

00001

1

2

3

4

5

BRISTOL BAY FEDERAL SUBSISTENCE
REGIONAL COUNCIL MEETING

8

9

Dillingham, Alaska

10

February 22, 2001

11

8:30 o'clock a.m.

12

13

14 COUNCIL MEMBERS PRESENT:

15

16 H. Robin Samuelson, Chair

17 Peter Abraham

18 Andrew Balluta

19 John Christensen

20 Robert Heyano

21 Shirley Kelly

22

23

24 Coordinator: Clifford Edenshaw

00002

P R O C E E D I N G S

1
2
3
4
5
6
7

CHAIRMAN SAMUELSEN: Okay, we'll call the meeting to order at 8:40 in the morning. It's February 22nd. Our chairman, Mr. Dan O'Hara, hopefully is in a snowstorm in Mexico while we sit here. Shirley, roll call.

8
9

MS. KELLY: Robert Heyano.

10
11

MR. HEYANO: Here.

12
13

MS. KELLY: John Christensen.

14
15

MR. CHRISTENSEN: Here.

16
17

MS. KELLY: Andrew Balluta.

18
19

MR. BALLUTA: Here.

20
21

MS. KELLY: Pete Abraham.

22
23

MR. ABRAHAM: Yes.

24
25

MS. KELLY: Robin Samuelson.

26
27

CHAIRMAN SAMUELSEN: Yes.

28
29

MS. KELLY: And I'm here.

30
31

CHAIRMAN SAMUELSEN: Okay, we have a quorum.

32
33

MS. KELLY: We have a quorum.

34
35

CHAIRMAN SAMUELSEN: Let's go to number 3, welcome and introduction of Regional Council, Staff guests. Staff, I'd like to start over here in the corner, I guess. And let's just figure out who's the guest and who's Staff and just go down the rows. Go ahead.

36
37

38
39

MR. JENNINGS: Good morning, Mr. Chair. Tim Jennings with the Office of Subsistence Management in Anchorage. I'm the coastal resources division chief. And I have an introduction to make of the new fisheries biologist that's on staff working on the regulatory proposal side, Larry Buklis will now be assigned to Bristol Bay region so he may have a few words to say about his background. Larry.

40
41
42
43
44
45
46
47
48
49

MR. BUKLIS: Good morning, Mr. Chairman.

00003

1 My name is Larry Buklis. I worked for Alaska Fish and Game
2 for over 20 years, almost all of that in the AY-K region.
3 And in the late 1970s I did work out there in the Wood
4 River Lakes for a couple of summers. Some of you may know
5 me from the Board of Fisheries work and State Fish and Game
6 work but I'm glad to be on with the Fish and Wildlife
7 Service now and I'm assigned to this and some other regions
8 as a regulatory support person.

9
10 CHAIRMAN SAMUELSEN: Welcome aboard.

11
12 MR. BUKLIS: Thank you.

13
14 MR. JENNINGS: Mr. Chair, if I may, Peggy
15 has a couple of other introductions from our office at this
16 time.

17
18 CHAIRMAN SAMUELSEN: Okay. Where's Peggy,
19 oh, way back there.

20
21 MS. FOX: Thank you, Mr. Chair. Hi, right
22 here.

23
24 CHAIRMAN SAMUELSEN: Okay.

25
26 MS. FOX: For those of you that might not
27 know me, I'm Peggy Fox, the Deputy Assistant Regional
28 Director for Subsistence in the Office of Subsistence
29 Management. But I primarily wanted to bring attention to
30 two people who are here today for the first time in new
31 roles and one is Carl Jack, standing in the back here.
32 Carl was hired by BIA but works in our office as the Native
33 Liaison to the program. And he serves as a key advisor to
34 the Chair, Mitch Demientieff. And he is also a Staff
35 Committee member, a new addition to the Staff Committee and
36 so he has a very important role and he's trying to attend
37 as many meetings as he can and get to know the Councils.
38 One of his primary roles is to work closely with Councils
39 on a number of issues of importance to you. So I encourage
40 you to spend some time getting to know him and he'll be
41 back, I'm sure, more than once.

42
43 The other introduction I wanted to make was
44 Dan LaPlant. He's our Board of Game liaison for our office
45 and he will keep you apprised of proposals before the Board
46 of Game. He is here to get your comments on some specific
47 ones that are coming up March 2nd to be considered by the
48 Board of Game that affect your region. So if you do have
49 comments, I do encourage you to visit with him as well or

50 put them on the record, however you want to do it, and you

00004

1 have until March 2nd when that meeting starts to continue
2 to provide him comments. But Dan used to be the
3 Southcentral wildlife biologist but we have asked him to
4 take on this statewide role and we're very happy to have
5 him.

6
7 Thank you very much.

8
9 CHAIRMAN SAMUELSEN: Thank you, Peggy.

10
11 MR. LaPLANT: Good morning, Mr. Chairman,
12 members of the Council. Looking forward to being your link
13 to the Board of Game and will be on your program a little
14 bit later to talk to you about some of the Board of Game
15 proposals.

16
17 CHAIRMAN SAMUELSEN: Okay. Welcome. (In
18 Native) Carl.

19
20 MR. JACK: Uh-uh.

21
22 CHAIRMAN SAMUELSEN: It seems like old
23 homecoming week for ex-Fish and Game employees, I've worked
24 with both of them gentlemen for a number of years. Okay.

25
26 MS. McCLENAHAN: Mr. Chairman. I'm Pat
27 McClenahan. I'm your Staff anthropologist for this region.
28 I'm also the acting social scientist for the Fisheries
29 Information Services.

30
31 MS. EAKON: Helga Eakon. Interagency
32 policy coordinator. And I must share this with you, Robert
33 said, what are you doing here, are we in trouble? I said,
34 no.

35
36 MR. KNUDSEN: Smiley Knudsen with the U.S.
37 Fish and Wildlife Service in King Salmon, Refuge
38 Information.

39
40 MR. FISHER: Dave Fisher, U.S. Fish and
41 Wildlife Service, Office of Subsistence Management,
42 Anchorage.

43
44 MR. RABINOWITCH: Sandy Rabinowitch. Staff
45 Committee member for Judy Gottlieb of the Park Service
46 who's on the Federal Board.

47
48 MS. LIGGETT: Deb Liggett. National Park
49 Service, Superintendent Katmai, Lake Clark, Aniakchak and

50 Alagnak. I also, Council, have a couple of introductions

00005

1 that I'd like to make this morning.

2

3 CHAIRMAN SAMUELSEN: Okay.

4

5 MS. LIGGETT: With us today is Adrian
6 Warren, who's a student at the University of Alaska in
7 Anchorage pursuing her Master's in public administration
8 and working for me now as a management assistant to
9 familiarize herself with Federal land issues.

10

11 And also with us is Rebecca Preato (ph),
12 who's a student at the University of Alaska in Anchorage
13 who's currently pursuing three hours of credit of approved
14 curriculum in subsistence and as part of that she will
15 attend a subsistence resource council meeting, a regional
16 advisory council meeting and the Federal Board in addition
17 to visiting with many people involved in subsistence.

18

19 Thank you.

20

21 CHAIRMAN SAMUELSEN: Okay, thank you.

22

23 MS. McBURNEY: Good morning, Mr. Chair.
24 I'm Mary McBurney with the National Park Service and the
25 subsistence program manager for Lake Clark, Katmai,
26 Aniakchak and the Alagnak Wild River.

27

28 MS. WILLIAMS: Kimberly Williams,
29 University of Alaska-Fairbanks, Advisory Program,
30 Dillingham.

31

32 MR. NICHOLSON: Hans Nicholson. I work for
33 BBNA, Bristol Bay Native Association as the subsistence
34 coordinator under the Natural Resource Program.

