 soon as possible publish a 30 day notice in the Federal
6 Register which will explain the current situation and
7 the rationale for the 70/30 rule. So on Page 107 of
8 your booklet here, the Federal Register should explain
9 that.

10

11 The notice will request public comments
12 regarding the 70/30 rule and solicit alternative plans
13 for a balanced Council membership. So if the Council
14 has other alternatives on how to implement a 70/30 or
15 if else -- what's there, so be it. That's what was
16 included in the update here and what's included in the
17 current booklet.

18

19 MR. CAMPBELL: Mr. Chair.

20

21 CHAIRMAN ALVAREZ: Rod.

22

23 MR. CAMPBELL: I think from this
24 briefing it didn't say there was anything wrong with
25 the 70/30, from my understanding it needed to be more
26 spelled out as to why they felt that was a proper mix,
27 and it was a guideline, a goal and not a fixed number.

28

29 CHAIRMAN ALVAREZ: Dan.

30

31 MR. DUNAWAY: Yeah, Mr. Chairman, I get
32 a sense that there's been a lot more comfort among the
33 broad public of the state since there's now a clear
34 system to include more than just strict subsistence
35 users. And I'm not trying to protect my seat here and
36 I'm not trying to pat my back to more credibility to
37 the group, but I think it has -- I sensed a whole -- a
38 lot less anxiety from the public who felt they might be
39 -- you know, other public that didn't qualify, they
40 didn't feel excluded. And I don't sit here like I sit
41 here strictly representing one group, my whole use
42 background has shifted almost more to subsistence than
43 anything. But I think it was the right thing to do in
44 some form, and 70/30 seemed like a pretty good place to
45 start, you know.

46

47 Randy's a subsistence sport commercial
48 user. And Nanci similar. And sometimes we are able to
49 speak to stuff that, at least, I've seen in other
50 really strictly subsistence user groups, there were

1 questions they just didn't know how to tackle. I would
2 hope that some sort of system would be retained.

3

4 CHAIRMAN ALVAREZ: I'm looking for
5 direction, which way to go. What do we have to do
6 here, Cliff.

7

8 MR. EDENSHAW: Perhaps Steve or Judy
9 can answer. But inside this other booklet, in October
10 of '06, the Board, it's under the third bullet, it said
11 the Board will receive the Council and public comments
12 including pertinent testimony given at the Council's
13 meetings at the May '07 Board meeting. So we know the
14 Board is going to hold an April session for wildlife
15 and then the May Board meeting is going to address
16 fisheries.

17

18 CHAIRMAN ALVAREZ: Rod.

19

20 MR. CAMPBELL: Yes, Mr. Chair, Cliff,
21 in the notes that I was handed for the briefing, it
22 said the Board is scheduled to take this up at their
23 April 30 through May 2nd, 2007 meeting.

24

25 Steve may have something to add.

26

27 CHAIRMAN ALVAREZ: Steve.

28

29 MR. KESSLER: Mr. Chair. Council.
30 Steve Kessler, InterAgency Staff Committee. I was just
31 hoping to maybe sort of expand a little bit on this.
32 This Federal Register that was put out, it's on Page
33 107 that Mr. Campbell referred to.

34

35 This was put out and comments were
36 received. The idea was actually not to necessarily
37 receive comments from Councils, although you might
38 notice in the comments that were received, there were
39 actually some fairly expansive comments from the
40 Southeast Alaska Council. The idea was to put this
41 out, receive comments from whoever wanted to comment,
42 and then put these ideas to the Councils, so that the
43 Councils could listen to all the ideas that come from
44 the public, and then the Council can try and -- each of
45 the Councils can try and figure out for themselves,
46 well, what are your comments. How can you help the
47 Federal Subsistence Board the best figure out what
48 would work as far as this Council composition.

49

50 If you read the Federal Register on

1 Page 109, on the column on the very right-hand side, it
2 talks about the rationale for why the Federal
3 Subsistence Board went for a 70/30 or 60/40 or 90/10 or
4 something else. But that is just where the Federal
5 Board is coming from.

