

BRISTOL BAY SUBSISTENCE REGIONAL ADVISORY COUNCIL  
PUBLIC MEETING  
October 21, 1998  
9:30 A.M.  
Bristol Bay Borough Assembly Chambers  
Naknek, Alaska

**VOLUME II**

COUNCIL MEMBERS PRESENT:

Alvin Boskofsky, Secretary/Acting Chairman  
Peter Abraham  
Timothy Enright  
Andrew Balluta

Helga Eakon, Coordinator

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P R O C E E D I N G S

(On record - 10:39 a.m.)

CHAIRMAN BOSKOFISKY: We'll call this meeting to order.

(Whispered conversation)

CHAIRMAN BOSKOFISKY: I guess we need to adopt our agenda.

MS. EAKON: Let me review it, okay?

CHAIRMAN BOSKOFISKY: Modification.

MS. EAKON: Okay. I will first of all review the modified agenda. This is for today. This is to say that we will proceed, and we hope to get -- we hope accomplish the agenda items today. First of all, we're going to approve that agenda as modified and the way it is modified is after we approve the modified agenda, we will approve the minutes of the winter meeting and the September special meeting minutes. And technically that will require two separate motions to approve those. We will advance to election of officers, and as chair pro tem, I will handle election of officers. We'll open the floor for public comments. We will advance to deferred Proposal 59. As you may recall, that dealt with Unit 17(A) moose. And there was to have been a subcommittee appointed or to have talked about the moose management plan. After which Sue Detwiler from our office will give the subsistence fisheries management update. And hopefully by then Bill Glick from the Alaska Department of Fish and Game will be here.....

And thank goodness, I see Sue Detwiler from our Office of Subsistence Management is here. Is Pat McClenahan here, too? Yes. That's wonderful.

As I was saying, after the fisheries update, we hope that Bill Glick with the Alaska Department of Fish and Game, Commercial Fisheries Division will be here to present a salmon update, after which we will talk about c&t. That's our acronym for customary and traditional use determinations. And Pat McClenahan, our anthropologist will lead that. And after which we will take a fast lunch break. After lunch we'll go immediately into Unit 9(E) caribou and moose, the report of the working group that was held at the end of September will be summarized by Ted Krieg of Bristol Bay Native Association and Pat. And after which the 1997 annual report issues will be tackled. We're going to start off with the ORV update, and Mr. Ralph Tinge from Park Service will present that.

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1 And I wanted to mention that when we come to the  
2 Alagnak Wild River issue, we hope to have Mr. Terry Hefferle  
3 and the new BBNA staff attorney. We hope they will have  
4 arrived by then. I was told this morning that they were going  
5 to charter over, because they're very interested in that issue.  
6

7 And if there are additional annual report issues for  
8 the 1998 report, we will handle that at that time. And just to  
9 remind you, at 4:00 o'clock that Smiley Knutsen is going to  
10 teleconference in from Anchorage, our Anchorage office, because  
11 he had a specific question on I believe native allotments to  
12 ask Park Service. After which we're going to do programmatic  
13 updates on the deferred proposals. And then get Regional  
14 Council input on the request from Ekwok Village Council on  
15 their request to increase the size of this Regional Council  
16 from seven seats to nine seats. And then we'll do a call for  
17 proposals, if anyone has proposals that they want to submit.  
18 And that will conclude the agenda items for this public  
19 meeting.  
20

21 CHAIRMAN BOSKOFISKY: Good morning. Welcome, everybody,  
22 ladies and gentlemen. I'm on this hot seat again. Do I hear a  
23 motion to approve the agenda as modified?  
24

25 MR. ENRIGHT: I make a motion.  
26

27 MR. ABRAHAM: Second.  
28

29 CHAIRMAN BOSKOFISKY: Tim made a motion, Peter seconded.  
30 All those in favor?  
31

32 IN UNISON: Aye.  
33

34 CHAIRMAN BOSKOFISKY: That was simple.  
35

36 MS. EAKON: Uh-hum.  
37

38 CHAIRMAN BOSKOFISKY: Now,.....  
39

40 MS. EAKON: Two separate motions for the minutes.  
41

42 CHAIRMAN BOSKOFISKY: Now, which ones are we.....  
43

44 MS. EAKON: The minutes of the March 1998.....  
45

46 CHAIRMAN BOSKOFISKY: March 12?  
47

48 MS. EAKON: March 1998's meeting.  
49

50 CHAIRMAN BOSKOFISKY: We need a motion for the approval

0043

1 of the minutes of March 12th and 13th, 1998, and the.....

2  
3 MR. ENRIGHT: I make a motion.

4  
5 CHAIRMAN BOSKOFISKY: .....what about the September?

6  
7 MS. EAKON: Do that with another motion.

8  
9 CHAIRMAN BOSKOFISKY: With another one?

10  
11 MS. EAKON: Uh-hum. (Affirmative)

12  
13 CHAIRMAN BOSKOFISKY: Okay. Just for the 12th and  
14 13th,.....

15  
16 MS. EAKON: Uh-hum. (Affirmative)

17  
18 CHAIRMAN BOSKOFISKY: .....1998.

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

21  
22 CHAIRMAN BOSKOFISKY: Tim made a motion.

23  
24 MR. BALLUTA: Second.

25  
26 CHAIRMAN BOSKOFISKY: And seconded. All those in favor?

27  
28 IN UNISON: Aye.

29  
30 CHAIRMAN BOSKOFISKY: Opposed?

31  
32 (No opposing votes.)

33  
34 CHAIRMAN BOSKOFISKY: And now another motion of our  
35 September 2nd emergency meeting?

36  
37 MR. BALLUTA: I move the September 2nd meeting.

38  
39 MR. ENRIGHT: I second it.

40  
41 CHAIRMAN BOSKOFISKY: Andy made the motion, Tim  
42 seconded. All in favor?

43  
44 IN UNISON: Aye.

45  
46 CHAIRMAN BOSKOFISKY: Now what are we on?

47  
48 MS. EAKON: Election.

49  
50 CHAIRMAN BOSKOFISKY: Election of officers?

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1 MS. EAKON: Yes.

2  
3 CHAIRMAN BOSKOFISKY: And I will turn the chair over to  
4 Helga.

5  
6 MS. EAKON: Thank you, Mr. Chair. The office of Chair  
7 and the present Chair is Dan O'Hara, and he served for a one-  
8 year term. The Chair serves a one-year term, and may serve  
9 more than one year, conducts the Regional Council meetings,  
10 attends and represents the Regional Council at meetings of the  
11 Federal Subsistence Board. The Chair is a voting member of the  
12 Regional Council. The Chair signs reports, correspondence,  
13 meeting minutes, and other documents for external distribution.

14  
15 At this time, I will open the floor for nominations for  
16 the office of Chair.

17  
18 CHAIRMAN BOSKOFISKY: I'll nominate Dan O'Hara.

19  
20 MS. EAKON: Alvin has nominated Dan O'Hara.

21  
22 MR. ABRAHAM: Second.

23  
24 MS. EAKON: Pete Abraham has seconded the motion. Are  
25 there any other nominations for the office of chair?

26  
27 CHAIRMAN BOSKOFISKY: I move we close nominations.

28  
29 MR. BALLUTA: Second.

30  
31 MS. EAKON: Alvin has moved to close nominations for  
32 the office of Chair, and Andrew Balluta has seconded the  
33 motion. By unanimous consent Mr. Dan O'Hara has been  
34 re-elected to the office of Chair.

35  
36 Office of Vice Chair. The Vice Chair serves a one-year  
37 term in that capacity. The Vice Chair helps the Chairs and  
38 assumes all functions in his absence.

39  
40 At this time I will open the floor for nominations for  
41 the office of Vice Chair.

42  
43 MR. ENRIGHT: I nominate Robin Samuelson.

44  
45 CHAIRMAN BOSKOFISKY: I'll second it.

46  
47 MS. EAKON: Tim Enright has nominated Robin Samuelson,  
48 and Alvin Boskofsky has seconded it. Are there any other  
49 nominations for the office of Vice Chair? Hearing none, I  
50 declare that nominations are closed. By unanimous consent,

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1 Robin Samuelson has been re-elected to the office of Vice  
2 Chair.

3  
4 Office of Secretary. The Secretary serves a one-year  
5 term, takes roll call and decides if a quorum is present,  
6 records votes, and assumes all functions of the Chair in the  
7 absence of the Vice Chair. At this time I will open the floor  
8 for nominations for the office of Secretary.

9  
10 MR. ENRIGHT: I nominate Alvin Boskofsky.

11  
12 MS. EAKON: Tim Enright has nominated.....

13  
14 MR. ABRAHAM: Second.

15  
16 MS. EAKON: .....and Pete Abraham has seconded the  
17 motion for Alvin Boskofsky for the office of Vice Chair (sic).  
18 Are there any other nominations?

19  
20 MR. BALLUTA: I'd close the nominations.

21  
22 MS. EAKON: Hearing none, I declare that the floor is  
23 closed for nominations. By unanimous consent Mr. Boskofsky is  
24 the Secretary. And in the absence of Mr. O'Hara and  
25 Mr. Samuelson, he will resume continuation of this meeting in  
26 his role as Acting Chair. Mr. Acting Chair?

27  
28 CHAIRMAN BOSKOFKY: Well, the first order of business  
29 will be these blue testifier forms. If you want to testify in  
30 front of the Council, you can fill out that blue testifier  
31 form. Do we start on these now?

32  
33 MS. EAKON: Uh-hum. (Affirmative)

34  
35 CHAIRMAN BOSKOFKY: We have one, Andrew Lind to the  
36 mike.

37  
38 MR. A. LIND: Okay. Good morning. My name is Andrew  
39 Lind, President of Chignik Lakes Student Council.

40  
41 I'm hear today to ask everyone to stop and think of my  
42 generation and generations to come. The decisions you make  
43 here today will have a great impact on what my people will be  
44 able to hunt and eat for years to come. Title VIII of ANILCA  
45 in Section 804 states, except as otherwise in this Act and  
46 other federal laws of taking on public lands in fish and  
47 wildlife for nonwasteful subsistence uses shall be accorded  
48 priority over taking on such lands of fish and wildlife for  
49 other purposes.

50

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1           Whenever it is necessary to restrict the taking of  
2 populations of fish and wildlife on such lands for subsistence  
3 uses in order to protect the continued viability of such  
4 populations, or to come -- such uses -- such priority shall be  
5 implemented through appropriate limitations based on the  
6 application of the following criteria: customary and direct  
7 dependence upon populations as mainstay of livelihood; local  
8 residence; and the availability of alternative resources.

9  
10           I got a couple comments from the students in my school.  
11 I understand that there is a proposal to close federal lands in  
12 Unit 9(E). The students support this proposal, because they  
13 understand that Fish and Wildlife Service's mission is to  
14 conserve, protect and enhance the fish and wildlife  
15 populations, and their habitat for the continued benefit of all  
16 people. We understand that the situation we have to come to  
17 agreement for all users.

18  
19           We the subsistence users believe ANILCA says it all.  
20 If we let hunters -- if we let sports hunters kill our caribou  
21 and moose, our herds will decline, therefore our rights will  
22 decline. We will not have the opportunity to learn how to hunt  
23 like our parents learned from their parents. If we keep  
24 letting sport hunters come into our villages, our rights are  
25 going to become less and less. We already cut down on rights  
26 to hunt caribou and moose. There's no way I'm going to let my  
27 rights go.

28  
29           Having said what I came to say, I hope you make the  
30 decisions that is set in ANILCA. That is law. Thank you for  
31 giving me the opportunity to share our concerns.

32  
33           CHAIRMAN BOSKOFISKY: Thank you, Andrew. Are there any  
34 questions from the Council? No questions? Thank you, Andrew.

35  
36           (Whispered conversation)

37  
38           CHAIRMAN BOSKOFISKY: Report from Togiak Refuge on 17(A)  
39 moose management plan?

40  
41           MR. HINKES: Good morning. My name's Michael Hinkes  
42 from the Togiak National Wildlife Refuge, and this is Andy  
43 Aderman. He'll be filling in on -- or adding to this  
44 presentation. And also, Jim, if you have any comments, you  
45 know, to do with 17(A) as we go along here, anything to add,  
46 jump in. This is all a cooperative effort between Fish and  
47 Game and the Togiak Refuge.

48  
49           We're kind of down as presenting the draft management  
50 plan for 17(A). We have not completed any additional

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1 management plan other than the earlier management directions  
2 that we've had for about two or three years. What we.....

3

4 MR. ADERMAN: I might mention it's under tab F in your  
5 books, page 199, towards the top.

6

7 MR. HINKES: Okay. I lost my train of thought there.

8

9 MR. ADERMAN: I'm sorry.

10

11 MR. HINKES: Yeah, we have not updated the plan as yet.  
12 We've been -- what we're going to present here is an update on  
13 our management studies that we've initiated over this -- the  
14 last year, and this is information that we need before we can  
15 actually update the management plan, you know, to make any real  
16 improvement on it. What were you going to say?

17

18 MR. ADERMAN: I was just going to mention what we're  
19 going to present is number five there at the top of page 199  
20 under Tab F, investigate habitat conditions, carrying capacity,  
21 and moose movements and population identify within the subunit.

22

23 MR. HINKES: Okay. In two parts to this investigation  
24 -- there are two parts, one dealing with the population and  
25 another dealing with the habitat in Unit 17(A). During this  
26 last spring we initiated our population study, which included  
27 capturing 17 moose in 17(A), primarily in the Togiak River  
28 drainage. Of the.....

29

30 MR. ADERMAN: Thirty-seven. You said 17.

31

32 MR. HINKES: Unit 17, I'm sorry. We captured 37 moose  
33 in the unit, 27 cows and ten bulls. Of these animals, we  
34 radio-collared 36 of them. We had one mortality, which was one  
35 bull, which was fairly good for the effort. Of the animals  
36 that we captured, it was a young population. All of the  
37 animals were less than or equal to six years of age, and all  
38 were in good physical condition. Since that time we've been  
39 radio-tracking them on a monthly basis, and weekly during the  
40 calving season. We've had one mortality since the capture  
41 work, and it was one two-year-old cow in the Ungaviniq (ph)  
42 drainage, which was apparently killed by a bear in early  
43 spring. And we've had one animal that was captured in the  
44 Trail Creek area which subsequently disappeared. The radio may  
45 be bad, or it may have wandered over into Unit 18 beyond where  
46 we've tracked so far.

47

48 Calving this year from those radio-collared animals, we  
49 had 18 of the 25 cows had calves. Fourteen of them had a  
50 single calf, and four of them had twins. Overall for 22 calves



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1 or 88 calves per 100 cows, which was fairly good reproductive  
2 success. One note, that we had two two-year-olds that had  
3 calves, which is generally unusual except for in a very  
4 productive, growing population, or an area that contains good  
5 moose habitat.

6  
7 Also attached to what Andy handed out to you were --  
8 there's a couple maps of some movements. We've had some  
9 interesting movements of these radio-collared animals. Two of  
10 them have moved into Unit 18 over the course of the summer, one  
11 on the upper Eek River, and another had moved into the Goodnews  
12 River drainage further west. Two of the animals had also --  
13 actually four of them, two cows and two bulls, have moved back  
14 and forth into Unit 17(C), so we have seen some -- we have seen  
15 some movement in and out of the Togiak drainage, and it will be  
16 interesting to see over time just how far west and north some  
17 of these animals move, and whether they stay there on a long-  
18 term basis or return to 17(A) or possibly 17(C).

19  
20 As you know, this population has increased quite a bit,  
21 you know, in the 90s here, from hardly any animals in 17(A) to  
22 429 animals being counted last year. And based on the rates of  
23 increase, it seems to be obvious it's not all reproduction,  
24 that we're probably seeing a lot of immigration from 17(C). So  
25 this is a three to five-year population monitoring effort,  
26 depending on how long the radio collars will last. And we plan  
27 on continuing to monitor them on a monthly basis with a more  
28 intensive effort during the spring calving. Also included is  
29 we hope to do composition counts if we get the right snow  
30 conditions in the fall.

31  
32 A second part of the study is dealing with the habitat.  
33 As you know, there's the issue of the 600 animals that were  
34 kind of identified as a population goal in the earlier draft  
35 management objectives, and what we're trying to do with this  
36 habitat effort is refine that carrying capacity estimate. It  
37 won't be a real precise carrying capacity that they may  
38 calculate on cattle ranges in the Lower 48, but it will give us  
39 something a little bit more quantitative that we can make  
40 better guesstimates on how many animals we may think the unit  
41 can support. And that estimate is -- well, the first part of  
42 that effort is developing a land cover map identifying the  
43 prime and the secondary moose habitat within the unit.

44  
45 On the board here is a copy of our first draft analysis  
46 of that land cover map that we -- this was actually just  
47 printed out on Friday, and again it is just kind of a draft at  
48 this time. We still have some refinement to do to it. We  
49 spent a week in the field kind of ground-truthing some of this,  
50 and it still needs a little bit more work, but we're getting

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1 close on there.

2

3 And there was a map handed out to you, it's on a  
4 smaller scale, but basically the areas identified in green on  
5 there on this first draft is what is -- we consider prime moose  
6 habitat, or optimal moose habitat, and it consists of a closed  
7 mix spruce deciduous forest, closed to open deciduous forest  
8 including birch and cottonwood, and also tall shrub -- closed  
9 tall shrub communities with some low shrub communities. And  
10 like I said, that's identified in green, and it stands out  
11 pretty well. And it's primarily along, you know, the major  
12 drainages within the unit.

13

14 A secondary habitat, which includes more of an open low  
15 shrub community, which depending on its association to the  
16 green areas, can also be, you know, important moose habitat.  
17 And it's a peach color that's on there.

18

19 And I apologize, we don't have legends on there yet on  
20 what communities are which, but like I said, it's just in a  
21 draft stage. This is a first cut. But if you, you know, note  
22 that the green is kind of the primary habitat there. And our  
23 calculations of that is in 17(A) in itself, which this map is  
24 more than just 17(A), includes approximately 560 square miles  
25 of this optimal habitat. And, you know, we need to do a little  
26 more research on that.

27

28 Moose densities in other areas of the state have ranged  
29 from a half a moose per square mile all the way up to 14 moose  
30 per square mile. You know, if we use a conservative estimate  
31 of two to three moose per square mile, which may or may not be  
32 appropriate, you know, we're talking anywhere from 1100 to 1715  
33 moose being supported in 17(A). But again, those are real  
34 rough preliminary figures, and we still have a lot of work to  
35 do.