35

36 MR. ANDERSON: Ralph Anderson, BBNA,
37 Natural Resources. I don't have any introductions like
38 everybody else.

39

40 MR. O'HARA: Tom O'Hara with the National
41 Park Service. Law Enforcement Pilot and subsistence
42 coordinator for Aniakchak.

43

44 MR. FINK: Good morning, Mr. Chair,
45 Council. Lee Fink, Lake Clark National Park, chief of
46 operations.

47

48 MR. SQUIBB: Good morning. Ron Squibb,
49 U.S. Fish and Wildlife Service, King Salmon, Alaska

50 Peninsula Refuge.

00006

1 MR. LIND: Guy in the red coat.

2

3 MR. KRIEG: Ted Krieg. Subsistence
4 Division, Fish and Game.

5

6 MR. LIND: And I'm Orville Lind. I didn't
7 wear my name tag just to see how many people remember me
8 from last year. I'm with the Alaska Peninsula Becharof
9 Refuge down in King Salmon, refuge ranger.

10

11 MR. ARCHIBEQUE: Aaron Archibeque. I'm the
12 refuge manager for the Togiak National Wildlife Refuge here
13 in Dillingham.

14

15 CHAIRMAN SAMUELSEN: Okay. I don't think
16 we missed anybody. The recorder would like us, when we do
17 speak, speak into the mic nice and clear and loud so she
18 can record it. I want to apologize, both myself and Robert
19 did not attend the big Federal meeting in Anchorage because
20 of a death in the family, one of our relations so we didn't
21 attend that meeting. And I want to offer a special welcome
22 to Ms. Fox for coming out to Dillingham and partaking in
23 our meeting here in Dillingham, Bristol Bay.

24

25 Okay. With that, Council members, let's
26 review and adopt the agenda. Any additions or deletions?

27

28 MR. EDENSHAW: Mr. Chair.

29

30 CHAIRMAN SAMUELSEN: Yes.

31

32 MR. EDENSHAW: On Page 3, under Bureau of
33 Land Management, Jeff Denton, Jeff sent me an email, he'll
34 be unable to attend so BLM is scratched off that portion of
35 the agenda.

36

37 CHAIRMAN SAMUELSEN: Okay.

38

39 MR. EDENSHAW: And also under D, Jim
40 Larson, I saw him yesterday and he won't be flying in for
41 the meeting today as well, so King Salmon Fisheries --
42 unless he happens to show up today, but I asked him if he
43 was going to attend and he said, no, so D is also.

44

45 CHAIRMAN SAMUELSEN: Well, there's an old
46 fisherman's saying, you know, red skies in the morning,
47 sailor's take warning. If these red skies keep it up then
48 we'll have a one day meeting here. Any other additions or
49 deletions, Council members?

00007

1 (Pause)

2

3 MS. KELLY: Mr. Chair, I'll make a motion
4 to adopt the agenda as amended.

5

6 CHAIRMAN SAMUELSEN: Okay.

7

8 MR. HEYANO: Second.

9

10 CHAIRMAN SAMUELSEN: Seconded by Robert.
11 Further discussion needed. Hearing none, all those in
12 favor signify by saying aye.

13

14 IN UNISON: Aye.

15

16 CHAIRMAN SAMUELSEN: Opposed, same sign.

17

18 (No opposing votes)

19

20 CHAIRMAN SAMUELSEN: So carried. Number 5,
21 minutes of October 13th, 14th, 2000 Naknek meeting under
22 Tab B.

23

24 (Pause)

25

26 CHAIRMAN SAMUELSEN: Pretty extensive and
27 comprehensive minutes. A lot of work went into them,
28 they're excellent minutes.

29

30 (Pause)

31

32 MR. ABRAHAM: Mr. Chairman.

33

34 CHAIRMAN SAMUELSEN: Yes.

35

36 MR. ABRAHAM: Customary trade, we discussed
37 that in a joint meeting in Anchorage and I suppose when the
38 chairs got together they discussed it somewhere.

39

40 CHAIRMAN SAMUELSEN: Okay. While the
41 Council's reviewing the minutes, there's blue cards if
42 people want to sign up over there for agenda items -- green
43 cards, I guess and just give them to Cliff at the end of
44 the table here. In fact, I have one already Cliff, when we
45 get to that portion.

46

47 MR. HEYANO: I have a couple of comments,
48 Mr. Chairman.

49

CHAIRMAN SAMUELSEN: Go ahead, Robert.

00008

1 MR. HEYANO: On Page 5, I don't see a
2 second to your motion on the bottom.

3
4 CHAIRMAN SAMUELSEN: Oh, yeah.

5
6 MR. HEYANO: I'm sure there was one.

7
8 CHAIRMAN SAMUELSEN: You go that Cliff?

9
10 MR. EDENSHAW: Yes.

11
12 CHAIRMAN SAMUELSEN: I was healthy until I
13 started attending too many meetings. Too many colds going
14 around this state, I got a bad cold. You have another one
15 there, Robert?

16
17 MR. HEYANO: I do. I guess I -- I've got
18 this old set, Mr. Chairman, and I'm trying to coincide them
19 with the one that's in our packet.

20
21 CHAIRMAN SAMUELSEN: Okay, take your time.

22
23 (Pause)

24
25 MR. HEYANO: I guess this on Page 14, Mr.
26 Chairman, where I made a comment about data on moose.

27
28 CHAIRMAN SAMUELSEN: Third paragraph down?

29
30 MR. HEYANO: Yeah.

31
32 CHAIRMAN SAMUELSEN: Okay.

33
34 MR. HEYANO: On the report for the
35 Nushagak, estimated about six cows per hundred cows.

36
37 CHAIRMAN SAMUELSEN: Uh-huh.

38
39 MR. HEYANO: I don't think that's accurate.
40 Either we got the wrong area or the wrong calf to cow
41 ratios. Because the calf to cow ratios on the moose in the
42 Nushagak is higher than six.

43
44 CHAIRMAN SAMUELSEN: Yeah, I think that's
45 in reference to the Alaska Peninsula if I'm reading the
46 rest of the paragraph. So instead of Nushagak River maybe
47 we need to substitute there, Alaska Peninsula.

48
49 MS. KELLY: I don't know if that's correct,

50 though, if it's the Alaska Peninsula.

00009

1 CHAIRMAN SAMUELSEN: Well, it's Southern
2 Alaska Peninsula Caribou Herd.

3
4 MS. KELLY: It must be the southern herd?

5
6 CHAIRMAN SAMUELSEN: Uh-huh.

7
8 MS. KELLY: Okay.

9
10 MR. HEYANO: And the next one I have, Mr.
11 Chairman, is on Page 15, the last paragraph, where it says
12 the Alagnak and Naknek River escapement goals weren't met,
13 they were below average, the Alagnak was closed to
14 commercial sockeye fishing. It must be the Kvichak.

15
16 CHAIRMAN SAMUELSEN: Got that, Cliff?

17
18 MR. EDENSHAW: Yes.

19
20 MR. HEYANO: And that's the only ones I
21 saw, Mr. Chair.

22
23 CHAIRMAN SAMUELSEN: Okay. Any others? If
24 not, we're looking for a motion.

25
26 MR. HEYANO: Move to adopt.

27
28 MS. KELLY: Second.

29
30 CHAIRMAN SAMUELSEN: Moved and seconded.
31 Further discussion needed. Hearing none, all those in
32 favor signify by saying aye.

33
34 IN UNISON: Aye.

35
36 CHAIRMAN SAMUELSEN: Opposed, same sign.

37
38 (No opposing votes)

39
40 CHAIRMAN SAMUELSEN: So carried. Number 6,
41 805 letter, December 5, 6, 2000 Board Meeting, Tab C,
42 Cliff.