6
7 Unfortunately, the information that was
8 in that very right-hand column was not available to the
9 judge to look at when the judge was giving the Federal
10 Board more direction. The judge said, we need to know
11 how you got to the 70/30. So now we have this
12 published. We went out for comment. We're providing
13 all these comments to each of the Councils and now it's
14 your turn. If you want to provide some sort of advice
15 to the Federal Subsistence Board about Council
16 composition, this is the time. And that basically says
17 that on Page 102 at the beginning of the briefing.

18
19 The Board now seeks Council's
20 recommendations regarding Council membership. If
21 there's something you see that you like, of these
22 comments that have been received, and support one of
23 those, if you think there's something else that would
24 be better or if you feel that the Federal Subsistence
25 Board has already taken the right track, and you can
26 look at the rationale that the Federal Subsistence
27 Board used previously on Page 109, on the right-hand
28 column, you could support that. But that's what the
29 Board's looking for, your input, because as you know,
30 the Regional Advisory Councils have a very special role
31 in ANILCA, Title VIII, and this is your opportunity to
32 partially help with that role.

33
34 Did that help at all?

35
36 CHAIRMAN ALVAREZ: Sure, that did. I'd
37 like to comment since Dan made his views.

38
39 You know, I think this 70/30 has worked
40 well, you know, since we got on, we got on by the
41 70/30, since that was changed to that. And I think it
42 brings in more information on usage of everybody in the
43 communities, not only just the hardcore subsistence
44 user because in these -- in our villages, everybody
45 qualifies for the -- is a Federally-qualified user.
46 Not only the guys that have culture and a long history
47 of it, but even new people that are coming into the
48 villages are eligible. And Dan kind of represents part
49 of that, the new guy coming in. And it works good. I
50 don't agree with him all the time.....

1 (Laughter)
2
3 CHAIRMAN ALVAREZ:but it's
4 dialogue and it works, it's part of the process.
5
6 I got on -- I applied for the
7 commercial seat because I'm a commercial fisherman and,
8 you know, here I am so they like me I guess, Pete likes
9 me, I let him have a steam bath once in awhile.
10
11 (Laughter)
12
13 CHAIRMAN ALVAREZ: But I also have a
14 long history of the subsistence use. My father was
15 born here in Naknek and his mother before him. And so
16 I want to protect that right, that's why I'm here.
17
18 I think we need to have a split, this
19 70/30 works well. It kind of represents more user
20 groups.
21
22 Nanci.
23
24 MS. MORRIS LYON: Yeah, I guess my
25 comments would include the fact that I think the split
26 is actually an important facet of the Board. I think
27 by splitting the groups up, I -- we're lucky, I hear,
28 because we're unique in the reasonings that Dan and
29 Randy already gave, that all of us who live out here
30 are all subsistence users as well as seeing different
31 viewpoints. So I suppose in some of your less rural
32 areas, such as Anchorage, Chino and those areas, you're
33 probably not going to get the same conclusion as you're
34 hearing from us. However, I think that it's important
35 to have that split out here because I think by having
36 people who are not just subsistence users but also see
37 the views of the commercial fisherman and the
38 sportfisherman on the board adds a whole different
39 flavor and adds some incredible knowledge that you
40 can't duplicate in any other form or in any other way.
41 And without that I think that a lot of times our
42 decisions would be less informed and less qualified
43 with the quality that we can give them.
44
45 So, you know, I think that being said,
46 that's enough being said, but I feel strong that there
47 is a mixture in there and I think the benefits far
48 outweigh any down fall to that.
49
50 CHAIRMAN ALVAREZ: Pete.

1 MR. ABRAHAM: (In Native) Some of the
2 people ask the question, you know, why. They'd like to
3 see more Yup'ik, you know, on this over here. And I
4 ask, you know, where, you know, are they available in
5 Naknek, Dillingham, well the answer to them -- I
6 answered them, those are subsistence users over there,
7 they live on those lands over there. That's why
8 they're running for, that's why they're sitting on
9 those tables right there because they are subsistence
10 users just like you and I.