36

37 But we're hoping to take these figures as well as some  
38 of our population work and input from the villages, working  
39 again between the refuge, Fish and Game and the local  
40 communities, come up with a little better management plan,  
41 management direction than we've had, you know, in the past  
42 here.

43

44 Did you have anything to add, Andy?

45

46 MR. ADERMAN: No.

47

48 MR. HINKES: Or Jim?

49

50 MR. WOOLINGTON: Not at this time.

0050

1           CHAIRMAN BOSKOFISKY: So in other words, this is just  
2 the same as what it's been in the past, and it's not helping  
3 the subsistence users then in the sense that they're not  
4 getting any hunting season.....

5  
6           MR. HINKES: No, that's not true at all. We've  
7 had.....

8  
9           CHAIRMAN BOSKOFISKY: .....any different than what it  
10 was?

11  
12          MR. HINKES: We've had two -- for two years in a row,  
13 we had a fall hunting moose season in Togiak. The first  
14 season, which was two years ago was both a federal and a state  
15 hunt where we identified ten animals, that we felt that we  
16 could take ten animals without impacting the herd, and that's  
17 when we thought there was somewhere in the neighborhood of 120  
18 to 150 animals. A total of 15 or 17 moose were taken that year  
19 during that hunt, and the moose population doubled. We had  
20 another hunt this year which I think the reported harvest is  
21 nine animals at this time, although all the permits are not in,  
22 and our population continues to grow. So in fact we have had a  
23 hunt, and it has been targeted towards basically the folks in  
24 Togiak, because that's where the permits are given out.  
25 There's no aircraft access allowed to hunt in the unit, so it's  
26 pretty much eliminated any sports hunters. So in fact we have  
27 had a subsistence hunt for the past two years.

28  
29          All this management plan is going to do is it's going  
30 to give us a better idea of how many -- well, our studies are  
31 going to give us a better idea of how many moose the unit might  
32 support to help us make management decisions, possibly included  
33 in a management plan where we can address other things better  
34 as a maximum number of moose we may want to take either during  
35 a more expanded fall season, and there's been proposals for  
36 winter hunts, too. We can better address those winter hunts.

37  
38          CHAIRMAN BOSKOFISKY: How many communities are included  
39 in this?

40  
41          MR. HINKES: I think any of the units -- any of the  
42 communities that have c&t are eligible for the permits. Or  
43 wait, no, I take that back. Anybody can get the permits. It's  
44 under the state hunt. Anybody can go to Togiak, get a permit  
45 and hunt in 17(A). I'm sorry. There was not a federal hunt  
46 this year. The Board.....

47  
48          CHAIRMAN BOSKOFISKY: Uh-hum.

49  
50          MR. ABRAHAM: But so far this fall, it is all Togiak.

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1 Last year we had one from Dillingham, but he is registered -- a  
2 shareholder in Togiak. But his -- the hunt was unsuccessful.  
3 This year, it was all -- it's all Togiak.

4  
5 MR. HINKES: I think there was 47 permits given out  
6 this year and 44 last year, is that right, Andy?

7  
8 MR. BALLUTA: Uh-hum. (Affirmative)

9  
10 MR. HINKES: So, I mean, our (ph) effort, even though  
11 we don't have a management plan per se, has not stopped -- has  
12 not kept the subsistence users from taking moose in 17(A). It  
13 hasn't hindered it in any way. It's more addressing, you know,  
14 the population dynamics. I mean, our study's addressing  
15 population dynamics and the habitat work, getting a better  
16 handle on how many moose it might support. That seems to be an  
17 important issue to some members of the Board. But there's no  
18 restriction during the fall hunt. The -- an unlimited number  
19 of registration permits are issued. They're available to  
20 anybody who want to travel to Togiak and go up river by skiff,  
21 because there's no aircraft access. There's no restriction on  
22 the hunt, but there's only a fall hunt, there's not a winter  
23 hunt.

24  
25 MR. ABRAHAM: Mr. Chairman? This one section on page  
26 99, on the first paragraph, you go down there and the last  
27 section of it says the season would be closed if and when the  
28 total harvest to be determined prior to the season start has  
29 been achieved. This -- I don't see the numbers.

30  
31 MR. HINKES: There was only a number for the first  
32 year.....

33  
34 MR. ABRAHAM: Yeah.

35  
36 MR. HINKES: .....identified. And that's -- was the  
37 experimental hunt.

38  
39 MR. ABRAHAM: Yeah.

40  
41 MR. HINKES: We identified ten animals. Another -- a  
42 figure was never really given for this year's hunt, but I think  
43 it's been our feeling, at least the biologists, that based on  
44 the population that we know is there, and the access by boat  
45 for that season, that the users will not take enough moose to  
46 impact the growth of that population at this time.

47  
48 MR. ABRAHAM: Yeah. Yeah, the reason I brought  
49 this.....

50

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1 MR. HINKES: It's self-restrictive.

2

3 MR. ABRAHAM: .....question is because the question  
4 keep popping up even though Jim brought it up and told it, but  
5 it keep popping up, what is the limit? How many are we  
6 getting? And Jim, of course, says, you know, there's no limit.  
7 This section over here will confuse some of the people, but,  
8 you know, I can explain to them.

9

10 MR. HINKES: Yeah, Jim?

11

12 MR. WOOLINGTON: Mr. Chair, members. Yeah, the -- for  
13 the first year there really wasn't a limit set. There was a  
14 target of ten moose, because we -- because there was an  
15 estimate of perhaps 125 to 150 moose in Unit 17 -- or in Unit  
16 17(A). A target-- or a target of ten moose was -- but it was  
17 just a target. It was not actually an upper limit, and that  
18 was only for the first year.

19

20 Subsequent to that season, -- there were ten -- or,  
21 excuse me, 15 moose taken in the fall '97 season, even though  
22 there was this initial shot at, well, let's look at ten and see  
23 what happens. Subsequent to that, the -- what, was it in  
24 February? Or whenever the -- there was a count made. We had a  
25 stretch of good weather, got a count of over 400 moose out  
26 there when there was thought to be 150. Well, obviously  
27 there's been some movement into the area. Consequently, this  
28 year we did not go into the season with any sort of upper  
29 limit. There's no upper limit on the number of permits issued.  
30 They're state registration permits issued, and anybody with a  
31 hunting license could sign up for them, and we did not have an  
32 upper limit on the number of moose that were going to be taken.

33

34 This management plan could set some sort of range of  
35 number of moose based on whatever is decided as far as if  
36 there's a management goal as far as the number of moose to be  
37 managed for in Unit 17, then it can give a range of harvest and  
38 that sort of thing. At present there are no numbers set down  
39 in, so there wasn't a quota this year either on the number of  
40 permits or the number of moose to be taken.

41

42 MR. HINKES: And it really doesn't -- you know, until  
43 we get a little further into these studies, it probably doesn't  
44 make a whole lot of sense to try to guess these new numbers and  
45 that. We need.....

46

47 CHAIRMAN BOSKOFKY: Well, I think if.....

48

49 MR. HINKES: .....to collect a little.....

50

0053

1           CHAIRMAN BOSKOFISKY:   .....I can recall what this was  
2 really about was that 600 to 1,000 figure, and the subsistence  
3 users wanting, you know, to get their animals. Togiak itself  
4 is a big population. Nine moose ain't going to feed that whole  
5 population.

6  
7           MR. HINKES: Yeah, but they could have gone -- the  
8 whole village could have gone out and all gotten a permit and  
9 gone hunting. There was nothing stopping them from.....

10  
11           CHAIRMAN BOSKOFISKY: But I think that's where they  
12 wanted to, you know, get that -- re-do the management plan was  
13 because of that 600 to 1,000 figure, and they keep asking for  
14 emergency season.

15  
16           MR. ABRAHAM: Mr. Chairman? The report says, you know,  
17 nine was harvested, and then 47 registered hunters. Those --  
18 no matter how many registered hunters you have, the access,  
19 too, on river is very limited. So you might -- we might have  
20 100 registered hunters and still come out with low numbers. So  
21 there is no danger of overharvesting the moose over there in  
22 the falltime. I mean, the August 20 and September 15th.

23  
24           The reason why I suggested August 20 until September  
25 15th, because they haven't started moving yet. By September  
26 15, that neighborhood area there, the bulls start moving  
27 around, and then you see -- the people notice, you know, more  
28 animals start moving around. But then by that time the  
29 season's closed. So there's no danger of overharvesting  
30 animals over there.

31  
32           But now when we get -- when we go a little bit further,  
33 like Moses, the mayor suggested, or submitted the proposal for  
34 limit of ten moose for ten days on February, and if that's by  
35 federal registration permit only, that'll -- that's going to  
36 help a lot, you know. That's when the people will be helped  
37 again. This way there will be no outsiders like even from  
38 Dillingham. This would be just Togiak. But the question on us  
39 over here are -- is Quinhagak, Goodnews, Platinum, are those  
40 people eligible for this hunt over here?

41  
42           MR. WOOLINGTON: Excuse me?

43  
44           MR. ABRAHAM: Are the -- I'm talking to Andy?

45  
46           MR. ADERMAN: Yeah. I believe the c&t determination  
47 for moose in 17(A) is all residents of Unit 17, residents of  
48 Goodnews, Platinum, and then in the very upper portion up in  
49 Trail Creek, up in that area, residents of Kwethluk have c&t  
50 for moose if there's a federal only hunt.

0054

1 MR. ABRAHAM: Uh-hum.

2

3 MR. HINKES: There's not a proposal this year for a  
4 winter hunt, is there?

5

6 MR. ABRAHAM: Not this year.

7

8 MR. HINKES: I didn't think so.

9

10 MR. ABRAHAM: I asked him to write a proposal, but  
11 they're about as busy I guess, I don't know.

12

13 MR. HINKES: And it was this committee that turned down  
14 that winter hunt last year, you know, with concern over the  
15 moose.....

16

17 CHAIRMAN BOSKOFISKY: Yeah, that's why I asked.....

18

19 MR. HINKES: .....population. We had some concern.

20

21 CHAIRMAN BOSKOFISKY: .....you. That's what this  
22 management plan overlook was for, is because, you know, they  
23 keep requesting proposals for a hunt.

24

25 MR. HINKES: But I don't -- whether it's 600, or  
26 whether it's 1,000, whether it's 2,000, I mean, it -- I think  
27 it hasn't -- that's not impacting, you know, the hunting season  
28 we have right now. That's -- the population's still being  
29 protected, yet there's still a season there for taking of moose  
30 in 17(A).

31

32 MS. EAKON: Mr. Chair, I think some people present are  
33 a little bit confused about what we're talking about. We're  
34 talking about Proposal 59, which had been deferred, which had  
35 been tabled by this Regional Council to allow a plan to be  
36 developed, and what the gentlemen at -- who are presenting  
37 their report are doing is just to give you an update. The  
38 Regional Council action on Proposal 59 will be taken up at the  
39 winter Council meeting which will probably be sometime in March  
40 of 1999. That's where -- that's when you'll relook at the  
41 latest information and decide if you want to -- if you -- what  
42 you want to do on this deferred proposal. So during this  
43 meeting, this Regional Council will not take any action,  
44 because the proper time to take action will be at the winter  
45 meeting when you look at the analyses of all the proposals and  
46 make your formal recommendation which the Chair will present to  
47 the Board at their May '99 meeting. Okay?

48

49 CHAIRMAN BOSKOFISKY: Uh-hum.

50

0055

1 MS. EAKON: They were just giving you an update on  
2 what's going on with Unit 17(A) moose at this time. Okay?

3  
4 CHAIRMAN BOSKOFISKY: Okay. Are there any more  
5 questions? I guess not. Thank you, Andy and -- I didn't catch  
6 his name?

7  
8 MS. EAKON: Mike.

9  
10 CHAIRMAN BOSKOFISKY: Mike.

11  
12 MS. EAKON: Mike and Jim.

13  
14 CHAIRMAN BOSKOFISKY: And Jim.

15  
16 MS. EAKON: The plan on fisheries.

17  
18 CHAIRMAN BOSKOFISKY: Okay. Then a break.

19  
20 (Whispered conversation)

21  
22 CHAIRMAN BOSKOFISKY: That's Sue and.....

23  
24 MS. EAKON: Yeah. Fisheries update. Okay. We are at  
25 item -- fisheries management update, and Rosa Meehan was to  
26 have been here, but she got the flu, so we have Sue Detwiler  
27 from our office to present that report to you.

28  
29 MS. DETWILER: Thank you. Members of the Council, I  
30 guess the most -- this is a status report on expansion of  
31 federal subsistence fisheries jurisdiction into navigable  
32 waters that are associated with the conservation system units,  
33 the federal land management units. And.....

34  
35 CHAIRMAN BOSKOFISKY: I can't -- can you speak a little  
36 louder?

37  
38 MS. DETWILER: Yeah, sorry.

39  
40 CHAIRMAN BOSKOFISKY: I'm -- the people in the back  
41 can't hear you.

42  
43 COURT REPORTER: No, that's not the one, it's.....

44  
45 MS. DETWILER: This one?

46  
47 COURT REPORTER: No, that one goes to my machine. That  
48 one there.

49  
50 MS. DETWILER: This one. Third time's the charm.



0056

1 Okay. I guess the most significant item for you today is that  
2 we do have an extension of the moratorium on federal  
3 implementation of the subsistence -- of subsistence fisheries  
4 jurisdiction. Basically what the moratorium does is it  
5 postpones federal implementation through the end of this fiscal  
6 year, which ends at the end of October of 1999, and the effect  
7 is that it allows the State an additional opportunity to come  
8 into compliance with ANILCA. And the moratorium language also  
9 includes funding for implementation. The funding totals \$11  
10 million, and it would either go to the federal agencies or the  
11 State, depending on whether or not the State is able to regain  
12 compliance.

13  
14 And just briefly, the terms of the moratorium are that  
15 as I mentioned, it does prohibit federal implementation until  
16 the next fiscal year, starting in October of 1999. If the  
17 State Legislature does not put an amendment on the ballot which  
18 would bring the State into compliance with ANILCA by June 1st  
19 of this coming year, 1999, then the federal agencies would get  
20 \$1 million of that \$11 million to begin preparing for  
21 implementation. If the State is unable to come up with a  
22 constitutional amendment for the ballot by next -- the end of  
23 next September, then the federal agencies would get the  
24 remainder of the \$11 million, and they would begin implementing  
25 federal subsistence fisheries management as of October 1 of  
26 next year. If, on the other hand, the State does come up with  
27 a constitutional amendment that would bring it into compliance  
28 with Title VIII, then they would get the \$11 million to help  
29 them implement a subsistence priority.

30  
31 That's the most recent news. And I would also refer  
32 you to some older news which is behind tab G in your book, and  
33 that basically has two things in it. One of them is an infor-  
34 -- a two or three page informational sheet that has -- that  
35 just summarizes the sequence of events that led us to the point  
36 that we are today. It talks about changes from the proposed  
37 rule that you reviewed last -- at your last meeting earlier  
38 this year, and then talks about the changes that will be made  
39 in the final rule, and then some of the things that we were  
40 planning on doing to implement the proposed -- or the final  
41 rule, if we had had to assume subsistence fisheries management  
42 in December.

43  
44 So I think I'll sort of abbreviate the presentation  
45 that we're giving to all the councils, because we do have the  
46 moratorium, and it pretty much slows things down, and I know  
47 you're on a little bit shorter time schedule here, because you  
48 started late because not everybody was able to be here. So  
49 I'll just highlight some of the key things that might be of  
50 interest to you.

1           And as I mentioned last year when you met at your  
2 winter meetings, you reviewed the proposed rule. The proposed  
3 rule outlined in it the jurisdic- -- the waters which would be  
4 under federal jurisdiction. It had the programmatic  
5 regulations in it that talked about how we would implement  
6 fisheries management. It talked -- it had a provision allowing  
7 for customary trade. It talked -- and it also acknowledged  
8 explicitly the Secretary of Interior's authority to assert  
9 jurisdiction off of public lands if hunting and fishing and  
10 trapping activities were interfering with our ability to  
11 provide a subsistence priority on public lands.

12  
13           So you reviewed that proposed rule, as did people  
14 throughout the State in the other nine regional councils. We  
15 -- the comment period on that proposed rule ended in April. We  
16 reviewed the comments. We had something like, I want to say  
17 seventy-some odd comments.

18  
19           The most -- the issue that drew the most public  
20 attention was the issue of customary trade, and there people  
21 were all across the map in their opinions on customary trade.  
22 Some people felt that there should be absolutely no sales of  
23 any kind of subsistence-caught fish or their parts, and at the  
24 other end of the spectrum, people thought that there should be  
25 absolutely no restriction on sale of subsistence-caught fish or  
26 their parts. So what we're going to do in the proposed -- in  
27 the final rule, which we will be publishing in January is to  
28 retain pretty much the existing language that you saw that  
29 permissively allows for customary trade, but because of some of  
30 the concerns that were raised and the number of concerns that  
31 were raised about that provision possibly allowing subsistence-  
32 caught fish and their parts to enter the commercial market,  
33 we're also going to provide to the Board a separate option, the  
34 Federal Subsistence Board, a separate option to put into the  
35 final rule that would take a more restrictive approach to  
36 customary trade. In other words, under the alternative  
37 language, the Board would have to approve customary trade  
38 activities rather than just have it permissively allowed as  
39 the proposed regulations are now. So that's I guess pretty  
40 much the main change that I thought you would be interested in  
41 for the final rule.

42  
43           The other two changes that will be made will be to  
44 include all of the State fish c&t determinations that have been  
45 made since 1990, and also to align to the extent possible our  
46 subpart D regulations, the actual takings regulations, with the  
47 State regulations. So our regulations would pretty much mirror  
48 the State's, just as they did with the wildlife regulations  
49 when we first started the wildlife program in 1990.

0058

1 So that concludes my comments.

2

3 CHAIRMAN BOSKOFISKY: Are there any questions from the  
4 board? Thank you.

5

6 MS. DETWILER: Thank you.

7

8 MS. EAKON: Has Bill Glick arrived yet? Oh, he's here.  
9 Bill Glick of the Alaska Department of Fish and Game to do the  
10 commercial fish update.

11

12 MR. GLICK: My name is Bill Glick, biologist for the  
13 Alaska Department of Fish and Game, the assistant area  
14 biologist in the Nushagak District. I'll just give a Bristol  
15 Bay overview here pretty briefly.

16

17 The -- for sockeye, I'll be talking about sockeye  
18 first, the total in-shore run was 18.4 million. This was the  
19 lowest run in 20 years. The forecast was for 30.2 million  
20 fish. That was -- so this year's return was 39 percent less  
21 than that. All districts came in under forecast except for the  
22 Nushagak, which came in at forecast. The commercial harvest,  
23 then breaking that total run down, total harvest would be 10  
24 million fish, and the total escapement then was 18.4 million  
25 fish. This was the lowest harvest since 1978.