43
44 MR. EDENSHAW: Yes, Mr. Chairman and
45 Council, this is an 805 letter regarding the Federal
46 Subsistence Board meeting which was held December 5th and
47 6th. And during that winter meeting they addressed
48 fisheries proposals and the Chair attended the meeting in
49 Anchorage. And as the Council recalls from the meeting,

50 the fall meeting, we addressed mainly just two proposals

00010

1 and one was the coho head removal over in Togiak and that
2 was Proposal FP01-12. And the other action the Council
3 took was on the RFR for moose in 17(A). And it's basically
4 a two page letter from the Board explaining what action it
5 took on both of those proposals.

6
7 CHAIRMAN SAMUELSEN: Okay. It's a non-
8 action item?

9
10 MR. EDENSHAW: Yes, Mr. Chair.

11
12 CHAIRMAN SAMUELSEN: Informational.

13
14 MR. EDENSHAW: Just for information.

15
16 CHAIRMAN SAMUELSEN: Thank you. Any
17 questions on the letter?

18
19 MR. HEYANO: No questions but I think we
20 need to speak up a little bit louder, Mr. Chairman, some
21 people in the audience are having difficulty hearing us.

22
23 CHAIRMAN SAMUELSEN: Yeah, okay. Number 7,
24 open floor to public comments to the Federal Subsistence
25 Program.

26
27 MR. EDENSHAW: Mr. Chair.

28
29 CHAIRMAN SAMUELSEN: Yes.

30
31 MR. EDENSHAW: I think at this time with
32 Pete's request for some discussion on the beaver, no limit,
33 longer season, this may be a good time to do that because
34 we're not going to accept proposals during this cycle for
35 wildlife but if he would like to do that.

36
37 MR. ABRAHAM: Yeah, Mr. Chairman, Peter
38 Abraham, Togiak. Yeah, I just wanted this for discussion
39 because people are complaining about beaver everywhere, not
40 just Bristol Bay, YK, everywhere. At this time in Bristol
41 Bay we have a limit of 40 per season. Why not do away with
42 the limit, I mean, 40, just no limit on the beaver and
43 make the season earlier and longer. Maybe this way
44 encouraging the hunters. And it's not only that because I
45 travel a lot around the Togiak area over there, they are
46 damming a lot of the fingerlings and small salmons and
47 whatever. What's happened is when you have a flood in the
48 springtime, the water rises and these, you know, get
49 trapped in beaver ponds way, way back where nobody can't

50 get to and -- or the few times I break the damn, the damns

00011

1 to see if the fish can escape from those trapped areas. So
2 that's what I just wanted for discussion maybe sometime
3 later somebody can make a proposal on that no limit and
4 longer season.

5
6 Thank you.

7
8 CHAIRMAN SAMUELSEN: Okay, thank you,
9 Peter. Any questions of Peter.

10
11 Okay, is there any others, Cliff?

12
13 MR. EDENSHAW: No, Mr. Chair, unless
14 there's someone from.....

15
16 CHAIRMAN SAMUELSEN: Anybody from the
17 audience? Pretty quiet bunch. Okay, we'll move on to
18 number 8, wildlife proposal review, Regional Council
19 recommendations, Tab D. Cliff.

20
21 MR. EDENSHAW: Mr. Chair, starting right
22 here under our wildlife proposal review and Regional
23 Council recommendations, we'll begin here with statewide
24 Proposals 01 and 02 and Pat McClenahan is going to go ahead
25 and provide the Regional Council with the analysis. And
26 upon her completion of that, we'll just go through the
27 protocol here, if there's any questions the Council has or
28 other agency people or members of the public here, then at
29 that time we'll go through the process of the analysis.
30 The only person I see here from ADF&G is Ted Krieg so if
31 he's going to provide comments, ADF&G comments and then
32 we'll go ahead with written comments that were included in
33 the proposal analysis, and anyone after that, public
34 comments and then Regional Council deliberation and
35 recommendation, Mr. Chair.

36
37 CHAIRMAN SAMUELSEN: Okay.

38
39 MR. EDENSHAW: So Pat's going to go ahead
40 and kick off with statewide Proposals 01 and 02.

41
42 CHAIRMAN SAMUELSEN: Okay, go ahead, Pat.

43
44 MS. McCLENAHAN: Thank you, Mr. Chairman.
45 Pat McClenahan, Staff anthropologist. Proposals WP 01-01
46 and 01-02 can be found at Tab D, Page 100. The proposals
47 were submitted by the Eastern and Western Interior Regional
48 Councils. And they request that the definitions that are
49 found in the state of Alaska hunting regulations be adopted

50 into Federal subsistence regulations.

00012

1 The proposed changes would apply to all
2 lands and waters in Alaska under Federal jurisdiction for
3 purposes of subsistence management and wildlife.

4
5 Airborne appears twice in the Final Rule,
6 at 36 CFR, part 242 and 50 CFR Subpart D, 100, .25(b)(1)
7 and it's associated with restrictions on the use of
8 aircraft for hunting and trapping. Staff recommends
9 adopting the definition; transported by aircraft.

10
11 Bait is used frequently in the Federal
12 regulations, and carries the same sense as that in the
13 State of Alaska Definitions: bait means any material,
14 excluding scent lures, that is placed to attract an animal
15 by its sense of smell or taste; however, those parts of
16 legally taken animals that are not required to be salvaged
17 and which are left at the kill site are not considered
18 bait.

19
20 Drainage is also used very frequently in
21 Federal regulations, in the same sense that it is used in
22 the State of Alaska Definitions: drainage is the area of
23 land drained by a creek, stream, or river unless further
24 defined in regulation.

25
26 Salvage is found four times in the Final
27 Rule, and is associated with provisions designed to prevent
28 the wanton waste of wildlife. Staff recommends adoption of
29 the following definition: Salvage to transport the edible
30 meat, skull, or hide, as required by regulation, of a
31 regulated animal to the location where the edible meat will
32 be consumed by humans or processed for human consumption in
33 a manner which saves or prevents the edible meat from
34 waste, and preserves the skull or hide for human use.

35
36 Adopting the proposed changes would not
37 negatively impact qualified subsistence users, would reduce
38 confusion between State and Federal subsistence
39 regulations, and would enhance enforcement of Federal
40 subsistence regulations. These potentially would benefit
41 both resources and subsistence users.

42
43 Preliminary conclusion is to support the
44 proposal. The exact wording of the proposed regulation can
45 be found in our Council book on Page 104.

46
47 That's all I have, Mr. Chairman.

48
49 CHAIRMAN SAMUELSEN: Thank you. Council,

50 any comments, questions of Pat. Robert.

00013

1 MR. HEYANO: Under bait, why is the
2 proposed language that it has to be left at the kill site?

3
4 MS. McCLENAHAN: Perhaps I can get some
5 assistance with that since this is a statewide proposal,
6 Tim, do you have any insight into that?

7
8 MR. JENNINGS: (Nods negatively)

9
10 MS. McCLENAHAN: I'm sorry.

11
12 MR. JENNINGS: What was the question,
13 Robert?

14
15 MR. HEYANO: The question was, why is it
16 only limited to the kill site?

17
18 MR. JENNINGS: I think it excludes the kill
19 site, doesn't it?

20
21 MR. HEYANO: No.

22
23 MR. JENNINGS: However, those parts of
24 legally taken animals that are not required to be salvaged
25 and which are left at the kill site are not considered
26 bait.

27
28 MR. HEYANO: So if it's left at the kill
29 site it won't be considered bait?

30
31 CHAIRMAN SAMUELSEN: Will be.

32
33 MR. HEYANO: Will be.

34
35 MR. JENNINGS: Won't.

36
37 MR. HEYANO: It won't be.

38
39 MS. McCLENAHAN: It won't be considered
40 bait.

41
42 CHAIRMAN SAMUELSEN: It will not -- yeah.