11
12 But we have a quality of people over
13 here, of course, we need the position from
14 sporthunters, commercial to be -- you know, so we can
15 be on our toes all the time, so we could be very
16 careful how we represent the people around us because
17 they are relying on -- you're relying on us to do a
18 good job for them.

19
20 Observative, one thing. And letting
21 the public know what we are doing. And that's one of
22 the qualities, you know, of being a RAC over here.
23 Because these -- I'm in the middle all the time over
24 there because I'm representing Togiak as an RIT, a
25 Refuge Information Technician, as a member of the
26 Council, as a public -- that's -- I mean name it, I'm
27 it. So they come to me, man alive, I'm in the middle
28 all the time. So I got to know the answers to every
29 question they ask me. I get to know after 14 years as
30 an Advisory Council over here and as an RIT, I pretty
31 near got all the answers for them, yeah.

32
33 CHAIRMAN ALVAREZ: You mentioned more
34 Yup'iks, well, you say there's five people applying for
35 that one seat, or is it two seats?

36
37 MR. EDENSHAW: No. Mr. Chair. For
38 this coming round of terms expiring there's eight
39 applicants for three seats.

40
41 CHAIRMAN ALVAREZ: Eight applicants for
42 three seats, yeah.

43
44 MR. EDENSHAW: To fill three seats.

45
46 CHAIRMAN ALVAREZ: Okay. And I think
47 there's one or two from Togiak, right?

48
49 MR. EDENSHAW: I'd have to double.....
50

1 CHAIRMAN ALVAREZ: Yeah.
2
3 MR. ABRAHAM: (In Native)
4
5 CHAIRMAN ALVAREZ: Okay, do you want
6 any more comment or do we have to move on this?
7
8 (No comments)
9
10 CHAIRMAN ALVAREZ: Virginia, I almost
11 forgot.....
12
13 MS. ALECK: Yeah.
14
15 CHAIRMAN ALVAREZ: Did you hear our
16 little discussion?
17
18 MS. ALECK: Yeah, I sure did.
19
20 CHAIRMAN ALVAREZ: Do you want to add
21 anything to it?
22
23 MS. ALECK: No, not really, but I see a
24 familiar name.
25
26 CHAIRMAN ALVAREZ: Oh.
27
28 MS. ALECK: Pete Probasco was hired.
29
30 MS. MORRIS LYON: Oh, Pete Probasco,
31 yeah.
32
33 MS. ALECK: I'm just reading to myself
34 here.
35
36 CHAIRMAN ALVAREZ: Oh. Oh, rehired.
37
38 MS. MORRIS LYON: He's the Assistant
39 Regional Director of OSM.
40
41 CHAIRMAN ALVAREZ: Oh, yeah, Nanci was
42 just showing me that.
43
44 Okay, Cliff, what do we need to do on
45 this, do we need to act on it.
46
47 MR. EDENSHAW: A motion would be nice,
48 Mr. Chair.
49
50 CHAIRMAN ALVAREZ: To do what?

1 MR. EDENSHAW: To adopt or to recommend
2 that you support the 70/30 balanced membership as is
3 now or else as Rod and Steve Kessler were sharing,
4 there's plenty of other examples that were submitted by
5 -- with written public comments with regards to how the
6 Board should balance mixed membership on the Councils.
7
8 CHAIRMAN ALVAREZ: Yeah, I.....
9
10 MR. DUNAWAY: Did you have a question,
11 Pete.
12
13 CHAIRMAN ALVAREZ: Pete. Oh, you move
14 for the 70/30 split.
15
16 MR. ABRAHAM: Uh-huh.
17
18 MR. DUNAWAY: Second.
19
20 CHAIRMAN ALVAREZ: Seconded by.....
21
22 MS. ALECK: I second that motion.
23
24 CHAIRMAN ALVAREZ: Seconded by
25 Virginia.
26
27 MS. ALECK: Is that a motion?
28
29 CHAIRMAN ALVAREZ: Okay, motion made by
30 Pete Abraham to support the present 70/30 split and
31 then Virginia seconded it.
32
33 MS. MORRIS LYON: Question.
34
35 CHAIRMAN ALVAREZ: Question's been
36 called, okay, we're going to vote. All in favor of the
37 motion to support the 70/30 split, say aye.
38
39 IN UNISON: Aye.
40 CHAIRMAN ALVAREZ: Opposed.
41
42 (No opposing votes)
43
44 CHAIRMAN ALVAREZ: Motion carried, five
45 to zero.
46
47 MS. MORRIS LYON: For all the reasons
48 stated.
49
50 (Laughter)