26

27 For -- pertaining to escapement of sockeye, the  
28 midrange goals were met, were exceeded in all the main river  
29 systems, except for the Nushagak River, which was 16.6 percent  
30 under its goal. Combining all the midrange goals, the  
31 escapement, midrange goals for all the lakes -- or systems  
32 would be 7.1 million, and the total escapement was 8.3 million.  
33 So there was actually 16.8 percent over the midrange goals for  
34 the districts.

35

36 Timing this year was about two days later than usual  
37 for sockeye, so the peak of the season occurred on July 8th.

38

39 The -- breaking that down then into chinook, the  
40 chinook harvest was 126,000 kings. This was 8 percent above  
41 the 20-year average of 117,000. The harvest were below average  
42 in all districts except for the Nushagak which was well above  
43 average. That's how come the total comes out above average  
44 there. The escapement goals were met for the Naknek and the  
45 Togiak Rivers, and the escapement goal was exceeded in the  
46 Nushagak River.

47

48 For the chum, chum harvest was 389,000 fish. This is  
49 well below the 20-year average of 1.2 million fish. This was  
50 the second lowest catch in 20 years. All escapement was below

0059

1 average in the Kvichak, Egegik, and Ugashik, and it turned out  
2 as average in the Togiak.

3  
4 For pinks, pinks harvested was 26,000 fish. This was  
5 the smallest even year harvest on record, well below the 20-  
6 year average of 1.5 million, and a lot of this was attributed  
7 to the lack of interest that processors had for pinks this  
8 year. Escapement was well below average in most areas, except  
9 -- the exception being Togiak, which was average.

10  
11 Coho harvested this year was 125,000. This is 39  
12 percent below the 20-year average of 200,000. It was the sixth  
13 largest harvest in ten years. The Nushagak harvest was 22,000.  
14 This was well below average, but it was the largest in the last  
15 six years. Togiak harvested 58,000, this was the third largest  
16 harvest in ten years.

17  
18 As far as escapement goes, the Nushagak had 104,000,  
19 exceeding its goal. The Togiak had 25,000. It came in under  
20 goal. And I don't -- the other escapement figures for coho  
21 haven't been totally assessed yet.

22  
23 Regarding subsistence, in the Nushagak there were eight  
24 emergency orders pertaining to subsistence fishing, allowing  
25 fishing for subsistence during lengthy commercial fishing  
26 closures. In the Togiak, there were four emergency orders  
27 relating to subsistence fishing, again relating to lengthy  
28 closures in the commercial fishery, especially the last two  
29 weeks of July when they were shut down for sockeye escapement.

30  
31 Subsistence harvest records usually aren't compiled  
32 until late winter, so I'll give you a rundown of 1997. There  
33 were 1,166 permits issued for Bristol Bay. There were 117,000  
34 sockeye caught, 19,000 chinook, 3,000 chums, 700 pinks and  
35 6,000 coho.

36  
37 Thank you. Questions?

38  
39 MR. ABRAHAM: A question, Mr. Chairman? Did you say  
40 escape- -- pardon me. Escapement of coho in Togiak was below  
41 level?

42  
43 MR. GLICK: Yes, the escapement goal was 50,000, and  
44 when we flew the survey here a couple weeks ago, we totalled up  
45 25,000, half the escapement goal.

46  
47 MR. ABRAHAM: Thank you.

48  
49 CHAIRMAN BOSKOFKY: Are there any more questions?  
50 Thank you.

0060

1 MS. EAKON: C&T report by Pat.

2  
3 CHAIRMAN BOSKOFKY: Huh?

4  
5 MS. EAKON: C&T report by Pat.

6  
7 (Whispered conversation)

8  
9 MS. EAKON: C&T report, Pat?

10  
11 MS. McCLENAHAN: Is this the report from the c&t  
12 committee?

13  
14 MS. EAKON: Yes.

15  
16 MS. McCLENAHAN: Okay. Thank you, Mr. Chairman,  
17 members. I'm Pat McClenahan.

18  
19 The Federal Subsistence Board recognizes the difficulty  
20 many of you face when addressing c&t determinations. We've had  
21 some pretty difficult questions come before this Council in the  
22 last two years. This year a task group was appointed during  
23 the spring joint Board/Chairs meeting to look into this  
24 question, and I'm reporting on the progress of this group. And  
25 I'm going to ask the Council to consider these questions, and  
26 I'd like you if possible to provide me with a recommendation  
27 that I can take to this task force, this task group. If you --  
28 when I finish the presentation, if you would feel like making a  
29 motion of some sort, I'd really appreciate it.

30  
31 The purpose of this task group was to review the c&t  
32 determinations process. As you know, at this time, we have --  
33 we use an eight-factor approach. I write analyses based on  
34 those eight factors. I think that you're pretty well familiar  
35 with them.

36  
37 After all of the council meetings have given their  
38 input, then the group is going to review your input and make  
39 their recommendation to the Board by December 1st. The group  
40 is made up of Mitch, Fred Armstrong, Bill Thomas, Craig  
41 Fleener, Dan O'Hara, Sandy Rabinowitch, Ida Hildebrand, Keith  
42 Goltz, and Ken Thompson. And this group was formed at the  
43 request of the Regional Council Chairs.

44  
45 The first question I have for you is why make c&t  
46 determinations? Do c&t determinations protect subsistence uses  
47 or do c&t determinations restrict subsistence users?

48  
49 What happens without a c&t? In the event that there is  
50 no c&t, all rural residents are eligible. And in times of

0061

1 shortage, we would move to Section 804 of ANILCA, which is  
2 based on three -- we would do an analysis based on three items,  
3 and I think that you -- some of you may be familiar with this.  
4 They're customary and direct dependence on the resource,  
5 whether or not you live close to the resource, and what other  
6 resources are available that might be alternative. For  
7 example, if there's a shortage of caribou, are there moose  
8 available that can be hunted?

9  
10 Another question I have for you, is there a need to  
11 change the way c&t determinations are made? The c&t task group  
12 developed some options for discussion. These are not by any  
13 means all of the options. You could make some up yourself if  
14 you wanted to.

15  
16 One of them is to stick with the current approach,  
17 using the eight factors. And with this approach, we can take  
18 into consideration the cultural and social importance of the  
19 resource to the people.

20  
21 We could use a modified factor approach. We could  
22 reduce the number of factors. We could add to them factors.

23  
24 Another option is to have the Council set the criteria  
25 for determining c&t and to make a recommendation.

26  
27 Another approach that's been suggested is the unit and  
28 surrounding unit approach. In this one, the unit of residency,  
29 you would have automatic c&t. For example, Unit 17. And then  
30 all of the surrounding units you would have a positive c&t also  
31 automatically.

32  
33 And then not to do c&t at all, which is what I  
34 discussed earlier about going right to an 804 in the case of a  
35 shortage.

36  
37 And so I have a question for you: can you think of any  
38 other options that you might be interested in? And are there a  
39 variety of options that might work better? And so I turn it  
40 over to you and ask you what your recommendations are.

41  
42 Also, I'd like to bring to your attention, and maybe  
43 Helga was going to do this, that Robin wrote a letter. I'd  
44 better let you do that.

45  
46 MS. EAKON: Okay. Mr. Chair, if I may, first of all, I  
47 spoke with Robert Heyano. He took his daughter out to the  
48 airport yesterday morning when we did, and I had an opportunity  
49 to ask him what his thoughts were on this approach to c&t. His  
50 feeling, and I did say that I would convey his thoughts on this

0062

1 issue to you, his feeling is that the program should keep the  
2 eight factors. Why? He said they are working. He said, this  
3 is such a huge state with different cultures, that each  
4 regional council is responsive to the different peoples within  
5 their own regions, that these eight factors are guidelines.  
6 They are a consistent methodology for each regional council.  
7 He felt that we should retain them, because each regional  
8 council would be able to make their own recommendations using  
9 those eight factors as guidelines.

10  
11 And I am going to at this time hand out a copy of a  
12 letter written by Robin Samuelsen regarding his thoughts on  
13 c&t. And for the record, I will -- if you could pass these on,  
14 Mr. Chair? For the record, I'm going to go ahead and read this  
15 into the record, because he did take the trouble to respond to  
16 the task force paper.

17  
18 His letter is dated August 14, 1998. Dear Mr. -- dear  
19 Chairman Demientieff: This letter is per your request  
20 requesting input into c&t use determinations used by the  
21 regional councils.

22  
23 The first question was why make c&t determinations? I  
24 support making c&t use determinations for all game and fish  
25 stocks in different units of the State of Alaska. The purpose  
26 is to provide those subsistence users a finding and this  
27 finding is -- if positive protects the subsistence user in a  
28 number of ways. One way is if surrounding game unit wants to  
29 subsistence hunt in another game unit and there is a resource  
30 shortage, only the people with a c&t use determination for that  
31 resource can harvest the resource. I believe this is fair.  
32 Also, in this day and age it seems that everyone wants to run  
33 to the courts to settle any disputes on resource matters. I  
34 firmly believe this gives the subsistence user added protection  
35 when c&t use determinations are used to build the record.

36  
37 Two, if c&t use determinations are important, is there  
38 a need to change the way they are made? No. I believe that  
39 the c&t determinations now in use encompasses all the important  
40 factors. When making a determination to make a positive  
41 determination, one does not have to qualify on all eight  
42 criteria. That is the beauty of eight criteria.

43  
44 Three, do c&t use determinations protect subsistence  
45 uses, a goal of ANILCA? Or do c&t determinations unnecessarily  
46 restrict subsistence users? Yes, I believe that c&t use  
47 determinations give subsistence users added protection. See  
48 comments above. No to the second part of the question. Some  
49 folks that do not have a positive c&t determination would not  
50 believe so, but the resource could only support so many people,

0063

1 and if a certain group of people never hunted or fished a  
2 resource, for whatever reason, they should not have a positive  
3 c&t determination on that game or fish stocks.

4  
5 I believe the system is working and working damn well,  
6 quite frankly better than I thought it would ever work. Why  
7 try fixing something that is not broke?

8  
9 I hope my comments are helpful to the task force  
10 working group. Sincerely, H. Robin Samuelsen, Jr., Bristol Bay  
11 Council member.

12  
13 MS. McCLENAHAN: Do you have any questions you'd like  
14 to ask me about any of this?

15  
16 One thing I ought to mention is that we are reaching  
17 the end of our backlogged customary and traditional use  
18 proposals, and the proposals are now coming in fairly slowly.

19  
20 CHAIRMAN BOSKOFISKY: Is there any question from the  
21 Council? That letter seemed very good. I guess there's no  
22 question.

23  
24 MS. McCLENAHAN: Do you have a motion.....

25  
26 CHAIRMAN BOSKOFISKY: Right, Helga?

27  
28 MS. McCLENAHAN: .....you'd like to make?

29  
30 MS. EAKON: The purpose, the working task force group,  
31 of which Dan -- your Chair, Dan O'Hara, is a member, and he has  
32 meet with the task force group, they would like a  
33 recommendation from each regional council, so -- in which case,  
34 if you have any comments about the process, make them, and then  
35 by motion support an approach that you favor.

36  
37 MR. ABRAHAM: I support Robert Samuelsen's letter, and  
38 along with the -- I support to have c&t use determinations as  
39 it is, as, you know, without it, it would be like starting all  
40 over again. And it will take years and years to go through it  
41 again.

42  
43 MR. ENRIGHT: Is that a motion?

44  
45 MR. ABRAHAM: Uh-hum. (Affirmative)

46  
47 MR. ENRIGHT: I second it.

48  
49 CHAIRMAN BOSKOFISKY: A motion's been made and seconded  
50 by Tim.



0064  
1 MR. BALLUTA: Question.  
2  
3 CHAIRMAN BOSKOFISKY: All in favor?  
4  
5 IN UNISON: Aye.  
6  
7 CHAIRMAN BOSKOFISKY: Okay.  
8  
9 MS. McCLENAHAN: Thank you.  
10  
11 CHAIRMAN BOSKOFISKY: We are.....  
12  
13 MS. EAKON: Well, we are at a quarter to noon.  
14  
15 CHAIRMAN BOSKOFISKY: Do you want to break it for lunch?  
16  
17 MS. EAKON: I would suggest that, because it takes --  
18 and then come back, because the teleconference people are going  
19 to phone in at about 1:30, but after we come back from lunch,  
20 we can go ahead and start with the report, with the task force  
21 report. And then when the phone rings, we can just open it up  
22 for testimony. So what time do you want us back? 1:00  
23 o'clock?  
24  
25 CHAIRMAN BOSKOFISKY: 1:00?  
26  
27 MS. EAKON: Yeah, 1:00 o'clock.  
28  
29 CHAIRMAN BOSKOFISKY: We'll break until 1:00 o'clock.  
30  
31 (Off record - 11:45 a.m.)  
32  
33 (On record - 1:07 p.m.)  
34  
35 CHAIRMAN BOSKOFISKY: Call this meeting back to order.  
36 Marlene Shenigan, Pilot Point?  
37  
38 MS. SHENIGAN: Right now? Hi, my name is Marlene  
39 Shenigan. I don't know if I'm really ready for this, but I  
40 wanted just to add some information regarding Proposal 46 on  
41 the brown bear. You know, our communities been trying to  
42 support the c&t, the customary and traditional use of the  
43 taking of brown bear. And while we haven't, you know, had any  
44 recent takings of the brown bear, we certainly want to include  
45 this and protect our rights to be able to do this, because  
46 we've had -- you know, there have been several people in the  
47 past that have been using, you know, brown bear as a food  
48 source. And Orville Lind said, you know, and he has family  
49 members down there can substantiate that, too. You know, and  
50 my father used to hunt in that area, as well as even Shirley

0065

1 Kelly's father who came from Ugashik. And we have lost some of  
2 our elders that were more active in the hunt. We -- you know,  
3 we haven't had any real recent hunts, but -- and just even a  
4 couple years ago I think Al Evanoff, you know, had a bear. And  
5 Valentine Subsuk, who is one of our elders, you know, can give  
6 a lot of history on his usage of the brown bear. And other  
7 people that have taken brown bear include John Kamalkoff. And  
8 I just wanted to definitely not be dropped from this proposal,  
9 and have Pilot Point included.

10  
11 And I'd noticed that on this proposal that Ugashik was  
12 not included, and yet it was mentioned in the proposal, so I  
13 was just wondering if there's a possibility of even adding --  
14 because Ugashik is really tied in really closely with Pilot  
15 Point, that they be included as well.

16  
17 MS. EAKON: Pat, could you come and sit by  
18 Ms. Shenigan, and let's find out.....

19  
20 MS. SHENIGAN: What we could do to.....

21  
22 MS. EAKON: .....what -- does Ugashik have c&t for  
23 brown bear, first of all?

24  
25 MS. SHENIGAN: I saw that in here somewhere, so.....

26  
27 MS. McCLENAHAN: And this is in what unit? In.....

28  
29 MS. SHENIGAN: 9(E).

30  
31 MS. McCLENAHAN: .....Unit 9(E)? Probably going --  
32 we've got brown bear.

33  
34 MS. EAKON: You wanted c&t in Unit 9(E) for brown bear  
35 for Pilot Point?

36  
37 MS. McCLENAHAN: Pilot, yes. The -- right now the  
38 residents of Chignik Lake, Ivanoff Bay, Perryville and Port  
39 Heiden Meshik (ph) have positive c&t for brown bear.

40  
41 MS. SHENIGAN: And I think they -- when I've talked to  
42 these folks, they said usually the taking of brown bear was in  
43 the spring time, you know, when they weren't fishy-tasting and  
44 the meat wasn't too strong.

45  
46 MS. EAKON: If that is the case, how would they do  
47 that, if Ugashik wanted to be added onto this proposal?

48  
49 MS. McCLENAHAN: We can add it to the analysis.

50

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1 MS. EAKON: We can -- you could analyze it?

2

3 MS. McCLENAHAN: We can -- yes, it will be added to our  
4 analysis. We'll write the analysis up, it will be presented at  
5 the next meeting, Subsistence Regional Advisory Council  
6 meeting.

7

8 MS. EAKON: And what I was going to suggest, Marlene,  
9 if you -- I thought maybe at the break you two can make  
10 arrangements for all of this information to be given to Pat,  
11 because she's the one who writes our analysis.

12

13 MS. SHENIGAN: Okay.

14

15 MS. EAKON: That will be presented to the Council at  
16 their winter meeting.

17

18 MS. SHENIGAN: Okay. Thank you.

19

20 MS. EAKON: Okay.

21

22 (Whispered conversation)

23

24 MS. EAKON: Unit 9(E) task force report.

25

26 CHAIRMAN BOSKOFISKY: That's one Ted's going to do?

27

28 MS. EAKON: Uh-hum. (Affirmative)

29

30 CHAIRMAN BOSKOFISKY: And that's where we're at now?

31

32 MS. EAKON: Uh-hum. (Affirmative)

33

34 CHAIRMAN BOSKOFISKY: Okay. Special Action Request,  
35 S97-09, Ted Krieg.

36

37 MS. EAKON: A point of clarification. We will now  
38 advance to the report of the task force, working group on Unit  
39 9(E).

40

41 MR. KRIEG: Ted Krieg, Bristol Bay Native Association,  
42 Natural Resource Department. And first of all, I guess, I've  
43 handed out -- I think just everybody got one of these work shop  
44 reports, final management report. This isn't a complete  
45 report. It just has a couple of sections of it. And I guess  
46 for those -- we will have the final report done here pretty  
47 soon. Council members have the final -- a copy of the final  
48 report, and we'll be sending it out. So that will be happening  
49 pretty soon.

50

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1 I guess I'll just give a -- you know, it might be kind  
2 of a brief run down, it might be long if you've got questions.

3  
4 CHAIRMAN BOSKOFISKY: We'll be free to speak.

5  
6 MR. KRIEG: Yeah. If you've got questions.....

7  
8 CHAIRMAN BOSKOFISKY: We've got lots of time.

9  
10 MR. KRIEG: Yeah. If you have questions, you know,  
11 there will be time, feel free to ask.