43
44 MR. JENNINGS: It won't be if it's those
45 parts of legally taken animals that are not required to be
46 salvaged. If those are left at the kill site then they are
47 not considered bait under this definition. And this is the
48 definition that came from the State of Alaska regulations
49 and the request of the proposers from the Eastern and

50 Western Interior Councils is that we have no definition of

00014

1 bait in the Federal regulations or these other definitions
2 that are being considered, and they're requesting that we
3 adopt the definitions, in this case, of bait, from the
4 State regulations.

5
6 MR. HEYANO: Okay. You have to help me
7 understand this a little better. So if there's a
8 regulation that prohibit the baiting of black bear and if
9 somebody was hunting black bear at a moose site, at a moose
10 kill, then this won't be considered baiting so it would be
11 a legal operation?

12
13 MR. JENNINGS: It would be Legal.

14
15 MR. HEYANO: Legal.

16
17 MR. JENNINGS: As long as they salvaged
18 those parts of the animals that they were required to
19 legally salvage, correct. Does that help.

20
21 MR. HEYANO: It does help, I was confused.

22
23 MS. McCLENAHAN: Thank you.

24
25 CHAIRMAN SAMUELSEN: Any other comments,
26 Council. Pat, do you have anything else to add?

27
28 MS. McCLENAHAN: No, sir.

29
30 MR. HEYANO: I guess I have no -- I need a
31 clarification on the definition of airborne, what does it
32 mean by defining it as transported by aircraft.

33
34 MS. McCLENAHAN: It's pretty simple. It,
35 you know, they're trying to make it as straightforward as
36 possible. It's carried by an airplane, essentially,
37 anything that's carried by an airplane.

38
39 MR. HEYANO: Is airborne.

40
41 MS. McCLENAHAN: Is airborne. Tim, might
42 have something to add.

43
44 MR. JENNINGS: Mr. Chair, Tim Jennings
45 again. Robert, if you would look on Page 101, in Federal
46 regulation there is a definition of aircraft near the
47 bottom of 101.

48
49 MR. HEYANO: Uh-huh.

00015

1 MR. JENNINGS: And so that's why the
2 proposed language is tied to, for airborne, transporting by
3 aircraft because it defines what aircraft is in Federal
4 regulations already.

5
6 MR. HEYANO: Okay. Thank you.

7
8 CHAIRMAN SAMUELSEN: Aniakchak Subsistence
9 Resource Commission supports the proposal as per our
10 handout.

11
12 MR. EDENSHAW: Yes, Mr. Chair. This was
13 provided by Tom O'Hara and this is the Aniakchak
14 Subsistence Resource Commission for statewide Proposals 01
15 and 02, the Aniakchak SRC supports the draft Staff analysis
16 prepared for Proposals 01 and 02 for the reasons stated in
17 the proposal justification. The SRC feels that developing
18 clear definitions for these terms will reduce confusion
19 between State and Federal subsistence regulations.

20
21 CHAIRMAN SAMUELSEN: Well, I guess this
22 proposal could be viewed basically as a housekeeping
23 proposal to keep everything consistent with State
24 regulations, am I assuming right?

25
26 MS. McCLENAHAN: (Nods affirmatively)

27
28 MR. JENNINGS: (Nods affirmatively)

29
30 CHAIRMAN SAMUELSEN: Heads are nodding yes.

31
32 MS. McCLENAHAN: Yes. Yes, sir.

33
34 CHAIRMAN SAMUELSEN: Okay.

35
36 MR. EDENSHAW: Mr. Chair.

37
38 CHAIRMAN SAMUELSEN: Yes.

39
40 MR. EDENSHAW: I believe, Dan -- is that
41 Dan Dunaway?

42
43 MR. DUNAWAY: Yes.

44
45 MR. EDENSHAW: Yes, under our protocol
46 here, if he has any comments regarding ADF&G's position on
47 this proposal, it would be at this time for him -- or ADF&G
48 to provide any additional comments regarding this proposal.
49

CHAIRMAN SAMUELSEN: Well, he's sportfish

00016

1 division.

2

3

MR. DUNAWAY: Yeah.

4

5

MR. EDENSHAW: Then Ted Krieg, Ted's not

6 here?

7

8

MR. DUNAWAY: He's here.

9

10

MR. CHRISTENSEN: Yeah, he's here.

11

12

MR. EDENSHAW: Ted.

13

14

MS. EAKON: He's right here.

15

16

MR. EDENSHAW: Oh.

17

18

(Laughter)

19

20

CHAIRMAN SAMUELSEN: Ted.

21

22

MR. KRIEG: Yeah, I'm sorry, Mr. Chairman,

23 I have no comments from the Department at this time.

24

25

CHAIRMAN SAMUELSEN: Okay. Council, what's

26 your pleasure?

27

28

MR. EDENSHAW: Mr. Chair.

29

30

CHAIRMAN SAMUELSEN: Yes.

31

32

MR. EDENSHAW: Also if there's anyone here

33 from the public who would like to provide comments

34 regarding the statewide proposals before the Council

35 recommendation.

36

37

CHAIRMAN SAMUELSEN: I don't see anybody

38 rushing to the table.

39

40

MR. EDENSHAW: Nope.

41

42

(Laughter)

43

44

MR. HEYANO: Hearing that, Mr. Chairman, I

45 would move that we support Proposals 01 and 02.

46

47

MR. BALLUTA: Second.

48

49

CHAIRMAN SAMUELSEN: It's been moved and

50 seconded. Any further discussion needed on the motion?

00017

1 MR. HEYANO: Well, Mr. Chairman, I think
2 you were correct, housekeeping, it aligns Federal and
3 subsistence definitions which would be a benefit to all
4 public.

5
6 CHAIRMAN SAMUELSEN: Okay. Further
7 comments, Committee members. All those in favor of
8 Proposal 01 and 02 signify by saying aye.

9
10 IN UNISON: Aye.

11
12 CHAIRMAN SAMUELSEN: Opposed, same sign.

13
14 (No opposing votes)

15
16 CHAIRMAN SAMUELSEN: So carried. The easy
17 ones that when I detect there's no dissention I'll just ask
18 if anybody's -- or everybody's in support or opposed, but
19 when I detect that there is dissention amongst the Council
20 members in their deliberation then we'll have the vote with
21 a show of hands, which I think will pop up pretty soon.

22
23 Okay, that's 01 and 02. Cliff.

24
25 MR. EDENSHAW: Yes, Mr. Chairman. Proposal
26 16A, Dave Fisher and Pat McClenahan.

27
28 MS. MCCLENAHAN: Mr. Chairman, Proposal 16A
29 and 16B have been withdrawn. They were proposed by Mr.
30 Henry Kroll. And in talking to him, it turned out that he
31 already has a positive customary and traditional use
32 finding for moose and caribou and he doesn't -- I'm sorry,
33 for moose and black bear and he doesn't want a C&T for
34 brown bear. So he will be resubmitting next round for a
35 change in the moose season.

36
37 CHAIRMAN SAMUELSEN: Okay, thank you, Pat.
38 That's 16A and 16B that have been withdrawn so we'll move
39 on to the next agenda item.

40
41 MR. EDENSHAW: Yeah, Mr. Chair, that's
42 Proposal 17 Sub Part D for a change in the length of the
43 current brown bear season and Dave Fisher will provide the
44 Council with the biological analysis on that. Dave.

45
46 MR. FISHER: Thanks, Cliff. Good morning,
47 Mr. Chairman. Dave Fisher, Fish and Wildlife Service.
48 Proposal No. 17 submitted by the Bristol Bay Native
49 Association. And what this proposal would do is expand the

50 brown bear harvest seasons in Unit 9(E) and it would

00018

1 increase the season six days in the fall and 25 days in the
2 spring or it would change the season in the fall from
3 October 1st to December 31st to September 25th through
4 December 31st and in the spring from May 10th to the 25th
5 to April 15th through May 25th.