1 CHAIRMAN ALVAREZ: Anything else that
2 we need to -- should take up -- well, we need to get
3 out of here at what time?
4
5 MR. EDENSHAW: About 15 minutes.
6
7 CHAIRMAN ALVAREZ: Okay. So what do we
8 need to do tomorrow then?
9
10 MR. EDENSHAW: Board of Game proposals,
11 Mr. Chair, and then we'll move into agency reports or
12 there's the -- I got the wrong one here. The Board of
13 Game proposals or the recommendations that they're
14 seeking from the Council and then we'll go ahead and
15 move into agency reports.
16
17 CHAIRMAN ALVAREZ: Okay.
18
19 MR. DUNAWAY: Allow me to also discuss
20 briefly, reconsidering a little bit of wording tweak on
21 07-02, I hate to tackle it tonight, but I had some
22 recommended -- ideas recommended to me from Staff and
23 all, I would kind of like to bring them up.
24
25 CHAIRMAN ALVAREZ: 02, about
26 enforcement of harvest reporting.
27
28 MR. DUNAWAY: Yeah.
29
30 MR. ABRAHAM: Page what?
31
32 CHAIRMAN ALVAREZ: It's statewide
33 Proposal 07-02.
34
35 MS. MORRIS LYON: 65, Pete.
36
37 CHAIRMAN ALVAREZ: Oh, you could bring
38 it up and discuss it, finish it in the morning. What
39 did you have in mind.
40
41 MR. DUNAWAY: Yeah, just do we need to
42 move to reconsider it, do we have to go that way, go
43 real parliamentary or just agree we'll bring it back up
44 and.....
45
46 CHAIRMAN ALVAREZ: Do we need to move
47 to reconsider that.
48
49 MS. MORRIS LYON: I'll move -- yeah.
50

1 CHAIRMAN ALVAREZ: Do you want to do it
2 now, do we have time?
3
4 MS. MORRIS LYON: Let's -- I want to
5 hear what he's got to say and then we can decide if we
6 vote it down or we can table it until tomorrow.
7
8 MR. DUNAWAY: That would work.
9
10 CHAIRMAN ALVAREZ: Okay. So you moved?
11
12 MS. MORRIS LYON: No, it's his motion.
13
14 CHAIRMAN ALVAREZ: You move.
15
16 MR. DUNAWAY: I can move to reconsider
17 02.
18
19 CHAIRMAN ALVAREZ: Did you -- who
20 seconded?
21
22 MS. MORRIS LYON: I'll second it.
23
24 CHAIRMAN ALVAREZ: Okay. WP07-02 is
25 back on the table. Dan, what did you have in mind.
26
27 MR. DUNAWAY: There was concerns
28 expressed, I think, especially by Fish and Game and we
29 kind of danced around it, you know, the discussion that
30 in what constituted flexibility and reporting and what
31 are -- let's see here, the language that -- the
32 proposed regulation says something along the line --
33 flexibility part comes, unless you can demonstrate the
34 failure to report was due to loss in the mail,
35 accident, sickness or other unavoidable circumstances,
36 which seems to be really broad language that, I know,
37 made the State uncomfortable and it sounded like it
38 made other folks uncomfortable, I mean point of order
39 here.
40
41 MS. MORRIS LYON: Not a point of order,
42 but it was my understanding that that language already
43 existed, that was not the change being made; is that
44 correct?
45
46 MR. DUNAWAY: Yeah, we were just going
47 to regulatory year is what we voted on.
48
49 MS. MORRIS LYON: No, but I -- my
50 understanding when I -- I believe I made that motion,