12  
13 I guess first of all, in the -- there's a Bristol Bay  
14 Native Association report that starts out on your copies for  
15 the audience also. And that just kind of gives the background  
16 leading up to the meeting, you know, kind of what happened with  
17 the caribou herd. The post calving count in June and July  
18 dropped the number of the population for the Northern Alaska  
19 Peninsula caribou herd down to 9,200 animals. You know, and at  
20 that time then these special actions took place. The State  
21 Board of Game had a meeting and closed some of the season for  
22 hunting on the caribou herd at that time. And then the  
23 Regional Council met and the Federal Subsistence Board met, and  
24 it kind of gives a background of up to -- you know, that was  
25 right up to our meeting which took place September 28th, 29th  
26 and 30th right here in this room.

27  
28 There's a list. It basically tells there were 39  
29 people that we initially identified and invited to the meeting.  
30 And it was -- you know, basically it was a public meeting, so  
31 there were some other people that were -- that came in from the  
32 public and participated. There's -- within the final report,  
33 there's a list of all participants, and I won't go down the  
34 list, but the way it started out, we had one representative  
35 from each of the 12 Alaska Peninsula villages was invited. Dan  
36 O'Hara was to chair the meeting, Karen Gustin was the unbiased  
37 facilitator for the meeting. And additionally -- in addition  
38 to Dan O'Hara, Tim Enright and Alvin Boskofsky attended the  
39 meeting, because they're from the Alaska Peninsula villages  
40 also. And we had -- from there we had three guides,  
41 transporters or outfitters/transporters that were invited.  
42 There were only two that participated throughout the full three  
43 days of the meeting. And then there were Fish and Wildlife  
44 Service people, Park Service people, and a couple of Fish and  
45 Game people that participated. And I think that's -- unless  
46 I'm forgetting anybody, I think that was -- you know, basically  
47 was the make up of the group.

48  
49 When we first got here, what we did was we gave  
50 everybody a chance to state a couple of their -- the issues

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1 that were important to them, and we just went around the room  
2 and everybody had a chance to state those -- you know, those  
3 things. They were all recorded on flip charts, and we had them  
4 up around the wall. That discussion kind of went into -- we  
5 started coming up with some recommendations, so that was part  
6 of what we had planned for the second part of the meeting, but  
7 we just kind of kept going with getting all of those -- you  
8 know, the -- you know, topics or the concerns that people had.  
9 And then formulated recommendations not directly, but I guess  
10 what came out of those, they were -- excuse me, they were  
11 grouped into -- from the issues that we had recorded from each  
12 person, we came up with three or four main topics. And topic  
13 one was discussed by three of -- all three groups, and then  
14 each group took one of the remaining topics. And I'll just  
15 read off those topics.

16  
17 Topic one was develop management recommendations that  
18 relate to seasons for caribou and moose, bag limits, geographic  
19 areas and limits. Describe use by subsistence and commercial  
20 takers. An example, you know, thresholds, the Aniakchak  
21 Subsistence Resource Commission recommendations, discussions  
22 about Jensen's Strip, and commercial/subsistence use. That was  
23 topic one.

24  
25 Topic two, identify issues on wanton waste and make  
26 recommendations for how to deal with this issue.

27  
28 Topic three, describe how management can or should work  
29 between state, federal and tribal governments.

30  
31 And topic four, identify issues around biological needs  
32 of the animals, environmental, natural pressures affecting herd  
33 populations, and what are your recommendations for using this  
34 information for managing herds.

35  
36 So those were the four main topics. Those -- the last  
37 topics, two, three and four, were put up on the board -- on the  
38 wall, and people could sign up for the groups that they wanted  
39 to participate in. And then as I said, each group worked on  
40 topic one, and then each group worked on their individual  
41 topic. And on the last day, we came back together. There were  
42 reports from each of the subgroups, and from those we came up  
43 with the recommendations directly for topic one. And those are  
44 listed -- I think that's -- this is the final recommendations,  
45 and those all relate to topic one. And as it says here, these  
46 are the final recommendations of the whole group created from  
47 the reports of the three subgroups back to the whole groups.  
48 The results were not prioritized, and there are minority  
49 opinions. So I guess what that says is just not everybody  
50 agreed. So those things are listed here, and everybody in the

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1 audience has one of those.

2

3 I guess I -- you know, I won't -- oh, also topic two,  
4 three -- topic two is here, but I don't see the rest of them.  
5 But within each subgroup, those topics, the recommendations  
6 were prioritized. And all of that's contained in the report.

7

8 I guess I'll just leave it at that right now, because  
9 everybody has the rest of it in writing. If you want me to go  
10 through anything else, I can try to do that, and I can get help  
11 from other directions, too.

12

13 CHAIRMAN BOSKOFISKY: Council members have any  
14 questions? No questions? Thank you for all the good work you  
15 did, Ted, on putting up that workshop.

16

17 MR. KRIEG: Okay. Thanks.

18

19 CHAIRMAN BOSKOFISKY: It was handled real good, so.....

20

21 MR. KRIEG: If I could, Mr. Chairman, I was just  
22 thinking there's a few -- off the top of my head, I could  
23 mention a few things that, you know, at least in my mind stuck  
24 out as being pretty important from the meeting.

25

26 I guess one of the main things that came out was in the  
27 Chignik area there's really -- as I understand it, there's --  
28 there really hasn't been any kind of moose population studies  
29 done for quite a while. And in fact, there really isn't any  
30 baseline data. I guess some of that would have to be  
31 established before good counts could be come up with. And I  
32 think from those villages down there, you know, they feel that  
33 there's -- there is a shortage of moose, and that -- you know,  
34 that's their justification for closing that area is that it  
35 would take -- even if money -- I guess the thing that came up  
36 was designating money to do some counts for moose in that area.  
37 And even if the money were brought up right now, I think the  
38 feeling is, and the best way to describe it is that it's too  
39 late. They feel like the population has dropped, and if we  
40 wait for a couple more years before we get all of the  
41 information, you know, then we're going to drop that much  
42 further behind. So it's kind of a no win situation, and that's  
43 the reason that they would like to have that area closed.

44

45 And I -- you know, one of the other things that we've  
46 -- you know, we've talked about, I think I can remember talking  
47 about this from the first time I ever started with these  
48 meetings when this Council was formed, and that's for Ivanoff  
49 Bay and Perryville, you know, and the concerns that they have  
50 about hunting in the passes and for the last 15 to 20 years

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1 they haven't seen any caribou at all in -- or very little. I  
2 mean, they've seen some, but not on Stepovak Flats. It used to  
3 be a calving area. There was a time, you know, like 15 years  
4 ago that they noticed there were as many as 4,000 animals  
5 there, and not it's no longer used as a calving area, and there  
6 are no caribou there. And their feeling is that it has a lot  
7 to do with the things that are going on in the passes, and even  
8 some of the hunting that takes place on the side of the  
9 mountain range on the Bristol Bay side of the Peninsula. And  
10 so that's -- you know, I think there's -- I think that's one of  
11 the things in my mind that came out of this meeting, too, was  
12 that this was the first time that we really had a chance to,  
13 you know, have a little bit of open discussion about  
14 traditional knowledge and the things that local people know  
15 that should be applied, you know, along with Western science.  
16 And if -- you know, if nothing else, at least, you know, there  
17 should be some more open discussion about it.

18  
19 So I guess I'll -- those are a couple of things that  
20 really stuck out in my mind, and I guess -- you know, as I  
21 wrote in this little report, there's -- you know, it does seem,  
22 and we even heard the -- you know, the young gentleman from  
23 Chignik Lake talk about Title VIII of ANILCA and the fact that,  
24 you know, in times of shortage there's -- you know, subsistence  
25 has the priority, and it just seems like -- you know, I know it  
26 may be hard sometimes for people to say, yeah, there -- you  
27 know, there is a shortage, and to have that kick in, but it  
28 just -- you know, and this is just my opinion, too, but it  
29 seems like everything's always put off, and it's the  
30 subsistence user that ends up making the concessions, when it's  
31 -- you know, it should be the other way around. You know,  
32 everything -- other uses should be cut before anything happens,  
33 you know, for subsistence. Subsistence should have -- be  
34 provided their opportunity.

35  
36 I guess I should leave it at that. There was something  
37 else that popped into my mind that I lost, but -- thank you.

38  
39 CHAIRMAN BOSKOFKY: Thank you, Ted. Where is our boss  
40 at now?

41  
42 MS. SHENIGAN: If I could.....

43  
44 COURT REPORTER: Maureen, you'd have to come up to the  
45 microphone so we can get it on tape. Marlene I mean, sorry.

46  
47 MS. SHENIGAN: Hi, my name is Marlene, and I'm a  
48 representative from Pilot Point. I just had a -- I was just  
49 curious on the study and recommendations. Where would these  
50 recommendations go? Would the Federal Subsistence Council act

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1 on any of these? Or will they just use this as part  
2 information?

3  
4 CHAIRMAN BOSKOFISKY: These will go before this Council,  
5 and then on to the Federal Board.

6  
7 MS. SHENIGAN: Okay. Okay. Thank you.

8  
9 (Whispered conversation)

10  
11 MS. EAKON: You have public testimony?

12  
13 MR. DUNAWAY: Is it okay to comment or is it  
14 appropriate or inappropriate?

15  
16 MS. EAKON: Sure.

17  
18 CHAIRMAN BOSKOFISKY: Yes.

19  
20 MS. EAKON: It is.

21  
22 MR. DUNAWAY: I'm Dan Dunaway, an employee of the  
23 Department of Fish and Game, but in this case I'm speaking as a  
24 citizen, a former resident of Sand Point. And I was just  
25 curious. I know Stepovak Bay was an important area for Sand  
26 Point residents for subsistence, and I was wondering if this  
27 study included participation or comment from the Sand Point  
28 area. And that's all I wanted to bring your attention to.

29  
30 CHAIRMAN BOSKOFISKY: One of the questions that was  
31 brought up was the passes coming up from Sand Point. We  
32 weren't sure which way those caribou were going. And it was  
33 something that was asked to be looked into.

34  
35 MR. KRIEG: Thank you, Mr. Chairman. To answer Dan's  
36 question directly, we did include Mark Olson, who's the chair  
37 of the Kodiak Aleutians Subsistence Advi- -- or Regional  
38 Subsistence Advisory Council, and their area does include that,  
39 I guess Unit 9(D) that includes Sand Point. And because Sand  
40 Point and Nelson Lagoon do have a customary and traditional use  
41 finding for -- or positive c&t for Unit 9(E). So he was here,  
42 you know, kind of to, you know, be on hand if there were  
43 questions or, you know, things pertaining to people from that  
44 area.

45  
46 If I could just take -- I thought of the other thing  
47 that came up at our workshop, and that was this -- a threshold  
48 number for the Northern Alaska Peninsula caribou herd. That  
49 created a lot of discussion, because I think people would like  
50 to see a number. When it gets down -- it's at 9200 now. Well,



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1 you know, at what point do we say, you know, there's -- it's a  
2 real emergency or really in danger? And I think, you know,  
3 Dick Sellers, what he looks at is the cow -- or the bull to cow  
4 ratio, and right now the bull to cow ratio is good, which means  
5 there's a harvestable surplus of bulls. And so that's what  
6 he's -- that's what he's looking at.

7  
8 Also, within the report there's I guess a  
9 recommendation of the Board of Game at the level of harvest.  
10 They don't look at a population number, but the level of  
11 harvest that's available for subsistence, and that's what they  
12 base their decision on. But I know that was one thing. And it  
13 comes out in the recommendations here, too, that people would  
14 like to see a number for this herd, because I mean there were  
15 -- somebody made the comment that, well, you know, you could --  
16 you know, as long as there's 40 bulls per 100 cows, or I think  
17 the number right now, it stands at about 40, but if it gets  
18 down to 30 or below, then that's not acceptable any more. So  
19 the population could keep dropping, and the number of, you  
20 know, bulls to cows could still stay up there where it would be  
21 a harvestable surplus, but, you know, if the herd -- if that  
22 number dwindles too low, I think there's concerns that that's  
23 not going to be -- you know, if the population drops too low,  
24 there's not going to be enough caribou, you know, for people's  
25 needs, so that's not acceptable either. Thanks.

26  
27 CHAIRMAN BOSKOFKY: Thank you, Ted.

28  
29 MS. EAKON: So, I'm sorry, I was on the phone call, and  
30 I do -- I think you do have someone who wants to testify,  
31 Mr. Chair.

32  
33 CHAIRMAN BOSKOFKY: Charlie Kelly?

34  
35 MR. KELLY: Yeah, I'm Charles Kelly from Egegik. This  
36 topic on caribou, like the subsistence numbers on topic number  
37 one, subsistence when it drops down to 8,000 to 8,500 caribou.  
38 We're already at 9,300 caribou, and they're saying it's --  
39 we've got to get worried about caribou. At 9,300 caribou,  
40 subsistence hunters, if it drops to that number, to go for  
41 subsistence only, at 9,300 we're already hurting on hunting  
42 caribou. Fish and Game's worried about the bull ratio. The  
43 villages aren't getting their caribou. It's not easy for them.  
44 I would like to see the numbers raised up higher, you know,  
45 maybe 12,000. Make it easier on the subsistence hunters to go  
46 after a caribou. This low number, it's not going to -- it will  
47 probably get lower, and it's more tougher on subsistence users  
48 in the whole Bay. And we're worried about caribou, the  
49 population going down. But this low number here, 8,000 to  
50 8,500, that's just way too low to start saying subsistence

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1 hunters, okay, we're going to start thinking about you. That's  
2 all I have to say. The numbers should be brought up, instead  
3 of bringing them down, you know. 8,000, 8,500. Right now at  
4 9,300 caribou, most villages can't even find the bulls or  
5 caribou on the Peninsula. So at 9,300, you know, Fish and Game  
6 saying we should start getting worried. It's already past  
7 that. 9,300, subsistence users can't find the caribou. So  
8 this number is just way too low to start -- we should have it  
9 up to where we could start doing something now. Thank you.

10  
11 CHAIRMAN BOSKOFISKY: Thank you, Charlie.

12  
13 MS. EAKON: I'm sorry, so basically, Ted, you  
14 summarized the recommendations of the working group?

15  
16 MR. KRIEG: Not in entirety, but more or less.

17  
18 MS. EAKON: On topic one. So what was the feeling of  
19 the working group as to how to achieve your goals here?

20  
21 MR. KRIEG: Ted Krieg, Bristol Bay Native Association,  
22 Natural Resource Department. We just -- I don't -- I guess I  
23 can't answer that. We just came up with recommendations, and  
24 that's all we could do for this first meeting. Request money.  
25 Because like I said earlier, I guess there's -- for that -- the  
26 Chignik area for sure, and there's probably other, you know,  
27 areas, too, but for moose studies in the Chignik area, there's  
28 a lack of information, and that seems to be one of the  
29 problems. So money -- yeah, designating money, you know, was  
30 one of the -- I guess the main thing.

31  
32 (Whispered conversation)

33  
34 MS. EAKON: Kind of Regional Council recommendation. I  
35 think there should be Regional Council discussion on these  
36 working group recommendations relating to caribou and moose,  
37 and I hope the phone is going to ring pretty soon here, too, so  
38 that we could receive the public testimony.

39  
40 But my question goes to what does the Regional Council  
41 want to do with recommendations of the working group as regards  
42 to caribou and moose, was going to be my question.

43  
44 CHAIRMAN BOSKOFISKY: Well, my recommendation would be  
45 to follow what we brought up here. We discussed pretty long on  
46 the 8,000 to 8,500 population. That was a compromise we came  
47 up with between all the people that were there. There was,  
48 what, the guiding industry, federal wildlife, State, and the  
49 subsistence users, and this is -- this was our recommendation  
50 to the RAC (ph) Board.

1 MS. EAKON: Well, I'm looking for some kind of staff  
2 technical help here. Sue, could you help us out here as  
3 regards -- the Regional Council wanted to hear what the working  
4 group came up with as regards Unit 9(E) caribou and moose. And  
5 looking at those, I guess we need some technical help here.

6  
7 MS. DETWILER: I'm not sure what the time line was on  
8 the management report and recommendations, but if this is the  
9 final, and if there's nothing else that you had in mind to do  
10 with Unit 9(E), then I would suggest -- or the next logical  
11 step to me would be to -- for the Council to discuss the report  
12 and recommendations, and if you wanted to consider preparing a  
13 proposal, that -- to both the Board -- the State Board and the  
14 Federal Subsistence Board to adopt the recommendations, now  
15 would be the time to prepare that proposal.

16  
17 MS. EAKON: That is right, because our -- the -- on the  
18 federal side, the deadline is October 23.

19  
20 MS. DETWILER: Uh-hum. (Affirmative)

21  
22 MS. EAKON: So if you as a regional council have a  
23 proposal to bring forward to be analyzed and presented to you  
24 at the winter meeting, which will be sometime in March after  
25 you choose your date, then you could look at it. The very fact  
26 that it's a proposal doesn't mean that -- it's a proposal to be  
27 analyzed by staff, and they will present it -- their analysis  
28 to you at the winter meeting, and then you could decide what to  
29 do at that point. But if you want to do a proposal, now is the  
30 time to do it. Otherwise you're going to have to wait another  
31 -- until this time 1999.

32  
33 Right now, just to remind you, you do have a special  
34 action that was approved by the Board in effect that responded  
35 -- there is a regulation in response to the special actions of  
36 98-07 through 12 which -- and right now there's a short-term  
37 bulls only limitation for the season that ends April 30 of  
38 1999. This is just a short-term action. And as you may  
39 recall, the Board did not close federal lands in Unit 9(E) as  
40 the Regional Council had recommended. So that is going --  
41 that's going to die of, that will not be in effect as of June  
42 30, 1999. That's short term only. If you propose something  
43 long term, now is the time to do it. Now is the time to make  
44 that proposal.

45  
46 MR. ENRIGHT: You know, I don't know. My personal  
47 feeling, you know, is -- you know, see, this here just came  
48 out. See, the public really didn't have -- don't have a  
49 chance. You know, they haven't seen this report, you know.  
50 They haven't had a chance to see it so they can write a

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1 proposal, their proposals. So it's going to be really hard for  
2 us to make a proposal, you know, and send in, you know. So,  
3 but you know, my personal feeling is that I think at this  
4 point, since we don't have information on who, you know, what  
5 -- on the surveys and stuff down like around Chignik and up  
6 that way, we don't have none of that, so my recommendation  
7 would be to leave the regulation as is now, with the ten-day  
8 subsistence moose hunt, ten days moose hunt for everybody, and  
9 then ten days of caribou hunt. Just ten days. Don't, you know  
10 -- and just leave it as is. Just extend it for another year  
11 until you can get public, you know, input on this  
12 recommendation.