6
7 Federal public lands located in Unit 9(E)
8 consist of the Becharof National Wildlife Refuge, parts of
9 the Alaska Peninsula National Wildlife Refuge and those are
10 the Ugashik and Chignik units and also the Aniakchak
11 National Monument and Preserve.

12
13 Currently residents of Chignik, Chignik
14 Lake, Chignik Lagoon, Egegik, Ivanof Bay, Perryville, Pilot
15 Point, Ugashik and Port Heiden, Meshik, they have C&T for
16 brown bear in 9(E).

17
18 The population of brown bear in Unit 9(E)
19 is considered rather high, high densities. Current
20 estimate is over 3,000 bears in that subunit, however, that
21 is the largest subunit in Unit 9. And Unit 9(E) contains
22 over half the bears in the entire unit.

23
24 A little bit on harvest. Unit 9 supports
25 about 25 percent of the entire State sport harvest of brown
26 bears. Studies conducted by Krieg 1994 through 1997
27 indicate that major harvest efforts occurred August through
28 December. October, November and December were especially
29 good months because the fat on the brown bears is the best
30 at this time of year. Continuing, the same harvest studies
31 indicated that in the '94/95 season, this is for subunit
32 9(E) there were 13 bears taken by residents in that
33 subunit. '95/96 - 18 bears. '96/97 there were eight bears
34 taken.

35
36 Also in discussions with Orville Lind,
37 refuge ranger there at the Becharof Refuge Alaska Peninsula
38 Complex, he indicated that residents of Chignik Lake and
39 Perryville would favor a spring extension. It would
40 actually give those people a little bit more time to
41 harvest bears. Apparently during the last few years
42 they've been hindered by weather. They haven't had the
43 weather and travel conditions they usually have. And in
44 talking with the anthropologist from our office, Pat
45 McClenahan, she indicated that not a lot of bears had been
46 taken over this time period but they have been taken pretty
47 consistently year in and year out and they are an important
48 subsistence resource.

49

In taking a look at the proposal, the Staff

00019

1 felt that lengthening the season would probably not impact
2 the brown bear population in 9(E) as it is fairly high and
3 it would provide an additional subsistence opportunity.
4 The Staff supports the proposal. Rural residents in 9(E)
5 have a long history of brown bear use and we didn't see any
6 problems with lengthening the season as proposed.

7

8 That's all I have, Mr. Chairman.

9

10 CHAIRMAN SAMUELSEN: Okay, thank you.
11 Council comments.

12

13 MR. CHRISTENSEN: Keep it open all the
14 time.

15

16 CHAIRMAN SAMUELSEN: We only have two
17 studies, one in 1970 and then a follow up study in 1989 on
18 the bear population in this area, right?

19

20 MR. FISHER: There were some studies done
21 earlier on the McNeil River and there was also quite a few
22 studies done near and around the Black Lake area by Fish
23 and Game. And information for 9(E) is -- their information
24 is based primarily on those studies.

25

26 MR. ABRAHAM: Mr. Chairman.

27

28 CHAIRMAN SAMUELSEN: Yes.

29

30 MR. ABRAHAM: Dave, you said something of
31 how many bears were counted?

32

33 MR. FISHER: Well, the estimate is
34 around.....

35

36 MR. ABRAHAM: A survey of 2,000, you said?

37

38 MR. FISHER: No, the estimate is around
39 3,000.

40

41 MR. ABRAHAM: 3,000?

42

43 MR. FISHER: For Unit 9(E).

44

45 MR. ABRAHAM: And they have been
46 increasing, increasing in numbers?

47

48 MR. FISHER: Bear population has been
49 increasing, yes.

00020

1 MR. ABRAHAM: Thank you.

2

3 MR. FISHER: Maybe somebody from the
4 Refuge, Ron Squibb or somebody, may want to or could add to
5 that.

6

7 CHAIRMAN SAMUELSEN: Okay. Ron.

8

9 MR. SQUIBB: Ron Squibb, US Fish and
10 Wildlife Service, Alaska Peninsula and Becharof Refuge.
11 I'd just like to add that although there haven't been
12 formal density estimates made for that population since
13 1989. Dick Sellers will be here later, hopefully on the
14 Pen Air flight this morning, but, Dick, every year will fly
15 stream surveys in the Black Lake area and they're rather
16 intensive to get four or five reps when possible, to my
17 best recollection and, again, this is speaking from my
18 memory which is certainly not always perfect but my
19 understanding is that from his trend surveys in the Black
20 Lake area, he sees the population to be stable or slightly
21 increasing since the 1989 density estimate.

22

23 CHAIRMAN SAMUELSEN: How'd it do from 1970
24 to 1989?

25

26 MR. SQUIBB: I don't know those data well
27 enough to make a comment, sir.

28

29 CHAIRMAN SAMUELSEN: Okay.

30

31 MR. SQUIBB: And like I said, I am not
32 certain Dick will be here. He had to go to a Fish and Game
33 Advisory Committee or was attempting to go to a Fish and
34 Game Advisory Committee meeting yesterday in Nondalton and
35 was waiting for the plane out when we left so I don't know
36 if he's going to be back in time. I know his plan was to
37 try and come in here on the morning flight with PenAir, so
38 hopefully he'll be here before noon.

39

40 CHAIRMAN SAMUELSEN: Okay. Well, my
41 discussions with residents in the Chignik areas and
42 residents of Port Heiden and them areas, the picture on the
43 bear population from the mid-70s to what's happening down
44 there now is that there has been a dramatic increase in
45 bear population where they're not only -- they're coming in
46 next to the villages and raising havoc with subsistence
47 caches and at times even trying to come into people's
48 houses. But I look forward to Dick coming because I'd like
49 to see what the bear population did from 1970 to '89 and

50 from '89 to the present.

00021

1 Okay, Council members, questions of Dave.

2
3 MR. FISHER: Pardon?

4
5 CHAIRMAN SAMUELSEN: I said questions of
6 you, I don't want to let you off that easy.

7
8 MR. FISHER: Okay.

9
10 CHAIRMAN SAMUELSEN: Try to get Mr. Heyano
11 a cup of coffee and get him going here.

12
13 (Laughter)

14
15 MR. FISHER: Well, I tried to pump him up
16 before the meeting.

17
18 CHAIRMAN SAMUELSEN: See how relaxed he is
19 when I become the Chairman and I can't make motions, he
20 kind of just sits back.

21
22 (Laughter)

23
24 CHAIRMAN SAMUELSEN: You know, that's what
25 happens.

26
27 MR. HEYANO: Well, I guess a question for
28 you, Mr. Chairman.

29
30 (Laughter)

31
32 MR. HEYANO: Is it your recommendation that
33 we hold off taking an action on this proposal until Sellers
34 arrives or what?

35
36 CHAIRMAN SAMUELSEN: I think it'd be good.
37 You know, Dick's got a long history down in that area and
38 has put many miles in and I think he'd give us a very good
39 snapshot of exactly what's happening. I think his input
40 would be valuable to the Council and to the credit of what
41 the Council wants to do, either way, on what the Council
42 wants to do and justification and if the Council wants to
43 take action on this proposal or not take action. Sellers
44 is kind of a walking Almanac of the Peninsula he's been
45 there so long.

46
47 MR. ABRAHAM: So, Mr. Chairman, you
48 mentioned about brown bears invading the fish racks or
49 something like that down in that area?

00022

1 MR. CHRISTENSEN: Smoke houses, meat
2 houses, windbreaks.

3
4 MR. ABRAHAM: You know if there's a sports
5 season out there, you know, during the season, during the
6 time, the brown bears get used to the people so, therefore,
7 you know, they're -- it's happening in Togiak River, too,
8 over there, because there's a lot of sportsmen over there
9 and the bears are getting used to the people and if you
10 leave a fish in the boat a brown bear will come and get
11 your fish out of your boat. And, so therefore they're
12 starting to come into the village over there, too, because
13 before that, you know, a brown bear sees a person, you
14 know, they know they -- you know, but not anymore. So I
15 think the same thing is happening down in that area, what
16 is it down at 9(E), area, 9(D).