1 was that that language already existed in current --
2 that that was part of the change.
3
4 MR. CAMPBELL: Mr. Chairman.
5
6 CHAIRMAN ALVAREZ: Rod.
7
8 MR. CAMPBELL: Yes, that's correct.
9 The proposed regulatory change was just the change the
10 word calendar to regulatory, the rest of that was
11 already in the.....
12
13 MS. MORRIS LYON: Regulations.
14
15 MR. CAMPBELL:regulation, so
16 there was no change to that whatsoever.
17
18 MR. DUNAWAY: So then if I were to
19 suggest changing a couple words in the other part of
20 the language, would that be beyond the public notice
21 authority?
22
23 MR. CAMPBELL: Mr. Chairman. No, I
24 mean I think you have the ability to do that in an
25 amendment, correct me if I'm wrong.
26
27 MR. EDENSHAW: That just depends if
28 Nanci and them, whether they vote it up or vote it
29 down.
30
31 MS. MORRIS LYON: Well, let's hear what
32 you got to say.
33
34 CHAIRMAN ALVAREZ: Yeah, that's what I
35 was going to say.
36
37 MR. DUNAWAY: Yeah, I'm having trouble
38 regrouping. I was on it then and it's been a long time
39 since. But essentially talking to Mr. Westland [sic]
40 and Kessler, they asked me to think about instead of
41 using the word unavoidable circumstances, if there was
42 some word like other extenuating circumstances, it is
43 semantic, but the idea there was not to leave the door
44 wide open to all kinds of wild excuses or repeat
45 blatant failure to report. That they'd have to have --
46 and I'm struggling here because I haven't devoted more
47 time to it since we talked about it.
48
49 I think the idea was to just tighten up
50 what constituted a forgivable situation. I don't know

1 if you're interested in tackling it or not. It's
2 probably worth sleeping on.

3
4 CHAIRMAN ALVAREZ: I haven't heard from
5 Staff if there's a problem with this unavoidable; is
6 that a problem. Rod.

7
8 MR. CAMPBELL: Mr. Chairman. I'm not
9 an expert on this, but my understanding is this is the
10 first time that this clause has been addressed since
11 it's been in Federal regulation. I believe it was
12 1990, so this is the first time this has come up, so I
13 can't say if it was a problem or not, but with that
14 other language, but, here, the focus wasn't on the --
15 I'm losing my train of thought here, on this
16 implementing the penalty, it was focused on the change
17 from calendar regulatory year to try to reduce the
18 confusion and to help people, not to have some big club
19 here on it. Just it was more of a help and educational
20 -- or help to make reporting easier.

21
22 CHAIRMAN ALVAREZ: Nanci.

23
24 MS. MORRIS LYONS: Okay. And in light
25 of the information that we have received here and for
26 me to have the knowledge that this has already been in
27 regulation, I am all for -- I want that reporting to be
28 done, I think it's of utmost importance, I think we
29 need to convey that to everybody and it's to their
30 benefit to report. But I don't think that this is the
31 forum to go ahead and change that language and I would
32 like to call for the question.

33
34 MR. ABRAHAM: Well, Mr. Chairman, just
35 cross off unavoidable to say other circumstances. That
36 would cover whatever you want to put in there.

37
38 CHAIRMAN ALVAREZ: Then that would
39 throw the door wide open though, Pete.

40
41 MR. DUNAWAY: Actually I'm inclined to
42 agree with Nanci the more I read it, if that's a
43 problem it should be maybe addressed more formally.....

44
45 MS. MORRIS LYONS: Separately.

46
47 MR. DUNAWAY:public noticed.