13  
14 CHAIRMAN BOSKOFISKY: But I -- might there be -- I don't  
15 think we'd be serving our subsistence users right by that at  
16 that, because we were picked as a group to solve the issue, to  
17 bring this management plan or whatever that we came up with in  
18 that workshop as -- to deal with that closure of 9(E), so I  
19 feel we should, you know, propose what we came up with.

20  
21 MR. ENRIGHT: Well, my thing is that I know if we  
22 closed -- if we close 9(E) to hunting, the hunters are going to  
23 go down on state land, because I know for a fact that the State  
24 is not going to close. They won't close 9(E) for moose -- or  
25 caribou I mean. So everybody's going to go right down in our  
26 back door, which we've seen down in Ugashik this year. People  
27 come right in the village, camp right there and go hunt right  
28 half a mile from the village, you know, on state lands, so what  
29 are we going to do? We can't kick them off, you know. So  
30 they're right in our front door. So that's what's going to  
31 happen, see, when we.....

32  
33 MS. EAKON: Well, could I make something? A proposal,  
34 if you propose -- if you make a proposal, it's going to get  
35 published in a booklet with all of the statewide proposals.  
36 People -- and it will be mailed to people on our mailing list.  
37 They will have an opportunity to comment on these, any  
38 proposals. They have an opportunity to write in a letter.  
39 They have an opportunity to testify before you, and before the  
40 Federal Subsistence Board. I just wanted to make sure you  
41 understand that.

42  
43 MR. ENRIGHT: Uh-hum.

44  
45 MS. EAKON: Any proposal does go through a public  
46 review process. Is that what you were going to say, Sue?

47  
48 MS. DETWILER: Exactly what I was going to say.

49  
50 MS. EAKON: Right. So the fact that you make a

0076

1 proposal will put the whole world on notice, this is what we  
2 propose to do, if you do propose a proposal, and the whole --  
3 you know, everyone is put on notice, and they will have an  
4 opportunity to make public comment, which you will weigh at  
5 your winter meeting. I just want to make sure that you are  
6 aware of that.

7  
8 CHAIRMAN BOSKOFISKY: Well, other than anything else,  
9 I'd propose we go through with what we worked on in this  
10 workshop as -- for Unit 9(E). I don't know how you'd word it,  
11 but.....

12  
13 MS. EAKON: Dave? David Fisher, can we have a little  
14 help here, in case they do have -- they would like to pursue  
15 the recommendations made by the task for regarding caribou and  
16 moose in Unit 9(E). At least the Chair would. And could you  
17 explain, if they made proposals, how to do it?

18  
19 MR. FISHER: Where?

20  
21 MS. EAKON: We're on page eight of this report. I'm  
22 going to call Ellen to see if those people called in.

23  
24 (Pause)

25  
26 MR. FISHER: Was that what the Council wanted to do,  
27 was to come up with a proposal to.....

28  
29 CHAIRMAN BOSKOFISKY: Yes.

30  
31 MR. FISHER: Are you aware of what the regulations are?  
32 I think there's a special act- -- part of a special action in  
33 place that -- on the federal lands that cut the limit from four  
34 caribou to four bulls, and then the State cut their harvest  
35 limit to bulls only, and they did close some of the season.  
36 The special action that you people entertained here on the  
37 federal side will expire, unless there's a proposal to continue  
38 with that special action. The regulations will revert back to  
39 what they were before the special action. And you're aware of  
40 that, how that works. The special action is just good for that  
41 regulatory season, and.....

42  
43 CHAIRMAN BOSKOFISKY: Uh-hum. (Affirmative)

44  
45 MR. FISHER: .....it expires unless there's a proposal  
46 to convert it to a permanent regulation.

47  
48 MR. ENRIGHT: Well, that was my recommendation, to  
49 continue that, the same way it is now, the special action.  
50 Just continue it for another year, you know.

0077

1 MR. FISHER: So I don't know, can we go with another  
2 special action, or should -- if you wanted to continue with the  
3 regulation the way -- with what the special action is, would we  
4 need to do that with a proposal, or just submit another special  
5 action? Maybe Sue could help out with that.

6  
7 MS. EAKON: A special action is only good for one  
8 regulatory year. Sue, were you going to help on this?

9  
10 MS. DETWILER: I would say that a special action is --  
11 the Board just adopted a policy refining what constitutes a  
12 special action, and generally they want to have as many  
13 proposals for season and bag limits to go through the regular  
14 public and staff review process, and they want to limit special  
15 actions to just taking care of unforeseen circumstances, like  
16 dramatic increases in a popula- -- wildlife population or  
17 unforeseen bad travel conditions and that sort of thing.

18  
19 And special actions are meant to deal more with those  
20 emergency situations, and I think what the Board is looking  
21 here -- looking for here is more of a long-term solution. And  
22 I think what they were planning on was that the Council would  
23 review this management plan and come up with their  
24 recommendations. And since this is, as Helga said, the period  
25 for proposals for changes to next year's seasons and harvest  
26 limits, what you might want to consider doing is looking at the  
27 recommendations in this report and pulling -- seeing if you  
28 agree with those proposed seasons, harvest limits, closures and  
29 other actions, and including those that you agree with in a  
30 proposal to be reviewed by the staff and the public over the  
31 next few months, and then reviewed again by the Regional  
32 Council, and that's when you would make a recommendation on it  
33 would be in February or March, whenever you meet.

34  
35 So you have the basic recommendations here for the  
36 seasons and harvest limits, and you've had testimony from at  
37 least one person who thought that the threshold is too long, so  
38 you might want to include that in your consideration on whether  
39 the threshold is too low in the management recommendation.

40  
41 CHAIRMAN BOSKOFISKY: So?

42  
43 MS. EAKON: It's up to you. It's up to what you want  
44 to do. If you think.....

45  
46 CHAIRMAN BOSKOFISKY: Well, I already proposed to adopt  
47 what we, you know, did in the workshop. Made a motion for it.  
48 I don't know.

49  
50 MS. EAKON: So in other words, you would support a

0078

1 proposal that would close federal lands to nonlocal hunters,  
2 and have three caribou before December 1, two bulls or less,  
3 antlerless only after December 1 in Unit 9(C). In Unit 9(C)?  
4 I thought we were.....

5  
6 CHAIRMAN BOSKOFISKY: That's up here.

7  
8 MS. EAKON: So you covered both units,.....

9  
10 CHAIRMAN BOSKOFISKY: Uh-hum. (Affirmative)

11  
12 MS. EAKON: .....9(C) and 9(E)?

13  
14 CHAIRMAN BOSKOFISKY: Uh-hum. (Affirmative)

15  
16 MS. EAKON: Ted? Oh, okay.

17  
18 MR. KRIEG: Pardon me?

19  
20 MS. EAKON: So you covered 9(C) as well? I thought  
21 this was going to be a 9(E) workshop. So you.....

22  
23 CHAIRMAN BOSKOFISKY: Well, that herd crosses over here,  
24 too. Crosses over the river and.....

25  
26 (Whispered conversation)

27  
28 (Pause, setting up teleconference)

29  
30 MS. EAKON: Okay. We're going to have Al Anderson from  
31 Chignik Lagoon coming on to testify here momentarily,  
32 Mr. Chair. What do you guys want to do? So what are you going  
33 to do? Do a proposal?

34  
35 CHAIRMAN BOSKOFISKY: I wanted to. I want a  
36 proposal.....

37  
38 MS. EAKON: But, you know, if you (indiscernible,  
39 telephone ringing) a proposal then. Good afternoon, this is  
40 Helga at the Assembly Chambers. Is this Al Anderson?

41  
42 ELLEN: No, this is Ellen, but I do have Al Anderson on  
43 the other line for you.

44  
45 MS. EAKON: Okay. Go ahead, Ellen.

46  
47 ELLEN: Okay.

48  
49 MS. EAKON: Thank you. Do you want to acknowledge him?

50

0079

1 CHAIRMAN BOSKOFISKY: Al Anderson, are you there?

2  
3 MR. ANDERSON: We've got somebody on line here.

4  
5 MS. EAKON: Okay. Al Anderson?

6  
7 MR. ANDERSON: Here.

8  
9 MS. EAKON: This is the Bristol Bay Regional Council at  
10 Naknek. Are you ready to testify on Unit 9(E)?

11  
12 MR. ANDERSON: You're asking Al Anderson that question?

13  
14 MS. EAKON: Yes.

15  
16 MR. ANDERSON: Yes, I am.

17  
18 CHAIRMAN BOSKOFISKY: Go ahead, Al.

19  
20 MR. ANDERSON: Hello, guys. Chignik Lagoon Native  
21 Council has chosen me to do the talking on this issue, and the  
22 recommendation that came up from them is they would like to see  
23 the Pacific side of Unit 9(E) from Cape Igvak to the southside  
24 of Stepovak Bay, either from the mountain tops toward the  
25 ocean, or from the head waters of all the drainages to the  
26 Pacific Ocean closed to sport hunting for caribou and moose.  
27 And we'd like to see that done on state lands as well. And the  
28 reason is -- we want this is that the local people are not  
29 meeting their subsistence needs for caribou and moose,  
30 especially in the areas of Perryville and Ivanoff.

31  
32 And I'll go over some of the comments that were made.  
33 People from Perryville and Ivanoff have been coming in the  
34 Chignik area to hunt caribou and moose. So it's added pressure  
35 to this area, and there wasn't enough to go around for this  
36 area to begin with. So some of the people from the Chigniks  
37 have been going to Port Heiden to hunt caribou. So you can see  
38 it's kind of a snowball effect, and it's getting worse as time  
39 goes by.

40  
41 Some of the other comments that were made was that the  
42 sport hunters have the availability of Super Cub airplanes,  
43 they can access the areas a lot better. They can see the  
44 animals from the air a lot better. And due to the fact that  
45 the land is covered by mostly alders and shrub willows, the  
46 moose and caribou are highly visible from these airplanes. And  
47 there -- and also there's lots of landing sites for these Super  
48 Cubs. There's blow outs, there's cinder beds, lots of beaches.  
49 So the animals are real subject to over-harvest in this area.

50



0080

1           At this time I would like to ask if there's any  
2 questions from the Board?

3  
4           CHAIRMAN BOSKOFISKY: Does the Board have any questions  
5 for him? I guess no questions, Al. Thanks for your report.

6  
7           MS. EAKON: Al, this is Helga, the coordinator. I was  
8 going to say that.....

9  
10          MR. ANDERSON: Yes, Helga?

11  
12          MS. EAKON: .....our program only addresses federal  
13 public land. If you wanted state lands, you should do a  
14 proposal to the State Board of Game.

15  
16          MR. ANDERSON: Okay. I kind of understood that. I was  
17 hoping that maybe if this Federal Subsistence Board was to  
18 recommend a closure in the federal areas that it would also  
19 recommend to the State that they do the same.

20  
21          MS. EAKON: Actually, like I say, our federal managers  
22 only manage federal lands, and if you want a proposal on state  
23 lands, you need to talk to the Board of Game. I was going to  
24 ask Dave Fisher, did you catch that on the map which area he's  
25 talking about? Is that within areas that are already closed or  
26 did you -- were you able to ascertain?

27  
28          MR. FISHER: Yes, Helga, part of that area is already  
29 closed to caribou hunting, and that's on federal lands, and  
30 that's for all users, subsistence users and nonsubsistence  
31 users alike. That is spelled out in the regs what area that  
32 is. It goes down -- it's from Seal Cape on the Pacific side  
33 down to the unit -- subunit separation there with 9(D).

34  
35          MS. EAKON: Al,.....

36  
37          MR. ANDERSON: Yeah, Helga, I couldn't really hear Dave  
38 very well, but we would like to see the moose portion of it  
39 closed as well. At least until there's some surveys done in  
40 the area, because it's -- to ascertain what the moose  
41 population has done.

42  
43          MR. FISHER: The current closure is just for caribou  
44 only. If you -- if -- we'd have to continue on with a new  
45 proposal for moose is we wanted to do that.

46  
47          MS. EAKON: He said that the closure as it stands now  
48 to all hunters is -- pertains only to caribou. If you wanted  
49 to include moose, you would have to do a new proposal for  
50 moose, Al.

0081

1 MR. FISHER: Or entertain.....

2

3 MR. ANDERSON: Okay. And the deadline is tomorrow as I  
4 understand it?

5

6 MS. EAKON: The deadline is October 23.

7

8 MR. FISHER: Or it depends on what the Board -- or what  
9 the Council does with this 9(E) situation. That's in here,  
10 too.

11

12 MS. EAKON: Right. I'll tell you what, Al, why don't  
13 you just stay on and find out what the Regional Council by  
14 motion or action wants to do regarding these issues. Okay?

15

16 MR. ANDERSON: Okay. I will.

17

18 CHAIRMAN BOSKOFKY: I already made my proposal as we  
19 go with this management plan that we did up in this workshop,  
20 and it states a lot of the stuff that Al just talked about in  
21 there. At least, you know, we can get studies done on moose  
22 and caribou in Pacific side. That was the whole idea of  
23 bringing the group together, you know. It was recommended by  
24 the Council. If we don't go with this issue we've got here  
25 then we just refer back to the original proposal of Unit 9(E)  
26 closure, and that would come back onto the table.

27

28 MS. EAKON: So for the public record, and reading from  
29 the task force recommendations for caribou, bulls only, limit  
30 four. Closed to all hunting in October, Units 9(C) and 9(E).  
31 Thresholds, subsistence only 8,000 to 8,500 one year, or  
32 bull/cow ratio below 30 to 100, supported by annual trend data.  
33 Close federal public lands to nonlocals. Three caribou before  
34 December 1, two bulls or less. Antlerless only after December  
35 1. Unit 9(C), one caribou per month when caribou are below  
36 7,500, 8,000 -- slash 8,000 two years.

37

38 Regulate transporters. Refuge restrict drop-offs of  
39 hunters in subsistence areas. Regulate access/areas. Level of  
40 effort regulated. Reporting. Accountability.

41

42 Conduct studies of caribou populations. This would  
43 have to be a recommendation to the federal land managers and  
44 the state. Study vegetation for Stepovak/Chignik Units. Study  
45 transplant feasibility. Request \$100,000 for studies for the  
46 Pacific area. Address 9(E) scarcities on the Pacific side.

47

48 Is that your recommendations?

49

50 MS. McCLENAHAN: Excuse me, there was just a break.

0082

1 This is supposed to go with this. That's the only correction.  
2 Okay. So that's not a period.

3  
4 MS. EAKON: Okay. Going back to the thresholds.  
5 Forget what I said about the when caribou are below 7,500/8,000  
6 two years. Cross off that sentence there. I just had a  
7 correction from Pat McClenahan on that.

8  
9 Okay. Continuing on. On Jensen Strip and Road,  
10 regulate transportation methods in controlled use areas from  
11 August 10th through November 1st. No motorized land vehicles.  
12 And this would be a proposal to the.....

13  
14 CHAIRMAN BOSKOFKY: Board of Game.

15  
16 MS. EAKON: Board of Game. Closures. No guided/  
17 unguided camps or hunting in traditional caribou routes through  
18 the mountain passes. Close federal lands in Units 9(C) and  
19 9(E) to nonlocals with the exception of limited number of  
20 nonsubsistence permits. Close hunting on the Pacific side  
21 below Aniakchak National Monument, is that right?

22  
23 CHAIRMAN BOSKOFKY: Uh-hum. (Affirmative)

24  
25 MS. EAKON: National Monument. Or does that include  
26 the Preserve? And Preserve. National Monument and Preserve.  
27 No nonsubsistence permits. Close sport take from Stepovak to  
28 Igvak.

29  
30 Moose. No overlapping seasons with caribou. State  
31 guide limit on state lands similar to federal regulations. No  
32 hunting during the rut. Close land -- close hunting to  
33 nonlocals on the Pacific side from Stepovak to Igvak.

34  
35 Propose to the Board of Game, brown bear, Unit 9(E) one  
36 bear per year in the spring and fall.

37  
38 Studies. See recommendations above for caribou.  
39 Request \$100,000 for moose surveys to be done on the Pacific  
40 area side.

41  
42 Regulate the transporters. Refuge restrict drop-offs  
43 of hunters in subsistence areas. Regulate access/areas. Level  
44 of effort regulated. Reporting. Accountability.

45  
46 Jensen Strip and Road. Regulate transportation methods  
47 in controlled use areas between August 10 and November 1. No  
48 motorized land vehicles. And do a proposal to the State Board  
49 of Game.

50

0083

1           And these are the recommendations regarding caribou and  
2 moose in Units 9(C) and 9(E).

3  
4           Your Chair has proposed that the Regional Council  
5 follow and do proposals and recommendations as set forth in the  
6 task group recommendations.

7  
8           MR. FISHER: Helga, could I interject here just a  
9 minute? There are some things here that is going to be -- have  
10 to -- will have to be left up to the individual land managers.  
11 One would be regulation of transportations. That would have to  
12 -- the refuge would have to handle that. I don't think that  
13 would -- we'd want to include that in the proposal. That would  
14 be something that they'd have to work out with their -- with  
15 the guides that they have using the refuge through their  
16 special use permit process.

17  
18           MS. EAKON: And also the conduct studies of caribou  
19 populations, those would be recommendations to.....

20  
21           MR. FISHER: That would be recommendations to the.....

22  
23           MS. EAKON: To the.....

24  
25           MR. FISHER: .....refuge probably from the Regional  
26 Council.

27  
28           MS. EAKON: What about the Jensen Strip and Road?

29  
30           MR. FISHER: I'm not sure of the land status on that.  
31 If there's some -- if it's on federal land, then you'd want to  
32 go work through the refuge. If it's on state land then you'd  
33 want to work through the Board of Game or Department of  
34 Transportation.

35  
36           MR. ENRIGHT: That's on state land.

37  
38           MR. FISHER: Jensen Strip is?

39  
40           MR. ENRIGHT: Yeah. It's outside of the boundaries.

41  
42           MS. EAKON: Maybe we should ask the Refuge if.....

43  
44           MR. ENRIGHT: Unless it's.....

45  
46           MS. EAKON: .....they have anything to say, since some  
47 of these would be recommendations to them.

48  
49           MR. SQUIBB: I'm sorry, Helga, I heard that you wanted  
50 the Refuge, but I didn't hear your question?

0084

1           CHAIRMAN BOSKOFISKY: Well, we need to get a  
2 clarification on the Jensen Strip and regulating of our  
3 transporters.