17
18 So if they extended the season down there,
19 is that one brown bear every four years?

20
21 MR. CHRISTENSEN: No, this is subsistence
22 here.

23
24 MR. ABRAHAM: Uh-huh.

25
26 MR. CHRISTENSEN: No matter how much you
27 extend the season on the subsistence, there's only going to
28 be a certain amount killed.

29
30 MR. ABRAHAM: Yeah.

31
32 MR. CHRISTENSEN: Only a certain amount of
33 people use it. You could extend it forever, there's only
34 going to be 18 of them killed.

35
36 MR. ABRAHAM: And the brown bears are
37 increasing in that area?

38
39 MR. CHRISTENSEN: Oh, yes. I got no smoke
40 salmon.

41
42 MR. ABRAHAM: Robin, thank you.

43
44 CHAIRMAN SAMUELSEN: Cliff.

45
46 MR. EDENSHAW: Mr. Chair, if the Council's
47 going to go ahead and defer this until Dick Sellers
48 arrives, I thought perhaps we could go through the other
49 portions just for -- just to have it read into the record

50 and when Dick comes he could provide ADF&G's comments and

00023

1 at that time the Council can take action on it, on the
2 proposal then.

3

4 MR. HEYANO: One question for Dave, Mr.
5 Chairman.

6

7 CHAIRMAN SAMUELSEN: Go ahead, Robert.

8

9 MR. HEYANO: On Page 38, the harvest
10 history, like in '90, '92, '94, those years, those are
11 probably what reflects a subsistence harvest, Dave?

12

13 MR. FISHER: You're looking at Table 1?

14

15 MR. HEYANO: Yes.

16

17 MR. FISHER: Those are sealing records so
18 those would be primarily sport take.

19

20 MR. HEYANO: What's the reason for the high
21 number and the low number?

22

23 MR. FISHER: Well, off years, I think
24 the.....

25

26 CHAIRMAN SAMUELSEN: Trophy bear management
27 plan.

28

29 MS. KELLY: Fall and spring.

30

31 CHAIRMAN SAMUELSEN: Ron.

32

33 MR. SQUIBB: Yes, Mr. Chairman, Ron Squibb,
34 U.S. Fish and Wildlife Service, King Salmon. The
35 management for the sport hunt in 9(E) is every other
36 regulatory year, in other words, they'll hunt the fall
37 before the bears go into den and in the spring they come
38 out, around one winter, and the next winter they have no
39 hunts and then they repeat every other year, every other
40 winter.

41

42 CHAIRMAN SAMUELSEN: Thank you.

43

44 MR. HEYANO: Thank you.

45

46 MR. SQUIBB: Thank you, sir.

47

48 MR. FISHER: Mr. Chairman, it's also worth
49 noting that there's three similar proposals submitted to

50 the Board of Game that deal with brown bear in 9(E). Maybe

00024

1 you'd want to chat with -- when Dick gets here a little bit
2 maybe about those proposals because they are similar to
3 this proposal.

4
5 CHAIRMAN SAMUELSEN: Okay. What's the
6 wishes, Council, you want to deal with it now or wait until
7 Mr. Sellers shows up probably by 10:00 o'clock?

8
9 MR. CHRISTENSEN: If he don't show up, then
10 what?

11
12 MR. HEYANO: We could take it up at the
13 end, I guess. I would prefer to hear Mr. Sellers'
14 comments, Mr. Chair.

15
16 CHAIRMAN SAMUELSEN: I think that plan gets
17 in about 9:30; is that right, Ted, from King Salmon,
18 somewhere in there?

19
20 MS. KELLY: 10:30.

21
22 CHAIRMAN SAMUELSEN: 10:30, okay. Well,
23 hearing no objection, we'll move on to other proposals and
24 save Proposal 17 until Mr. Sellers arrives and also we'll
25 hear a report from Sellers on the three statewide proposals
26 dealing with 9(E) also.

27
28 MR. ABRAHAM: What proposal, 18?

29
30 CHAIRMAN SAMUELSEN: I believe it's 17.

31
32 MR. EDENSHAW: Seventeen, yes.

33
34 CHAIRMAN SAMUELSEN: We'll move on to
35 Proposal 18.

36
37 MR. EDENSHAW: Yes, Mr. Chair. Dave.

38
39 MR. FISHER: Thanks, Cliff. This proposal
40 was submitted by the Nushagak Planning Committee and what
41 it would do it would provide for the designated hunter
42 option for qualified subsistence hunters in Unit 17(A) and
43 17(C). And this is for the Nushagak Peninsula Caribou
44 Herd.

45
46 The Federal public lands here are those on
47 the Togiak National Wildlife Refuge and we have a map there
48 on Page 50. As you'll recall this was a caribou transplant
49 that occurred in 1988 and this herd experienced a very --

50 took hold real well and increased to, I believe there's

00025

1 currently well over a thousand animals right now, Andy will
2 probably reiterate on that when he gives his little talk.
3 But as you'll recall we started a subsistence season in
4 1995 and since then the season has been lengthened and the
5 harvest limit has increased. The population is currently
6 and actually what this proposal would do is probably
7 provide a greater opportunity for some of those people who
8 can't get out, they could designate another hunter to go
9 out and harvest a caribou for them. We have a similar
10 designated hunter option for the Northern Alaska Peninsula
11 Caribou Herd, if you recall, we put that in, I think, a
12 year or two years ago.

13
14 That's about all I have unless you have
15 some specific questions.

16
17 CHAIRMAN SAMUELSEN: Thank you, Dave.
18 Comments Council.

19
20 MR. ABRAHAM: Mr. Chairman, Peter Abraham
21 Togiak.

22
23 CHAIRMAN SAMUELSEN: Go ahead, Pete.

24
25 MR. ABRAHAM: Let's say for instance, an
26 old fellow wants a caribou and a young fellow is going
27 after for him, now, the older man, does he have to have a
28 hunting license, does he have to fill out the application?
29 And a designator hunter.....

30
31 MR. FISHER: I believe he's not required to
32 have a -- don't you get a free hunting license when you're
33 over 60 or the cost is pretty minimal or you get a lifetime
34 hunting license when you're over 60. But he would have to
35 have that and then he would have to get the designated
36 hunter permit. And the fellow that's going to hunt for him
37 would have to be qualified to hunt in the two subunits and
38 he would have to have a hunting license.

39
40 MR. ABRAHAM: I thought this designated
41 hunter was resolved some time ago because we discuss that
42 every year when I get a permit system over there. It's in
43 the paper -- it's in the form of a letter. And I think
44 Andy can explain that.

45
46 MR. FISHER: Well, maybe.....

47
48 CHAIRMAN SAMUELSEN: Andy.

49

MR. ADERMAN: Andy Aderman, Togiak National

00026

1 Wildlife Refuge. You're correct, Pete. Ever since this
2 hunt began in '95, we were under the assumption that we had
3 the designated hunter option and it was just pointed out
4 this last year that the Board actually has to approve that
5 option for each Federal registration hunt. So we've been
6 operating under the assumption that we've had it all along
7 and this is really a housekeeping proposal.

8
9 CHAIRMAN SAMUELSEN: Thank you, Andy. Any
10 other questions, Pete?

11
12 MR. ABRAHAM: No, that's it, Mr. Chairman,
13 I think for now.

14
15 CHAIRMAN SAMUELSEN: Other comments,
16 Council. Public comment.

17
18 MR. EDENSHAW: Mr. Chair, ADF&G supports
19 the proposal as written. There weren't any written public
20 comments.

21
22 CHAIRMAN SAMUELSEN: Okay.