48
49 MR. ABRAHAM: What is unavoidable, you
50 know, the person -- date or time?

1 (Laughter)
2
3 MR. DUNAWAY: For some people.
4
5 CHAIRMAN ALVAREZ: If you don't turn
6 your permit in you need a real good reason,
7 unavoidable, any reason -- if you throw out unavoidable
8 then you throw any old reason out, oh, I didn't feel
9 like it today.
10
11 (Laughter)
12
13 CHAIRMAN ALVAREZ: And that's a reason
14 so, you know, and then that would.....
15
16 MR. ABRAHAM: Well, what you got right
17 there, lost in the mail, accident, sickness or what
18 else you got there besides this here?
19
20 MS. MORRIS LYONS: I guess my point,
21 Pete, is that I'm not hearing that we're having a
22 problem from the people who are having to deal with it
23 and if we hear that there's a problem then I think we
24 better change the language, then that's why. That's my
25 comment.
26
27 MR. ABRAHAM: Sickness or other
28 unavoidable -- or grandma dying.
29
30 CHAIRMAN ALVAREZ: Well, that's
31 unavoidable.
32
33 (Laughter)
34
35 MR. ABRAHAM: Because you're talking
36 with St. Peter upstairs.
37
38 (Laughter)
39
40 CHAIRMAN ALVAREZ: Steve.
41
42 MR. KESSLER: Thank you, Mr. Chairman.
43 We had some discussion after this vote on this and I
44 think that part of it was, Nanci, because of actually
45 something you said. You said that there's a huge
46 difference between people refusing to comply or
47 forgetting to comply and that rings a bell, okay, so
48 when we sort of looked at this language here, unless
49 you demonstrate the failure to report was due to loss
50 in the mail, accident, sickness or other unavoidable

1 circumstance. Well, you know, forgetting to apply
2 [sic] doesn't seem like an unavoidable circumstance.
3 So for what you discussed, you know, sort of the
4 thought that we were just sort of talking about was
5 maybe this is too strict for what your desire was. And
6 so we were talking to Mr. Dunaway some and thought
7 that, well, maybe to sort of meet, and both of you
8 talked about something similar to that. That maybe
9 what you're looking for is some slightly different
10 language than where other unavoidable circumstances, so
11 that if somebody just forgets that we just don't cut
12 them off because this could cut them off. So something
13 like other extenuating circumstances might give a
14 little bit more flexibility to the manager to not just
15 cut somebody off.

16
17 Now, I don't think that anybody is just
18 cutting somebody off because they forget to comply.
19 And really what the Bureau of Land Management was
20 having trouble with people who were, just year after
21 year, refusing to comply. So what we were trying --
22 what we were thinking about is, well, how do you get
23 this language to meet what you really want. And so
24 perhaps changing some word in here, some words or
25 adding words or something like that, perhaps maybe that
26 would get towards what you were talking about. But
27 maybe that these words here don't quite do it.

28
29 That was the whole discussion. I don't
30 know.....

31
32 MR. DUNAWAY: Yeah, I don't.....

33
34 MR. KESSLER:if you remember it
35 that way.

36
37 MR. DUNAWAY: Oh, yeah, yeah. Though,
38 again, the more I sit here and I apologize for whiffle-
39 whaffing, but I think process-wise it would be more
40 appropriate to -- if we feel it's necessary, make a
41 proposal for another time, properly public noticed and
42 then you could even look at the State system where
43 apparently they have a set of criteria and a named
44 adjudicator that goes through these and very -- you
45 know, it's not whimsy. But for now I appreciate having
46 the discussion but I really think we're making --
47 respecting the process since it really wasn't the focus
48 of this proposal in the first place. And it isn't --
49 you know, we don't have Staff or people coming and
50 saying, you know, we've got lots of problems other