4  
5           MR. SQUIBB: Yeah. Again, Mr. Chairman, my name is Ron  
6 Squibb with the Alaska Peninsula Becharof Refuge Office, and  
7 what I heard so far of Dave's recommendations, I would agree  
8 with that regulating the transporters would be up to the land  
9 managers, and in the case of the federal public lands, it would  
10 be either our Fish and Wildlife Service office or for Aniakchak  
11 the Park Service Office in terms of special use permit  
12 conditions, as we do in, for instance, in Islenar (ph) and  
13 Becharof Lake, we -- during the moose season down there, we put  
14 some restrictions on transportation of nonsubsistence hunters  
15 in that area, so that would be something that you'd recommend,  
16 you know, to us to accomplish.

17  
18           Similarly, as he said, on the Jensen Strip, being  
19 that's state lands, it would be a proposal to the Board of Game  
20 to address that issue. We have no authority outside the refuge  
21 boundary. Actually, we have no authority on non-federal public  
22 lands for similarly -- an analogy to that would be in terms of  
23 applying these restrictions of transporters to the corporation  
24 lands around Chignik and Perryville. You know, that's not our  
25 authority. If the corporations wanted to restrict those  
26 transporters, that's their authority, not ours, so similarly,  
27 you know, those kind of things with transporters would be the  
28 landowner or the land manager to address.

29  
30           And then -- that's the only thing I could add, in terms  
31 of solid proposals for closures, I guess I see -- well, you  
32 know, we have a lot of recommendations, some of which sort of  
33 compete with each other. For instance the very -- just before  
34 the moose section on page nine, we've got a proposal to close  
35 hunting under caribou on the Pacific side below Aniakchak, and  
36 then one immediately below it which Mr. Anderson just proposed  
37 to close it from Igvak down, and so those -- you know, there  
38 would have to be -- the Board would -- excuse me, the Council  
39 it seems would need to choose which one of those they preferred  
40 to put forward. You know, some of those things you would need  
41 to clean up.

42  
43           CHAIRMAN BOSKOFISKY: I didn't follow you on that.

44  
45           MR. SQUIBB: Yeah. I was just saying the only other  
46 thing I could see to comment on that Dave hasn't already  
47 commented on, on page nine, just the last two lines under  
48 caribou, you know, just before the moose heading? You have --  
49 the last line is basically Mr. Anderson's proposal he just  
50 suggested of closing sport take from Stepovak to Igvak. And

0085

1 above that is one close hunting on the Pacific side below  
2 Aniakchak. So in other words, the bottom line, which  
3 Mr. Anderson just suggested is -- covers a bigger area than the  
4 line just before it. So, I mean, the Counsel would have to  
5 choose on some of these issues, you know, what the closures  
6 would be, and that sort of thing. Right. I just.....

7  
8 MS. EAKON: Did you understand that?

9  
10 CHAIRMAN BOSKOFISKY: Oh, yeah, okay. I see. You mean  
11 the close of hunting on the Pacific side below Aniakchak?

12  
13 MR. SQUIBB: Right.

14  
15 CHAIRMAN BOSKOFISKY: Well, you can take that one out  
16 and just go with the close sport take from Stepovak to Igvak.

17  
18 MR. SQUIBB: Yeah. You know, which -- that's some work  
19 that would need to be done in order to clean up this whole long  
20 list to things that don't compete with each other. And there  
21 was.....

22  
23 Who just brought this up?

24  
25 MR. FISHER: Bruce brought that.

26  
27 MR. SQUIBB: Okay.

28  
29 MR. FISHER: From the Park Service. Just an idea.

30  
31 MR. SQUIBB: Right. But basically Bruce just suggested  
32 similarly the same thing, just choose out of this list the  
33 things that you would think would make the best comprehensive  
34 proposal.

35  
36 CHAIRMAN BOSKOFISKY: Did you get that, Al?

37  
38 MR. ANDERSON: Yeah, I did, Alvin. I guess that would  
39 be the proper way to do it. And I realize that you guys, that  
40 the group there can't really address private and state lands,  
41 but it would seem to me that your group there would carry a  
42 tremendous amount of weight if they were to suggest to the  
43 state and other land owners that they do this to preserve the  
44 resource, so that we don't have to go to a Tier II or something  
45 similar, okay?

46  
47 CHAIRMAN BOSKOFISKY: Okay, Al. It would be good, and  
48 that was one of the things I was trying to point out in our  
49 SRC, too, was that, you know, we need to make these proposals  
50 to the State also, so that the same issue is going there as it

0086

1 is coming before this Council.

2

3 MR. FISHER: Helga, I guess the Council could -- a  
4 couple ideas here, talking with Bruce and Ron just for a  
5 second. I guess the Council could adopt the subcommittee  
6 recommendation, and then as we're talking now take some things  
7 out of it that they would want to include in a proposal, and  
8 then come up with a proposal. That would be one way we could  
9 work on this.

10

11 MS. EAKON: And then direct staff to write it.

12

13 CHAIRMAN BOSKOFISKY: Hmm?

14

15 MS. EAKON: And then direct our staff to write it. You  
16 need a motion.

17

18 CHAIRMAN BOSKOFISKY: I make the motion. We adopt the  
19 subcommittee's recommendations for moose and caribou.

20

21 MR. ABRAHAM: Second.

22

23 CHAIRMAN BOSKOFISKY: Seconded by Peter. Question?

24

25 MR. ENRIGHT: I've got a question on that. You see, on  
26 that Igvak -- Stepovak to Igvak, you know, there's a lot of  
27 state land in between there, you know, so where -- you can't  
28 close the state lands. So you have to go to Stepovak to this  
29 point, and then pick up over here from this point to that  
30 point, you know, because.....

31

32 CHAIRMAN BOSKOFISKY: Uh-hum.

33

34 MR. ENRIGHT: .....you've got that -- you've got a lot  
35 of state land. There's the map over there. Take a look at all  
36 the state land that's in between there, see. You can't close  
37 the state land. You can't make it one solid thing, you know,  
38 because there's state land in there.

39

40 CHAIRMAN BOSKOFISKY: Well, that's why I just stressed  
41 that the same proposal would have to be presented to the State  
42 Board, too.

43

44 MR. ENRIGHT: It has to be written up to go from this  
45 point to this point, and then from that point to that point,  
46 you know. You've got -- you can't cover the state land. I  
47 mean, the way it is now, you're covering the whole thing.  
48 Stepovak to Igvak. See? So.....

49

50 MR. ABRAHAM: Mr. Chairman? Well, the same persons can

0087

1 make a recommendation to the state to close all that, along  
2 with the federal lands.

3

4 MS. EAKON: Excuse me, Mr. Chair. Myra Olson from  
5 Egegik wants to be connected. Al Anderson? Al?

6

7 MR. ANDERSON: Yes?

8

9 MS. EAKON: Could you please hand up, and Ellen in our  
10 office is going to call you back to connect you back, and also  
11 at the same time pick up Myra.

12

13 MR. ANDERSON: Okay. I'll hang up right now. Thank  
14 you.

15

16 MS. EAKON: Okay. Thank you very much.

17

18 (Pause -- adding to teleconference)

19

20 MS. EAKON: I know Ron is going to make a point.

21

22 MR. SQUIBB: Well, Mr. Chairman, I just -- with Tim's  
23 comment, we could -- you know, when you write up a proposal,  
24 you just say federal public lands between those two points, and  
25 that way you wouldn't have to be, you know, drawing a map, and  
26 that would work.

27

28 And I guess that brings up another point, but similarly  
29 lands with the transporter regulations, since most of those  
30 lands are corporation lands, if the corporate -- corporation  
31 chose to close that to whomever they choose, that's their  
32 prerogative, so they could or could not go along with the  
33 Council's proposal.

34

35 CHAIRMAN BOSKOFKY: Well, my understanding, too, is  
36 that a lot of the corporations are starting to doing this, you  
37 know, just that. They're hiring trespass officers to close  
38 down the corporation lands.

39

40 MR. SQUIBB: Right. So that -- I guess then that,  
41 because otherwise, you know, the state regs would apply, as  
42 you're aware.

43

44 MS. EAKON: While we're waiting for Myra and -- Myra  
45 Olson from Egegik, and Al Anderson to come back on line, at the  
46 same time I spoke with Robert Heyano, and I did ask him about  
47 Unit 9(E) caribou and moose, and he said, well, we have to  
48 listen to what the task force said. That's how come we're  
49 waiting.

50



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1 CHAIRMAN BOSKOFISKY: Wait until it was drawn up.

2

3 MS. EAKON: He said, we want to hear what they say, and  
4 we're supposed -- the Regional Council is supposed to lean on  
5 their recommendations. I just want to share that.

6  
7 (Whispered conversation)

8  
9 (Pause)

10  
11 MS. EAKON: This is Helga over at Naknek.

12  
13 ELLEN: Hi, Helga. I have Myra Olson and Al Anderson.

14  
15 MS. EAKON: Thank you very much, Ellen.

16  
17 ELLEN: You're welcome.

18  
19 MS. EAKON: Okay. Myra, can you hear us?

20  
21 MS. OLSON: Yes. Can you hear me okay?

22  
23 MS. EAKON: Yes. Al, are you still with us?

24  
25 MR. ANDERSON: Yes.

26  
27 MS. EAKON: Okay. Go ahead, Myra.

28  
29 MS. OLSON: Okay. Do you want me to give my testimony  
30 now?

31  
32 CHAIRMAN BOSKOFISKY: Go ahead. Go ahead.

33  
34 MS. OLSON: All right. My name is Myra Olson. I'm  
35 currently chair of the Lower Bristol Bay Advisory Committee,  
36 and I'm an active subsistence hunter and fisher. I support the  
37 sustainability of the resource as the paramount principle that  
38 we operate under. I think that intervention in the caribou  
39 manage of 9(E) before it has to become a Tier II hunt is  
40 paramount this year. And I support making the Jensen Strip/  
41 Road system a controlled use area with no motorized vehicle  
42 traffic from August 15th to November 1 as a means to give  
43 migratory caribou a chance to pass through. I support bulls  
44 only hunt until the herd begins recovery. And I support the  
45 closure of 9(E) to nonresident hunting as they did by emergency  
46 order this year. And I support a no hunting zone near the  
47 mountain passes in the southern district. And I believe Joe  
48 Kalmakoff has the areas figured out where -- that would be  
49 affected. And that's what I have.

50

0089

1 CHAIRMAN BOSKOFISKY: Thank you, Myra.

2

3 MS. OLSON: You bet.

4

5 CHAIRMAN BOSKOFISKY: Marlene Shenigan?

6

7 MS. SHENIGAN: Yes, I'm Marlene Shenigan with Pilot  
8 Point. I just wanted to lend my support to Charlie Kelly's  
9 request that the thresholds be raised from, you know, the  
10 8,000/8,500 to 12,000, because we've been experiencing, you  
11 know, shortages, and we certainly are not getting our caribou,  
12 you know, at these lower levels. And I would ask that they  
13 consider the 12,000 if at all possible.

14

15 MS. EAKON: It would be appropriate to entertain a  
16 motion then, and we just have the staff write up the proposals  
17 based on the recommendations. You entertain the motion.

18

19 CHAIRMAN BOSKOFISKY: Huh?

20

21 MS. EAKON: Yeah, just entertain a motion.

22

23 CHAIRMAN BOSKOFISKY: I, what, entertain a motion, and  
24 we will have the staff write up the proposal.

25

26 MS. EAKON: We need a motion.

27

28 MR. ABRAHAM: Ready for us to vote?

29

30 MS. EAKON: Yeah, it would be to adopt the task force  
31 recommendations.....

32

33 CHAIRMAN BOSKOFISKY: The task force recommendations.

34

35 MS. EAKON: .....on Unit 9(E) caribou and moose, and  
36 direct the staff to write the proposals before the deadline.

37

38

39 CHAIRMAN BOSKOFISKY: I already made the motion. We  
40 just needed to have the part about the staff.

41

42 MS. EAKON: Then just add in.

43

44 CHAIRMAN BOSKOFISKY: And he seconded it.

45

46 MS. EAKON: Oh, he did?

47

48 CHAIRMAN BOSKOFISKY: Yeah.

49

50 MS. EAKON: Oh, I'm sorry. Okay.

0090

1 CHAIRMAN BOSKOFISKY: Okay. The motion has been made to  
2 accept the task force's proposal. All those in favor?

3  
4 IN UNISON: Aye.

5  
6 CHAIRMAN BOSKOFISKY: The motion's carried. Did you get  
7 that, Al?

8  
9 MR. ANDERSON: Yeah, I understand you passed it.

10  
11 CHAIRMAN BOSKOFISKY: Yeah, we passed it through here,  
12 and it's got to go in front of the rest of them.

13  
14 MS. EAKON: In front of who?

15  
16 MR. ANDERSON: Okay. Is it possible, Helga, to have  
17 (Indiscernible -- simultaneous speech) fax that information to  
18 us on exactly what you guys passed?

19  
20 MS. EAKON: Just for the record, okay, everybody  
21 adopted the motion?

22  
23 CHAIRMAN BOSKOFISKY: Uh-hum. (Affirmative)

24  
25 MS. EAKON: And the motion was for the Regional Council  
26 to adopt the recommendations of the task force relating.....

27  
28 CHAIRMAN BOSKOFISKY: Task force.

29  
30 MS. EAKON: .....to Unit 9(C) and 9(E) moose and  
31 caribou?

32  
33 CHAIRMAN BOSKOFISKY: Uh-hum. (Affirmative)

34  
35 MS. EAKON: And for the record, there is a quorum, and  
36 it was a unanimous vote with Andrew Balluta and Timothy Enright  
37 and Peter Abraham and Alvin Boskofsky passing the motion. Four  
38 yeses and three absent.

39  
40 And what is your fax number, Al?

41  
42 MR. ANDERSON: I'm actually on the fax line, so it's  
43 the same. It's 840-2217. That's the village fax line.

44  
45 MS. EAKON: Okay.

46  
47 MR. ANDERSON: You could also fax it to my home fax,  
48 which is 840-2276.

49  
50 MS. EAKON: Okay. When we get back to the office,

0091  
1 we'll be happy to send this to you, okay. Al, is that okay?  
2  
3 MR. ANDERSON: That sounds dandy.  
4  
5 MS. EAKON: Okay. Thank you very much, and thank you  
6 for your testimony, Myra.  
7  
8 MS. OLSON: Okay. And can you fax me a copy of that,  
9 too, at 233-23 -- oops. I'll have to get back with you. I  
10 forgot the fax number.  
11  
12 MS. EAKON: Okay. Just call our 800 number in  
13 Anchorage and give them your fax number, 800-478-1456.  
14  
15 MS. DETWILER: Excuse me.  
16  
17 MS. EAKON: Sue?  
18  
19 MS. OLSON: Okay. I'll do that. Thank you very much.  
20  
21 MS. EAKON: Sue?  
22  
23 MS. DETWILER: A point of clarification for the record.  
24 When you adopted the motion, does that mean that you're simply  
25 adopting the recommendations, then you're expecting the staff  
26 to turn it into a proposal or.....  
27  
28 MS. EAKON: Yeah.  
29  
30 MS. DETWILER: Okay.  
31  
32 MS. EAKON: That was the intent.  
33  
34 MS. DETWILER: Thank you.  
35  
36 MS. EAKON: Okay. We have concluded public testimony  
37 on Unit 9(E). We're going to hang you and Al up, Myra.  
38  
39 MS. OLSON: Okay. Thanks for letting me on.  
40  
41 MS. EAKON: Okay.  
42  
43 MS. OLSON: Talk to you later.  
44  
45 MS. EAKON: Okay. 'Bye, Al.  
46  
47 MS. OLSON: 'Bye-bye.  
48  
49 MR. ANDERSON: Thanks, people, for letting us on down  
50 here at the Lagoon.

0092

1 MS. EAKON: 'Bye.

2  
3 MR. ANDERSON: 'Bye.

4  
5 MS. EAKON: All right.

6  
7 CHAIRMAN BOSKOFISKY: Okay. Where are we now?

8  
9 MS. EAKON: Where are we?

10  
11 CHAIRMAN BOSKOFISKY: Break?

12  
13 MS. EAKON: Yeah. Right after break we're going to  
14 have Mr. Tingey start off with ORV and Katmai. Okay?

15  
16 CHAIRMAN BOSKOFISKY: We'll take a 10-minute break.

17  
18 MR. ABRAHAM: Nine and a half.

19  
20 (Off record)

21  
22 (On record)

23  
24 CHAIRMAN BOSKOFISKY: Call the meeting back to order.  
25 ORV use in Katmai National Preserve. Ralph?

26  
27 MR. TINGEY: Good afternoon. Good afternoon,  
28 Mr. Chairman and members of the Commission. I'm Ralph Tingey.  
29 I'm from the Alaska Support Office of the National Park  
30 Service. I'm the deputy superintendent there. I'm old enough  
31 I have to use my glasses.

32  
33 What I thought I would do is go over with you the  
34 timelines that we've developed, and the strategy that we're  
35 using on the ORV issue, and be glad to answer any questions  
36 afterwards.

37  
38 I am the chair person for our work group. The work  
39 group consists of Lou Waller, Janice Meldrum and Don Calloway  
40 from our office, Rick Clark and Donald Mike from Katmai, and  
41 John Branson from Lake Clark. We are going to develop a  
42 position paper for the consideration of the superintendent  
43 based on an understanding of all of the appropriate laws, such  
44 as ANILCA 811, the Federal Executive Order 11-644, and the  
45 Katmai General Management Plan and enabling legislation, and  
46 the participation and documentation of the knowledge of the  
47 local residents.

48  
49 At the last meeting, the group agreed to work with the  
50 village leaders and arrange for an informational meeting, and

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1 that happened I believe on September 25th when Janice Meldrum  
2 and Donald Mike and Rick Clark met with the village leaders,  
3 and apparently that was a very successful meeting.  
4 Unfortunately, I was unable to attend. And our next time line  
5 was to address this group, and so here I am before you today.

6  
7 The next time line is to conduct a literature review  
8 and information from past employees and researchers in the  
9 Bristol Bay area who might have information and knowledge on  
10 the customary and traditional use of ATVs in this region. We  
11 put a January 15th target date for this, but most of these  
12 dates we will work with the people and make sure that the date  
13 doesn't become a problem. If we need to be sooner than that,  
14 we'll do it, and if it takes longer, we'll let everyone know.

15  
16 Also, we -- before March 1st, we agree to conduct an  
17 informal meeting with the villages, and at the September 25th  
18 meeting in Kokhanok I believe that they agreed that mid --  
19 early -- the first few weeks of February would be a good time  
20 to meet with the community members there.

21  
22 Then we will attend the winter meeting of the Bristol  
23 Bay Regional Advisory Council again and report on our progress.