23
24 MR. EDENSHAW: Mr. Chair.

25
26 CHAIRMAN SAMUELSEN: Yes.

27
28 MR. EDENSHAW: At this time if there's
29 anyone out there in the audience who would like to address
30 the proposal, this would be the opportune time to do so.
31 And also, for those of you who came in late, we have some
32 forms over here for those of you who wish to provide any
33 comments on any additional proposals that we have inside
34 the book or issues that will be covered later in the
35 agenda.

36
37 Thank you, Mr. Chair.

38
39 CHAIRMAN SAMUELSEN: Thank you. No
40 comments from the audience, public. Okay, comments from
41 the Council.

42
43 MR. ABRAHAM: Do we need an action to
44 accept this proposal here?

45
46 CHAIRMAN SAMUELSEN: Yes.

47
48 MR. ABRAHAM: Then I move.

49

MR. HEYANO: Second.

00027

1 CHAIRMAN SAMUELSEN: It's been moved by
2 Pete, seconded by Robert to accept Proposal 18 which would
3 request the designated hunter provision for qualified
4 subsistence users in Unit 17(A) and (C) and puts it into
5 regulation where in the past we thought it was in
6 regulation but it looks like it was an oversight.

7
8 Further discussion, Council.

9
10 MR. HEYANO: No, I'll be voting in support
11 of the motion, Mr. Chairman. I view it as a housekeeping
12 proposal.

13
14 CHAIRMAN SAMUELSEN: Okay, thank you. Any
15 other comments.

16
17 MR. HEYANO: Question.

18
19 MR. ABRAHAM: Question.

20
21 CHAIRMAN SAMUELSEN: Question's been
22 called. All those in favor signify by saying aye.

23
24 IN UNISON: Aye.

25
26 CHAIRMAN SAMUELSEN: Opposed, same sign.

27
28 (No opposing votes)

29
30 CHAIRMAN SAMUELSEN: So carried. Proposal
31 19, Cliff.

32
33 MR. EDENSHAW: Yes, Mr. Chair. Mary
34 McBurney from the National Park Service will provide the
35 Staff analysis for Proposal 19, Mr. Chair.

36
37 CHAIRMAN SAMUELSEN: Thank you, Cliff.
38 Mary.

39
40 MS. MCBURNEY: Good morning, Mr. Chair.
41 The Staff analysis for Proposal 19 begins on Page 57.
42 Proposal 19 was submitted by the Lake Clark National Park
43 and Preserve and adds to an existing C&T finding and
44 requests a positive customary and traditional use
45 determination for dall sheep in Unit 9(B) for residents of
46 Lake Clark National Park and Preserve who live within the
47 boundaries of Unit 9(B).

48
49 The existing regulation does not take into

50 account that there are people that live outside of named

00028

1 resident zone communities in the Preserve that have been
2 long-time residents but are excluded from the current C&T
3 determination. And this regulation basically goes back to
4 a 1996 customary and traditional use determination for
5 sheep that was originally made for Unit 9(B) sheep. And
6 unfortunately at the time, the harvest data that was
7 available and the harvest data that currently is available,
8 I might add, is based on reporting from resident zone
9 communities and because of that that basically made the
10 harvest records of some households virtually invisible
11 because they did not live within, say, the recognized area
12 of Port Alsworth.

13
14 So as a little bit of background on this,
15 in 1996, the Federal Subsistence Board approved what was
16 then Proposal 35, which requested a positive customary and
17 traditional use determination for sheep in Unit 9(B) for
18 residents of Iliamna, Newhalen, Nondalton, Pedro Bay and
19 Port Alsworth. The original request asks for a positive
20 and customary traditional use for residents of Unit 9(B),
21 which would have included the communities of Igiugig,
22 Kokhanok and Levelock along with residents living outside
23 of recognized community boundaries. At the time, based on
24 the Staff analysis and the Bristol Bay Regional Advisory
25 Council recommendation, the Federal Subsistence Board found
26 that the data did not support a positive customary and
27 traditional determination for Igiugig, Kokhanok and
28 Levelock but did confirm a positive customary and
29 traditional use for Iliamna, Newhalen, Nondalton, Pedro Bay
30 and Port Alsworth. But, again, since the analysis focused
31 on resident zone communities the data used was community
32 based and long-time residents living outside of the five
33 named communities were made invisible and not taken into
34 consideration. As a result their customary and traditional
35 use of Unit 9(B) sheep was overlooked. These residents are
36 known to participate in the same customary and traditional
37 practices as the residents who reside in the five
38 communities and currently enjoy a positive customary and
39 traditional use determination for sheep in 9(B).

40
41 The eight factors for determining customary
42 and traditional uses in this Staff analysis are essentially
43 the same as those that were presented to this Council back
44 in 1996 with Proposal 35, however, they have been updated
45 with current harvest data and also additional data that had
46 been collected by myself and by John Branson in doing 1344
47 interviews for several Lake Clark residents.

48
49 The first criteria, that a long-term

50 consistent pattern of use, excluding interruptions beyond

00029

1 the control of the community or area has been met, in our
2 opinion. In addition to the historic data which is
3 included in the analysis we can report that current
4 homesteaders that are living along the east end of Lake
5 Clark have basically used their skiffs to access sheep
6 hunting areas at Little Lake Clark, Sheep Canyon and
7 Currant Creek. And these are all areas that are toward the
8 east end of Lake Clark adjacent to areas where these people
9 currently live. Also the Twin Lakes and Kontrashibuna Lake
10 are also popular hunting areas for local residents.

11
12 The second criteria, a patter of use
13 recurring in specific season for many years. The most
14 complete information on subsistence hunting for sheep in
15 Unit 9(B) is basically for Nondalton. And dall sheep have
16 been hunted during the fall from mid-October to the end of
17 October, historically, and have long been considered to be
18 a significant source for subsistence by the Dena'ina
19 Athabascans living in the area.

20
21 Also the communities around the Lake
22 Iliamna region have also been involved in sheep hunting
23 over the years and primarily during early August through
24 late September. And then most recently local residents
25 still hunt sheep in the mountains around Upper Lake Clark
26 and Little Lake Clark in August. Our most recent
27 interviews, basically revealed that some Lake Clark
28 households report spending anywhere from 30 to 45 days a
29 year hunting wild game, including sheep and that's
30 particularly during the fall hunting season. And again,
31 most of this is taking place during the legal open season
32 of August through September.

33
34 The third criteria, a pattern of use
35 consisting of methods and means of harvest which are
36 characterized by efficiency and economy of effort and cost
37 conditioned by local characteristics. According to our
38 most recent interviews with long-time Lake Clark residents,
39 most of the hunting activities does occur on foot.
40 However, the hunters do use skiffs to travel to portions of
41 Lake Clark that are accessible by water and some
42 tributaries in order to then access hunting areas by foot.
43 And, again, this is primarily at the east end of Lake Clark
44 and little Lake Clark.

45
46 The fourth criteria, the consistent harvest
47 and use of fish or wildlife as related to past methods and
48 means of taking near or reasonably accessible from the
49 community or area. Sheep hunting areas used by Lake Clark

50 residents in the Park and the Preserve include the

00030

1 mountains surrounding the head of Lake Clark, Little Lake
2 Clark, Kontrashibuna Lake and the Currant Creek drainage.
3 The average take of sheep in the Lake Clark area between
4 1966 and 1976, which is reflected in Table 1 shows that
5 between zero and three animals have been taken out of this
6 area fairly consistently and current harvest data reflects
7 the same pattern. Most recently, as you can see, the last
8 time, say, three sheep were taken was back in 1990 -- well,
9 excuse me, it's been even farther than that, it was more
10 like 1983 and successful sheep hunts are generally in the
11 one to two sheep range, and this has been fairly consistent
12 over time.