1 places, misusing these -- this part of the clause. It
2 would probably be better to wait until another time.
3
4 CHAIRMAN ALVAREZ: Good idea.
5
6 MR. DUNAWAY: Sorry to take all the
7 time, but maybe it's better to do it now and get it
8 over with.
9
10 CHAIRMAN ALVAREZ: Well, we brought it
11 back on the table, and now we need to -- but we didn't
12 amend it, do anything, so how do we -- we can move to
13 vote it.....
14
15 MR. DUNAWAY: We moved to bring it on,
16 we talked about it, if we oppose the motion, we.....
17
18 CHAIRMAN ALVAREZ: There was no --
19 there was a motion to -- Nate.....
20
21 REPORTER: (Nods affirmatively)
22
23 MR. EDENSHAW: Dan made a motion.
24
25 CHAIRMAN ALVAREZ: To only bring it
26 back on the table.
27
28 MR. EDENSHAW: Right.
29
30 CHAIRMAN ALVAREZ: But there was no
31 amendment.
32
33 MR. EDENSHAW: No amendment.
34
35 CHAIRMAN ALVAREZ: So what do we do?
36
37 MR. DUNAWAY: We vote, no, don't
38 reconsider it, we're done talking about it.
39
40 CHAIRMAN ALVAREZ: Okay. So we need to
41 vote to reconsider.....
42
43 MR. DUNAWAY: It's fine.
44
45 CHAIRMAN ALVAREZ: Okay, so the vote
46 was going to be to reconsider it.
47
48 MR. EDENSHAW: Correct.
49
50 CHAIRMAN ALVAREZ: Okay.

1 MR. EDENSHAW: But Nanci seconded it.
2
3 CHAIRMAN ALVAREZ: You guys ready.
4
5 MR. DUNAWAY: Question.
6
7 CHAIRMAN ALVAREZ: Okay, the vote is to
8 be reconsider our proposal 07-02. All in favor signify
9 by saying aye.
10
11 (No aye votes)
12
13 CHAIRMAN ALVAREZ: Opposed.
14
15 IN UNISON: Aye.
16
17 CHAIRMAN ALVAREZ: Motion carried -- or
18 motion is failed, zero to five to reconsider. That's
19 good enough.
20
21 MR. DUNAWAY: That's.....
22
23 CHAIRMAN ALVAREZ: I'm tired.
24
25 (Laughter)
26
27 MR. DUNAWAY: That horse is dead.
28
29 CHAIRMAN ALVAREZ: Tomorrow we'll start
30 off with -- what do you want to start with tomorrow
31 then, Cliff, 10?
32
33 MR. EDENSHAW: No, the Board of Game --
34 Laura wanted us to make -- the Council to make
35 recommendations on the Board of Game proposals.
36
37 CHAIRMAN ALVAREZ: Oh, Board of Game
38 proposals.
39
40 MR. EDENSHAW: Yes.
41
42 CHAIRMAN ALVAREZ: Okay.
43
44 MS. MORRIS LYONS: 9:00 o'clock.
45
46 MR. EDENSHAW: Virginia.
47
48 CHAIRMAN ALVAREZ: What time?
49
50 MS. ALECK: Uh-huh.

1 MR. EDENSHAW: Hey, I'll give you a
2 call in the morning when we get ready to start, okay.

3
4 MS. ALECK: Okay.

5
6 (Off record)

7
8 (PROCEEDINGS TO BE CONTINUED)

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35

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 the state of Alaska and reporter for Computer
Matrix Court Reporters, LLC, do hereby certify:

THAT the foregoing pages numbered 02 through
186 contain a full, true and correct Transcript of the
BRISTOL BAY FEDERAL SUBSISTENCE REGIONAL ADVISORY
COUNCIL MEETING, VOL I, taken electronically by
Computer Matrix Court Reporters on the 20th day of
February 2007, beginning at the hour of 9:00 o'clock
p.m. at King Salmon, Alaska;

THAT the transcript is a true and correct
transcript requested to be transcribed and thereafter
transcribed by under my direction and reduced to print
to the best of our knowledge and ability;

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

DATED at Anchorage, Alaska, this 6th day of
March 2007.

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