24  
25 And by April 1st, we should have a document in place, a  
26 review document to take to the village to show our progress,  
27 and to show how much information we have. And that information  
28 should be all of the historical information that we've  
29 gathered, and some testimony and records that we can find. And  
30 that should help the villagers also to -- the people who are --  
31 need to use the ATVs to -- maybe that will help guide them in  
32 what information they need to present, and information or  
33 records they need to show for the decision.

34  
35 Then by May 1st we would prepare a second draft which  
36 would be including all of the information that those affected  
37 people in the villages would present to us. And then by July  
38 1st we should have a final position paper for the  
39 superintendent's consideration. And then the superintendent  
40 could then make a decision, and then change -- the general  
41 management plan could be officially amended to reflect the Park  
42 Service's position, and I think that's what the final charge of  
43 the Council was to us, was to have a -- do the research, and  
44 have an official position based on that research for the  
45 Council.

46  
47 We also realize that in doing this, that this affects  
48 more than just the village of Kokhanok, the way it started out,  
49 that Igiugig and Levelock were also affected, and probably  
50 other villages in the region, such as Aniakchak. The

0094

1 limitation in my office is that the two best people to work on  
2 this are Don Callaway, who is an anthropologist, and some of  
3 you know him, and Janice Meldrum, who is a biologist, and they  
4 also have many other duties, and for them to work on the Lake  
5 Iliamna area at one time is probably enough work, and so they  
6 probably won't be able to do all of the affected villages in  
7 the whole Bristol Bay Region at one time, but we know that  
8 there are other villages that would like the same sort of  
9 decision, so we'll try to work on them as time permits in the  
10 future.

11  
12 Be glad to answer any questions from you or the  
13 audience.

14  
15 MR. ENRIGHT: I've got a question. Now, does this  
16 cover the whole Katmai or just the Preserve part of it, the  
17 expanded part?

18  
19 MR. TINGEY: Right now we were just looking into the  
20 expanded part of that preserve that was south of Kokhanok and  
21 Igiugig, you know, the area that the people use there.

22  
23 MR. ENRIGHT: Okay. Thank you.

24  
25 MR. TINGEY: But we know that there's interest in the  
26 whole area.

27  
28 CHAIRMAN BOSKOFISKY: Thank you.

29  
30 MR. TINGEY: Okay.

31  
32 MS. EAKON: He wants to say something.

33  
34 CHAIRMAN BOSKOFISKY: John Nelson, Kokhanok.

35  
36 MR. NELSON: Good afternoon, Council. My name is John  
37 Nelson from the Village of Kokhanok, and I serve as President  
38 of the Village Council.

39  
40 This fall we had a meeting with the Katmai/Park Service  
41 in regard to the ORV uses at Kokhanok, and I just -- in regard  
42 to the time frame, in regard to making the decision by the  
43 superintendent, I would like to request a moratorium on this,  
44 because we feel that this decision is going to be made too  
45 early, because we've got the other two villages that the Park  
46 Service needs to be involved with, too. And also I would like  
47 to request courtesy copies of letters that's written in regards  
48 to ORV uses to the three villages.

49  
50 And I would also like to add another team player to the

0095

1 picture, too, is the village corporation of all three villages,  
2 although we're not all the -- all the village corporations are  
3 not the same, but it will also affect their land also, too, so  
4 I would like to request that they be involved, too in the  
5 planning process.

6  
7 And lastly, I will look forward to be working with the  
8 Katmai/Park Service on this sensitive and complex issue on  
9 ORVs, so thank you.

10  
11 MS. EAKON: Okay. Donald Mike, did you get that down?  
12 That they.....

13  
14 MR. MIKE: Can I approach?

15  
16 MS. EAKON: .....would like the three village  
17 corporations added to the planning of this?

18  
19 MR. MIKE: Can I approach?

20  
21 MS. EAKON: Yes. He's the proper person to address  
22 your request to.

23  
24 MR. NELSON: Okay. Thank you.

25  
26 MR. MIKE: Donald Mike with the Katmai National Park,  
27 and part of the team member to do this ORV study.

28  
29 With regard to John Nelson's questions, this ORV  
30 issue's been -- it has been approached in the past by Bristol  
31 Bay Native Association. I think it was back in the early 90s  
32 or so. But we were directed by the Council to do an ORV study,  
33 and I want to apologize to John and his village for -- if it  
34 appears that the Park Service is rushing on this issue. It  
35 wasn't meant to be, but we're responding to the Council  
36 request, and the Village of Kokhanok's request to do an ORV  
37 study. And I'd like to apologize to John and his village if it  
38 appears that we're rushing on this issue.

39  
40 And we'll be providing John Nelson and his village  
41 council any correspondence and past records of the ORV issue  
42 that we have in our office.

43  
44 CHAIRMAN BOSKOFKY: Any of the Council members have  
45 any questions?

46  
47 MR. ABRAHAM: Quyana.

48  
49 CHAIRMAN BOSKOFKY: Thank you, John, Donald.

50



0096

1 MR. NELSON: Thank you.

2

3 MR. ASPELUND: Mr. Chairman, a point of order. Could a  
4 general comment (ph) at this time make comment or.....

5

6 MS. EAKON: Yeah, he could.

7

8 MR. ASPELUND: I can?

9

10 CHAIRMAN BOSKOFISKY: Uh-hum. (Affirmative)

11

12 MR. ASPELUND: Yeah, my name is Allen Aspelund, Sr.,  
13 and I'm a third generation descendent of Old Sevenosky, and  
14 this issue is relevant basically to our subsistence. And you  
15 folks requested a marching order to the -- under update  
16 recommendation 97-01, and they applied (ph) to get our  
17 strategic development components. And I heard earlier when the  
18 gentleman made the presentation, and he sort of walked through  
19 them fast. And I feel that you do need an extension of time,  
20 otherwise I would request that this Board recommend a time  
21 frame change, because he already made presentation of changes  
22 after spelling out specific dates of doing certain things, and  
23 various dates he changed, even at the bottom line by meeting --  
24 the deadline was March 1st, you have now a move up date of  
25 February 1st in reference to just the Village of Kokhanok. And  
26 I didn't hear when he made the presentation, he referred  
27 specifically to interviewing all individuals of Kokhanok,  
28 Igiugig, and Levelock.

29

30 I'm not asking at this time for rebuttal or correction,  
31 but I did not hear that in his presentation, so I believe when  
32 the Village of Kokhanok was asking for a moratorium extension  
33 of time, and I believe that was requesting you folks to make  
34 that to the Department so they don't rush through it. So  
35 otherwise, by July 1st your superintendent will not make a  
36 decision of can you use them or can't do it, so I -- because I  
37 believe this is something that's going to -- is really  
38 concerned, because they first used the wording ethnographic  
39 study, and that is you pertained -- at this time, we look at  
40 ORVs or ATVs I think of the young generation of mine as being  
41 like a four-wheeler, you know, something with wheels on it.  
42 But an ethnographic study refers to modes, and that  
43 transportation, that all-terrain vehicle in my time used to be  
44 a reindeer pulling a sled behind it. You had down in the  
45 Kanatek areas horse-drawn wagons. We have the outdated now  
46 sled. That's modes of ethnographic transportation. So -- and  
47 I believe what's happening, we're rushing through the modes of  
48 three-wheeler, four-wheeler concept.

49

50 Now, if this is their components of saying how they're

0097

1 going to be doing something, I feel you should hold these folks  
2 into that time frame, and also their components, they listed  
3 seven, and by all means I did not hear the expression of the  
4 very last one, that a Mr. Clark promised the region assurance  
5 that knowledgeable elders will be part of the working team. I  
6 did not hear at this time any mention of a name of any elder  
7 from any village. That's where I'm assuming your elders should  
8 be coming from, and that would be probably descendants of the  
9 Katmai in all general areas, even their expansion now in their  
10 preserves. So I would -- I request you to really strongly  
11 consider recommending to the Department a moratorium time frame  
12 of an extension of at least one year, because just at this time  
13 in general issues on subsistence, they even granted the State  
14 now one year of moratorium, another year to -- on the  
15 subsistence issue in general. And everybody as you know, the  
16 time frame of all department, whoever been locked in on that  
17 change-over, take-over principle. So I don't believe there's  
18 been a real strong-hearted concept endeavor into this  
19 particular issue. So I would -- and it was actually something  
20 that you folks requested, and I believe at the time your  
21 meaning was well, but I believe the time frame after, we had an  
22 impact of that take-over concept on us, that you folks should  
23 again now kind of give them time. So don't rush them through  
24 that study. So that is all I ask, and hope you do consider a  
25 request for moratorium from the villages. Thank you.

26  
27 CHAIRMAN BOSKOFISKY: That's a good point, Allen.

28  
29 MS. EAKON: Did you have a responsive statement,  
30 Donald?

31  
32 MR. TINGEY: You know, the Government can always do  
33 something slower.

34  
35 (Laughter)

36  
37 MR. TINGEY: But in this case I think we will do a  
38 better job, and I appreciate the village's willingness to slow  
39 down the time line a little bit. I believe that we'll be able  
40 to put people on the team from the villages and actually do a  
41 better job if we have a little bit more time. Be glad to do  
42 that.

43  
44 CHAIRMAN BOSKOFISKY: So you will move those dates then?

45  
46 MR. TINGEY: Yes.

47  
48 CHAIRMAN BOSKOFISKY: Okay.

49  
50 MR. TINGEY: And we'll get a revised time line to John

0098

1 Nelson.

2

3 CHAIRMAN BOSKOFISKY: Alagnak Wild River. And who's  
4 doing that? Rick?

5

6 MS. EAKON: Rick Clark.

7

8 CHAIRMAN BOSKOFISKY: Where did you run away to?

9

10 MR. CLARK: I was hiding. Mr. Acting Chairman, members  
11 of the Council, Rick Clark, Chief of Resource Management at  
12 Katmai National Park and Preserve/Aniakchak National Monument  
13 and Preserve.

14

15 The Alagnak Wild River is a situation I guess we're  
16 going to move the time table up. I know that's an area that  
17 this Council has had a lot of interest and would like to see  
18 the Park Service conduct a complete comprehensive river  
19 management plan, which we are now in a position to do.

20

21 The Alagnak Wild River is one of 26 Congressionally-  
22 designated rivers comprising the National Wild and Scenic  
23 Rivers System. Most of these rivers were designated as part of  
24 the 1980 Alaska National Lands Conservation Act, or ANILCA as  
25 we all know. The Alagnak is one of 12 wild and scenic rivers  
26 managed by the National Park Service, while the U.S. Fish and  
27 Wildlife Service administers seven, and the Bureau of Land  
28 Management six. All combined, these total 2,955 miles of wild  
29 river, 227 miles of scenic river, and 28 miles of recreational  
30 river for a grand total of 3,210 river miles. The Alagnak  
31 consists of 56 miles of this total. As of January 1996, this  
32 over-all total of 3,210 river miles constitutes just one-third  
33 of the total Congressionally-designated river miles in the  
34 United States, which is a total of 10,734.

35

36 As most of the Council is generally aware, there are  
37 several issues that have developed over the course of the last  
38 ten years as use on the Alagnak Wild River has increased. Some  
39 of these issues are reported conflicts between large capacity  
40 lodges, those that would be 25 to 80 guests a night, and  
41 independent river rafters. We also receive complaints on a  
42 fairly regular basis concerning jet boat traffic travelling at  
43 high rates of speed, streaking way too close to rafters and  
44 fishermen. Associated with the use of jet boats are boat wakes  
45 caused by high-horsepower capacity motors that contribute to  
46 accelerated stream bank erosion.

47

48 We also have alleged reports from anglers with a  
49 history of use on the Alagnak that fish stocks are degraded  
50 because of overfishing. That is largely not quantified at this

0099

1 point, but we are looking into that issue as part of the long-  
2 term five-year rainbow trout abundance study that I referred to  
3 in my presentation yesterday.

4  
5 Other issues that have come to our attention are  
6 unmanaged camp site establishment that has resulted close to  
7 the riparian or stream bank area that causing some impact and  
8 hardened camp sites to occur.

9  
10 Generally we're finding a situation where we have  
11 uninformed campers that are contributing to improper human  
12 waste disposal. And typically in any given year we have  
13 approximately two bears that are killed due to visitors that  
14 are defending their camp, so we'd like to see that situation  
15 abated as well.

16  
17 The long and short is the overall use in the Alagnak  
18 River has increased ten-fold over the course of the last ten  
19 years. So we're hoping to begin a collaborative management  
20 planning process in cooperation with the Bureau of Land  
21 Management, also the Alaska Department of Fish and Game and  
22 other state departments that would be in a position to  
23 cooperate and work with us towards the ultimate objective of  
24 preparing a comprehensive river corridor plan in three years.  
25 That plan will be a collective effort led by the Park Service,  
26 but we are just a player as there are many different interests  
27 that are part of the Alagnak River and have a vested interest  
28 in the management of that river.

29  
30 Beginning in 1999, this fiscal year which just began  
31 October, we have received funding support to conduct that  
32 study, and we'll soon be issuing a vacancy announcement to hire  
33 a project coordinator for the Alagnak. We hope to have that  
34 person come on board in January, and their primary purpose will  
35 be to complete and orchestrate that planning effort.

36  
37 As we continue on with that effort, at opportune times  
38 we do expect to come back before this Council and provide  
39 progress reports and findings concerning our investigation, and  
40 hope to do so probably at the fall meeting next year when we'll  
41 have a much better appreciation for those overall uses and can  
42 provide a more thorough overview for this Council at that time.  
43 So that concludes my remarks today, and brings us up to date as  
44 far as where we are with that overall planning effort that will  
45 begin in earnest in 1999.

46  
47 CHAIRMAN BOSKOFKY: Any questions from the Council? I  
48 guess there are not. Thanks, Rick.

49  
50 MR. CLARK: You bet.

00100

1 MS. EAKON: Before Rick goes, I did have an agenda  
2 item. When we assume subsistence fisheries management, if the  
3 State does not comply with ANILCA, in the proposed rule it does  
4 state that the Board will have responsibility to oversee  
5 subsistence fishery management decisions for federal waters of  
6 the Alagnak River. I did want to clarify that,.....

7  
8 MR. CLARK: Sure.

9  
10 MS. EAKON: .....because Dan O'Hara had sent a letter  
11 to our Federal Solicitor on that, but it is very easy to  
12 answer. It is in the fisheries proposed rule that the Board  
13 will have oversight of federal waters of the Alagnak River. I  
14 just wanted to point that out.

15  
16 MR. CLARK: That's correct. My understanding is when  
17 the federal subsistence fisheries management regulations do  
18 become law, at that point the solicitor will be in a position  
19 to make an opinion on that matter. Right now it would be  
20 premature to do so. However, in consulting with the Fish and  
21 Wildlife Service and others that have lead responsibility in  
22 making those interpretations, it is our understanding that the  
23 Alagnak Wild River, similar to all components of the National  
24 Wild and Scenic River System, Federal Subsistence Board  
25 regulations and oversight would apply.

26  
27 Generally the Alagnak is on different than any other  
28 unit area of the National Park Service. The National Park  
29 Service does have lead in managing those river corridors, in  
30 which case this Council and the Federal Subsistence Board would  
31 have interest that could potentially be represented by your  
32 respective bodies.

33  
34 MS. EAKON: Thank you.

35  
36 MR. CLARK: You bet.

37  
38 MS. EAKON: Wanton waste. Pat.

39  
40 CHAIRMAN BOSKOFKY: Wanton waste, definition of  
41 edible. Pat McClenahan?

42  
43 MS. McCLENAHAN: Thank you, Mr. Chairman. Pat  
44 McClenahan. I'd like to bring your attention to tab H, and  
45 about six pages in is the issue paper that I prepared at your  
46 request. This is a follow-up paper to the original wanton  
47 waste paper that I wrote for you a year ago. The issue is that  
48 this Council is concerned that edible meat of harvested  
49 wildlife is removed from the field in accordance with current  
50 state and federal regulations, but that meat in some instances

00101

1 doesn't reach the table, and it's not consumed. It's wasted.  
2 This issue paper was prepared for you in response to that  
3 issue.

4  
5 The -- one of the questions about edible meat is the  
6 definition of edible meat. And there are -- the State has a  
7 current legal definition which I've outlined here on page one.  
8 The federal legal definition is outlined on page two. And then  
9 there are other definitions of what's edible. They don't  
10 always match perfectly with what's in the regulations. One of  
11 the issues is whether or not edible meat -- or meat taken  
12 during the rut is edible, for example.

13  
14 What did you find?

15  
16 CHAIRMAN BOSKOFISKY: I was looking at the definition on  
17 the State's -- I don't know what the stars are here, but you  
18 must salvage and keep the edible meat unless it has been  
19 stolen?

20  
21 MS. McCLENAHAN: Yeah, that's what they say.

22  
23 CHAIRMAN BOSKOFISKY: Has been taken away or destroyed  
24 by a wild animal. It's pretty poor definitions really.

25  
26 MS. McCLENAHAN: In interviewing some of the local  
27 residents, I've outlined some of the differences here on pages  
28 two and beginning of page three. In addition to those cultural  
29 and individual differences, there's also a difference in regard  
30 to the meat's cleanliness, fitness for consumption, nutritional  
31 value, palatability, and even how different parts of the animal  
32 are prepared for eating. And these vary broadly in our region.  
33 And I've given you some examples here of meat that may be  
34 considered questionable or inedible by some people.

35  
36 The frequency and geographic distribution of spoilage  
37 incidents in the Bristol Bay region are not completely defined  
38 in this paper. Rather, I've given you some instances as  
39 they've been relayed to me by various people. The include the  
40 National Park Service managers here in this region, Katmai and  
41 Lake Clark. Also the refuge managers at Alaska  
42 Peninsula/Becharof and Togiak. And I've also talked to the  
43 State in regard to this issue.

44  
45 On page three, I think of most interest perhaps to this  
46 council are the specific concerns voiced by rural residents of  
47 the Bristol Bay region and others.

48  
49 And then on page four are some recommendations, and  
50 these are not just recommendations that came from my office,

00102

1 but recommendations that I gathered from all different sources  
2 that I spoke to.

3  
4 One of the actions that regional councils can take is  
5 to submit proposals for regulation changes that will best  
6 support the effort to control the problem of spoilage and loss  
7 of edible meat. One recent positive regulation change is the  
8 meat on bone requirement for Units 9(B), 17, and 19(B), which  
9 aligns with the current State regulation. The regulation  
10 allows for easier enforcement. Leaving the meat on the bone  
11 deters spoilage as there is less meat surface exposed to  
12 bacteria and to insects, and meat is easier to hang. And  
13 another recommendation is to continue to work with local, state  
14 and federal agencies to educate the public and to disseminate  
15 information about the problem of spoilage; identify together  
16 the geographical areas needing the most attention; determine  
17 the sources of the problems, and focus joint efforts there;  
18 encourage residents of rural communities to continue to report  
19 incidents that they witness promptly, giving the kind of  
20 details that will help law enforcement officials apprehend  
21 violators; increase enforcement efforts on federal public  
22 lands; and increase information and education efforts on  
23 federal public lands.

24  
25 It might be of interest to you that in the Region V  
26 Advisory Council meeting that took place a week ago, this very  
27 same issue was attended to. And so it's a pretty wide-spread  
28 problem.

29  
30 I end my paper with actions that others can take, a  
31 page and a half of suggestions that other people can take.

32  
33 I'd also like to bring your attention to topic number  
34 two in the Bristol Bay Native Association workshop that took  
35 place. Task force num- -- I'm sorry, subgroup number two had  
36 the task to identify issues on wanton waste and make  
37 recommendations for how to deal with this issue, and they have  
38 six recommendations that they forwarded to you. They include  
39 have check points for meat; leave the meat on the bone; the  
40 transporter should be held responsible for rotten meat;  
41 required guided hunts for moose and caribou with check-in  
42 points for the meat; have stiffer fines for violators; and  
43 require hunter education prior to hunting. I think those are  
44 good ideas, too, that should probably be added to what you have  
45 here.

46  
47 Did you have any questions?

48  
49 CHAIRMAN BOSKOFISKY: Are there any questions by Council  
50 members? I guess not. Thank you, Pat.

00103

1 MS. McCLENAHAN: Thank you very much.

2

3 MS. EAKON: The third item on the '97 annual report is  
4 just a note of acknowledgement to the task force group that met  
5 on the Unit 9(B) and that was kind of to give them a pat on the  
6 back for all the hard work that BBNA and all of the villages  
7 and all of the participants, because this Regional Council  
8 feels that interagency cooperation is a hallmark of this  
9 region. They felt that it should always be in a report.

10

11 As regards 1998 annual report issues, Mr. Chair, this  
12 will once again be on the agenda at your winter meeting, so I  
13 would suggest that you think about if you have other regional  
14 issues that you would like included in your '98 report, if you  
15 could bring them up at the winter meeting, then we can reach  
16 closure on the '98 report. Is that okay?

17

18 CHAIRMAN BOSKOFKY: Yeah.

19

20 MS. EAKON: Okay. Smiley Knutson was -- had changed  
21 the time of his testimony from 4:00 o'clock to 3:00 o'clock,  
22 and he has not yet phoned in. And his specific testimony was  
23 having to do with Bruce Greenwood's -- Bruce, are you still  
24 here?

25

26 MR. GREENWOOD: Yes.

27

28 MS. EAKON: Okay. And Ellen told me that he was going  
29 to phone in, but he has not yet, and it's going to come in on  
30 this unit here, so, we'll just kind of hang there, and when we  
31 hear it ring, we know it's Smiley. Okay.

32

33 Which will bring us on the agenda item to deferred  
34 proposals, and we're going to ask Pat to kind of just give an  
35 update on where she's at with the work on those deferred  
36 proposals.

37

38 MS. McCLENAHAN: Helga, what tab is that real quickly?

39

40 MS. EAKON: That's tab K as in Kelly.

41

42 MS. McCLENAHAN: Thank you. As you know, Proposal 45  
43 was -- part of that was deferred, the part that deals with Unit  
44 9(C) brown bear. That's a customary and traditional use  
45 finding. We deferred so that we could get additional  
46 information, and I'm happy to report that I've completed  
47 interviews and have -- I think we have sufficient information  
48 to go forward with that at this upcoming meeting.

49

50 Proposal 46 was Unit 9(E) brown bear, to add the



00104

1 residents of Pilot Point. That was deferred until we could get  
2 additional information. And I hope to be able to do that today  
3 with Ms. Shenigan who's here. We'll be taking additional  
4 information down, and be preparing another analysis for this  
5 Council for the next meeting.

6  
7 What's left? Proposals 98-53 and 54 that were  
8 submitted by the Akiak and Akiachak IRA councils were  
9 requesting a positive customary and traditional use  
10 determination for caribou in Unit 17. And also -- well,  
11 Proposal 54 was submitted by AVPC requesting caribou for Units  
12 17(A) and 17(B) for the rural residents of Unit 18. Those two  
13 were considered together. It was brought to our attention that  
14 we did not have sufficient information about the other  
15 communities in the middle and lower Kuskokwim River and their  
16 use of Unit 17. We've been pursuing that. John Andrew has  
17 been interviewing in communities in Unit 18 along the  
18 Kuskokwim, and has gotten some good information. We should be  
19 able to go forward with that at the next meeting.

20  
21 What are we missing? Is that it?

22  
23 MS. EAKON: Regarding defer-.....

24  
25 MS. McCLENAHAN: Yeah, I think that's it.

26  
27 MS. EAKON: Well, Proposal 56 is not a deferred  
28 proposal. The Board turned -- rejected that. That was a  
29 request for same-day-airborne hunting of the Nushagak caribou.  
30 However, in the meantime, at the Board meeting, the Chair,  
31 Mitch Demientieff, asked the Federal Solicitor to do an opinion  
32 regarding connection between the proposal and the Airborne  
33 Hunting Act, and on October 13, as I mentioned yesterday, the  
34 Solicitor did release an opinion. There are copies on the  
35 hand-out table. Essentially what he concluded was that after  
36 reviewing these materials, meaning the Council proposal, and  
37 also the Airborne Hunting Act, the Wildlife Refuge  
38 Administration Act, and ANILCA, the Solicitor's Office  
39 concludes that on a sufficient administrative record, the  
40 Federal Subsistence Board could provide for same-day airborne  
41 subsistence taking of caribou on the Nushagak Peninsula. And  
42 what he means by sufficient administrative record is spelled  
43 out on pages five and six, that if this Regional Council will  
44 some day again present such a proposal, the administrative  
45 record must show that terrain where aircraft could locate  
46 animals without harassing them, the Board could accept a  
47 Council proposal allowing for same-day-airborne subsistence  
48 take of caribou. This is just an informational update,  
49 Mr. Chair, on 56.

50

00105

1 MS. McCLENAHAN: Mr. Chairman, on Proposal 58, the Unit  
2 17 moose request by Akiak and Akiachak in Unit 18, all of the  
3 proposals for Akiak and Akiachak have been deferred, and they  
4 are seeking a formal study, and the deferral is until the  
5 formal study is completed for those communities. I think that  
6 concludes my portion.

7  
8 MS. EAKON: Yes, that concludes your portion. And  
9 Proposal 47 was passed by the Board at its spring meeting, but  
10 after the Board meeting, Greg Bos and Dave Fisher said there's  
11 something about the Western Alaska Brown Bear Management area,  
12 and at the time it was mentioned to me, I wasn't clear exactly  
13 what needed to be done, and Greg never followed up with me. So  
14 I would suggest not even taking that up, unless you have new  
15 information, Dave?

16  
17 MR. FISHER: No, Helga, I don't. What we can do is  
18 follow up with Greg and get -- and do it at the next meeting.

19  
20 MS. EAKON: Okay.

21  
22 MR. FISHER: Apparently Greg didn't -- someone didn't  
23 follow through. I don't know whether it was Greg or whether it  
24 was myself or -- but we will have that for you at the next  
25 time. I'm not sure exactly what it was, but we'll get that  
26 information for you.

27  
28 CHAIRMAN BOSKOFISKY: We'll present you with that little  
29 box with a big N on it.

30  
31 MS. EAKON: That would bring us up to does anybody have  
32 any proposals.

33  
34 CHAIRMAN BOSKOFISKY: We're up to D?

35  
36 MS. EAKON: Right there. Yes.

37  
38 CHAIRMAN BOSKOFISKY: Proposals to change federal  
39 subsistence regulations. The opportunity to present proposals  
40 continues throughout the meeting. Please have ten copies ready  
41 if possible if you are bringing them to the meeting. Otherwise  
42 we will make copies.

43  
44 MS. EAKON: I know that Togiak -- oh, Togiak left. I  
45 know that they did submit a proposal. Togiak Refuge did. Do  
46 you remember what it was about, Dave? Sorry to put you on the  
47 spot, but it came in last week.

48  
49 CHAIRMAN BOSKOFISKY: Well, keep him awake.

50

00106

1 MR. FISHER: Thanks, Alvin. Basically what it was, was  
2 to convert a special action which extended the caribou season  
3 on the Nushagak Peninsula, change that special action to a  
4 permanent regulation. It's a pretty straight-forward proposal.  
5 We'll have the analysis for you and everything at the next  
6 meeting.

7  
8 CHAIRMAN BOSKOFISKY: From the public and agencies.

9  
10 MS. EAKON: AKP/Becharof, did you have any proposals  
11 this year?

12  
13 MR. SQUIBB: Ron Squibb, Alaska Peninsula/Becharof  
14 Refuge. No, Helga, at this time we don't have any proposals to  
15 submit for this year. Thank you.

16  
17 CHAIRMAN BOSKOFISKY: Thank you, Ron. From the Council.  
18 Any proposals from Regional Council? Hearing none.

19  
20 MS. EAKON: Ekwok Village Council.

21  
22 CHAIRMAN BOSKOFISKY: Hum?

23  
24 MS. EAKON: The request from Ekwok.

25  
26 CHAIRMAN BOSKOFISKY: Ekwok request.

27  
28 MS. EAKON: It's under Tab N as in Nancy, and basically  
29 the Ekwok Village Council held a meeting on August 19, 1998,  
30 and they would request this Council consider having nine  
31 members on this Council instead of seven. The reason is  
32 because they would like to see someone from the Nushagak River  
33 on the Bristol Bay Federal Subsistence Regional Advisory  
34 Council. And it is true that they spoke with me, and I had  
35 suggested that they put this in writing for consideration by  
36 the Council.

37  
38 Mr. Chair, Robert Heyano has very, very, very, very  
39 strong opinions on this request, as does Robin Samuelsen, as  
40 does Dan O'Hara. I would suggest that we postpone this to the  
41 winter meeting so that a full council discussion be held.  
42 Because we do have time. What this would entail would be a  
43 change in your charter. Your 1998 charter has been signed by  
44 Secretary Babbitt. It is in effect. The next time that the  
45 charter is up for review will be in the year 2000, because it's  
46 done on the anniversary of the passing -- passage of ANILCA on  
47 December 2, so every even-numbered years is when you -- well,  
48 you will have an opportunity next year to look at your charter  
49 and see if you want to increase it. But because the three  
50 absent members do have very strong feelings on this request,

00107

1 Mr. Chair, I suggest that you put this on your winter agenda,  
2 if that's okay with you four?

3  
4 CHAIRMAN BOSKOFISKY: Okay with me.

5  
6 MR. ABRAHAM: Uh-hum.

7  
8 MS. EAKON: That being the case, this will be on the  
9 winter agenda for full discussion by the Council. And I -- if  
10 you'll just give me a moment, let me call our office real fast  
11 and see if they're having a problem reaching us for Smiley's  
12 testimony. If he's not there, then we'll just go to the final  
13 place, which is time and place of your next meeting.

14  
15 MR. WILD: Fish and Wildlife, this is Terry, may I help  
16 you?

17  
18 MS. EAKON: Hi, Terry, this is the Bristol Bay Regional  
19 Council. Is John Smiley Knutson there to offer his public  
20 testimony by any chance?

21  
22 MR. WILD: Let me check with Ellen, okay? I'm.....

23  
24 MS. EAKON: Because we.....

25  
26 MR. WILD: .....sitting back in the back. Hang on.

27  
28 MS. EAKON: We're ready to receive his testimony.

29  
30 (Pause - off record conversations)

31  
32 MR. WILD: Okay. Helga?

33  
34 MS. EAKON: Yes?

35  
36 MR. WILD: He has not come in, and Taylor tried to get  
37 ahold of him and was unable to get ahold of him.

38  
39 MS. EAKON: Okay. Well, we tried. Thank you very  
40 much.

41  
42 MR. WILD: Okay. Good-bye.

43  
44 MS. EAKON: Okay. You can go now to time and place of  
45 next meeting.

46  
47 CHAIRMAN BOSKOFISKY: Time and place of next public  
48 meeting.

49  
50 MS. EAKON: And, Mr. Chair, looking at the calendar,

00108

1 the Yukon-Kuskokwim Delta Regional Council meets March 2 and 3.  
2 We do not want to conflict with them, because Pat and Dave are  
3 staff to that Regional Council. We also do not wish to  
4 conflict with Southcentral, because I coordinate their  
5 activities. Whom else am I missing? So we want to pick a date  
6 that does conflict with March 23 and 24 and March 2 and 3.

7  
8 CHAIRMAN BOSKOFISKY: March. March 8th?

9  
10 MR. ABRAHAM: March 2 and 3.

11  
12 MS. EAKON: No, please.....

13  
14 CHAIRMAN BOSKOFISKY: We can't pick those ones.

15  
16 MS. EAKON: Because Pat and Dave are staff to that  
17 council.

18  
19 CHAIRMAN BOSKOFISKY: How about March 8th and 9th?

20  
21 MR. ABRAHAM: March 5, 6 and 7 are open.

22  
23 MS. EAKON: Hum?

24  
25 MR. ABRAHAM: Five, 6 and 7 is open in March.

26  
27 MR. ENRIGHT: How about March 8th, 9th and 10th?

28  
29 CHAIRMAN BOSKOFISKY: Eight, nine, 10.

30  
31 MS. EAKON: March 8, 9, 10?

32  
33 MR. ABRAHAM: That sound all right.

34  
35 MS. EAKON: If we travel on Monday, can we make it 9  
36 and 10? In terms of other regional councils, we do not  
37 conflict with Western Interior. March 9 and 10? Travel on  
38 March 8th, and then meet on March 9 and 10. Where?

39  
40 MR. ENRIGHT: Dillingham.

41  
42 MR. ABRAHAM: I was thinking about Manokotak, but the  
43 accommodations over there have got to be checked. Let's play  
44 this way: If Manokotak don't have no accommodations, we can go  
45 for Dillingham?

46  
47 MS. EAKON: Yeah, for your winter meeting when the  
48 Regional Council makes their recommendations, it's better to  
49 have it at a place where you do have lodging, where you do have  
50 teleconferencing capabilities.

00109

1 CHAIRMAN BOSKOFISKY: I would vote Dillingham.

2

3 MS. EAKON: And maybe hold of Manokotak for like fall  
4 meeting?

5

6 MR. ABRAHAM: Yeah, let's -- yeah. Yeah, because --  
7 yeah.

8

9 MR. BALLUTA: Yeah.

10

11 MR. ABRAHAM: Forget Manokotak.

12

13 MS. EAKON: For this coming time?

14

15 MR. ABRAHAM: Yeah.

16

17 MS. EAKON: March 9 and 10 in Dillingham. Travel on  
18 March 8, right?

19

20 CHAIRMAN BOSKOFISKY: Uh-hum.

21

22 MR. ABRAHAM: Before I forget, I have forgotten  
23 something here. Mr. Chairman and Council members, because this  
24 -- our region over here, including Quinhagak,.....

25

26 MS. EAKON: No, Quinhagak.....

27

28 MR. ABRAHAM: No, no, no, I mean to say, because we --  
29 From Togiak, that we work closely with the people from the  
30 north. Why can't we have a representative going from our  
31 region to participate in Y-K meetings and have Y-K meeting --  
32 representative come to our meeting every so often? Because  
33 it's only twice a year anyway.

34

35 MS. EAKON: Do you want to speak to that, Sue? We have  
36 had -- last year we did have a coordination meeting between  
37 Bristol Bay, Western Interior, and Y-K, and those were on the  
38 overlapping proposals. And we do have overlapping proposals  
39 with Y-K that are going to be recommended at the next meeting,  
40 so I think your suggestion is worthy.

41

42 MS. DETWILER: Yeah, I would agree with that. I don't  
43 supervise that division, so I really -- and I don't hold the  
44 purse strings, I can't say, you know, one way or the other, but  
45 to me it would be a reasonable request especially since you do  
46 have overlapping issues with that region to have someone from  
47 your respective regions attend the other region's meetings. So  
48 I would forward that request.

49

50 MS. EAKON: Okay.

00110

1 CHAIRMAN BOSKOFISKY: I've got a little report here,  
2 too. This -- Ted, this is dealing with our committee that we  
3 had up here. By golly, we've got them working. And Butch  
4 (ph), he brought in papers here showing what he delivered to  
5 the villages and I saw him even using a sign-up sheet for  
6 whoever picked the meat up. It helped.

7  
8 MS. EAKON: We're done.

9  
10 CHAIRMAN BOSKOFISKY: Do I hear a motion to adjourn?

11  
12 MR. ENRIGHT: I make a motion that we adjourn.

13  
14 CHAIRMAN BOSKOFISKY: Tim made a motion.....

15  
16 MR. BALLUTA: And I second the motion.

17  
18 CHAIRMAN BOSKOFISKY: Andrew seconded. All in favor?

19  
20 IN UNISON: Aye.

21  
22 MS. SHENIGAN: I just wanted to -- maybe if we could  
23 announce that fisheries meeting this weekend?

24  
25 MS. EAKON: I'm sorry. We do have copies of the agenda  
26 of the Bristol Bay fisheries meeting this weekend. And thank  
27 you for reminding me, Marlene. They're available for you to  
28 take here. Okay. Adjourned at 3:32.

29  
30 CHAIRMAN BOSKOFISKY: 3:31.

31  
32 (Off record - 3:30 p.m.)

33 \*\*\*\*\*  
34 (END OF PROCEEDINGS)  
35 \*\*\*\*\*  
36

C E R T I F I C A T E

UNITED STATES OF AMERICA )

) ss.

STATE OF ALASKA )

I, Meredith L. Downing, Notary Public in and for the State of Alaska and Reporter for R & R Court Reporters, Inc., do hereby certify:

THAT the foregoing pages numbered 41 through 110 contain a full, true and correct Transcript of the Bristol Bay Subsistence Regional Advisory Council, Volume II, meeting taken electronically by me on the 21st day of October, 1998, beginning at the hour of 10:39 o'clock a.m. at the Bristol Bay Assembly Chambers, Naknek, Alaska;

THAT the transcript is a true and correct transcript requested to be transcribed and thereafter transcribed by me to the best of my knowledge and ability;

THAT I am not an employee, attorney, or party interested in any way in this action.

DATED at Anchorage, Alaska, this 29th day of October, 1998.

\_\_\_\_\_  
Notary Public in and for Alaska  
My Commission Expires: 7/3/02

S E A L