13
14 The fifth criteria, a means of handling,
15 preparing, preserving and storing fish or wildlife which
16 has been traditionally used by past generations including
17 consideration of alteration of past practices due to recent
18 technological advances, where appropriate. The sheep has
19 long since -- has always been a highly prized game food
20 among residents of the Lake Clark communities. And the
21 folks out there eat the meat fresh. They preserve it by
22 freezing. It's something that's also widely shared among
23 community members and residents. And as far as favorite
24 recipes that are currently used for preparing sheep, they
25 range from frying, boiling, roasting and baking.

26
27 Criteria six, a pattern of use which
28 includes the handing down of knowledge of fishing and
29 hunting skills, values and lore from generation to
30 generation. Passing down of traditional was and is still
31 an essential component of hunting sheep. Experienced and
32 successful hunters that are knowledgeable of areas where
33 sheep are regularly found or likely to be located share
34 their knowledge with young people and people new to the
35 area that are unfamiliar with sheep hunting and pass along
36 that knowledge in success of generation of hunters.

37
38 Likewise, the knowledge of processing meats
39 and hides, making articles of clothing to the extent that
40 that is still extent, that information is also passed down,
41 generationally, from knowledgeable people to those that are
42 less experienced or less knowledgeable.

43
44 Criteria seven, a pattern of use in which
45 the harvest is shared o distributed within a definable
46 community of persons. We found through our most recent
47 interviews that long-time residents living at the east end
48 of Lake Clark report extensive sharing of wild game and
49 other subsistence resources between both neighboring

50 households and households in Port Alsworth. They also

00031

1 salvage and share meat that have been taken from guided
2 trophy hunters that the trophy hunters do not take with
3 them. And so this meat, too, is also salvaged and shared
4 as well.

5
6 And for those folks that have ever had the
7 opportunity to have sheep meat, you know that it's pretty
8 tasty. And because of its rarity it's something that's
9 very prized. People really appreciate receiving a sheep
10 roast.

11
12 The eighth criteria, pattern of use which
13 relates to reliance upon a wide diversity of fish and
14 wildlife resources of the area and which provides
15 substantial cultural, economic, social and nutritional
16 elements to the community or area. Current subsistence
17 harvest data indicates that residents of all the resident
18 zone communities in Unit 9(B) harvest a diverse variety of
19 fish and game for subsistence use. And likewise, long-time
20 residents of the Lake Clark area also rely very heavily on
21 subsistence foods. In addition to sheep, households also
22 report harvesting moose, caribou, bear, game birds and
23 waterfowl, making extensive use of salmon, trout, grayling
24 and burbot and then also using a variety of plants as well,
25 such as, berries, mushrooms, fiddleheads and greens.

26
27 The preliminary conclusion is to support
28 the proposal. And the proposal should read that residents
29 of Iliamna, Newhalen, Nondalton, Pedro Bay and Port
30 Alsworth and residents of Lake Clark National Park and
31 Preserve within Unit 9(B), that they will have a positive
32 customary and traditional use determination and they will
33 have the ability to take one ram with a 7/8 curl horn by
34 Federal registration permit only.

35
36 So, in conclusion, the customary and
37 traditional use patterns of residents of the Park and
38 Preserve are essentially the same as those exhibited by the
39 current resident zone communities of Iliamna, Newhalen,
40 Pedro Bay and Port Alsworth. And the available information
41 that is presented in this analysis and for the 1996 Board
42 decision clearly shows that residents of Nondalton have a
43 long history of hunting sheep in Unit 9(B). In fact for
44 Nondalton we have the most complete information. But it
45 also demonstrates that residents of Iliamna, Newhalen,
46 Pedro Bay and Port Alsworth harvest sheep in 9(B) as well.
47 In addition to this information, it's reasonable to use the
48 same data that confirmed a positive customary and
49 traditional use determination for Port Alsworth and the

50 other communities and extend that to these other households

00032

1 that are in the Preserve within Unit 9(B) that are not
2 within a named resident zone community. And I might add
3 that many of the people that live in the Park and Preserve
4 live in close proximity to the areas where these sheep are
5 taken and, in fact, many of those people live even more
6 closely in proximity to that resource than many other of
7 the current named resident zone community residents do.

8

9 And I will entertain any questions.

10

11 CHAIRMAN SAMUELSEN: Thank you, Mary.

12 Questions.

13

14 MR. ABRAHAM: That was well explained data
15 over here. So is it open for discussion?

16

17 CHAIRMAN SAMUELSEN: Yep, it's open.

18

19 MR. ABRAHAM: I think the people here as
20 explained, you know, really rely on the food source over
21 here. So, therefore, I think I support the proposal here
22 as it is right ow.

23

24 CHAIRMAN SAMUELSEN: Okay. Any other
25 comments. Robert.

26 MR. HEYANO: Question for Mary, how many
27 households are we talking about here?

28

29 MS. McBURNEY: Less than a half a dozen.

30

31 MR. HEYANO: Less than six?

32

33 MS. McBURNEY: Yes.

34

35 MR. HEYANO: Can you explain to me why the
36 one ram is restricted to a 7/8 inch curl?

37

38 MS. McBURNEY: I would have to refer to the
39 Alaska Department of Fish and Game, we adopted their
40 hunting regulations. I would have to defer there. Perhaps
41 there's somebody that might be able to address that.

42

43 CHAIRMAN SAMUELSEN: Maybe Dan could. Can
44 you address that?

45

46 MR. LaPLANT: Are you talking to me?

47

48 CHAIRMAN SAMUELSEN: Oh, well, there's

49 another Dan.

00033

1 MR. LaPLANT: Well, no Mr. Chairman I have
2 no information on that.

3
4 CHAIRMAN SAMUELSEN: Okay. Lee.

5
6 MR. FINK: Mr. Chairman, Council members,
7 Lee Fink, Lake Clark National Park. Robert, I believe that
8 the State regulations are probably for a full curl so the
9 subsistence regulations are -- we're still targeting older
10 rams but not necessarily trophy sheep which would more be
11 included in the full curl or larger. So it's a less of a
12 curl requirement for subsistence than for general State
13 hunting regulations.

14
15 We don't have exact population estimates
16 but Lake Clark and the mountains to the kind of like
17 southeast of Lake Clark are kind of the southern-most
18 extent -- the southwest most extent of the dall sheep
19 range. So their populations are not as high a
20 concentration as they are in some other areas. So that
21 would, you know, preclude maybe biological support for
22 supporting ewe harvest or smaller sheep to make sure that
23 the population stays healthy.

24
25 Does that make.....

26
27 MR. HEYANO: That explains it Mr. Chairman
28 but I go back and I look at these harvest records, you
29 know, according to the report before us, it's an extremely
30 prized resource for consumption and I see the harvest to
31 be, what I would consider to be extremely low and, you
32 know, I've never hunted sheep, I flew that area and the
33 places I seen them, you know, I could probably relate to
34 why that harvest is so low. I was just wondering if the
35 horn restriction was part of the reason for the low numbers
36 of harvest other than just the environment, where I've seen
37 them?

38
39 MR. FINK: I mean I might defer, we
40 probably have one of the areas foremost sheep experts
41 sitting up there to your right. But we did -- this
42 Council, actually, and as part of the subsistence
43 regulations early on extended the season past what would be
44 the traditional State general season to allow for the sheep
45 to come to lower elevations and make them a little more
46 accessible. We haven't had any proposals, to my knowledge,
47 to reduce the curl size below 7/8 curl and currently Park
48 management feels that that's acceptable. We don't have
49 great data or in-depth data on the sheep populations and if

50 we were going to entertain, you know, any different horn

00034

1 restrictions, we'd probably have to -- you know, we'd need
2 to analyze quite a bit more data.

3

4 CHAIRMAN SAMUELSEN: Mr. Balluta, our
5 sheephunter, give us a history. When you were a young man
6 did you climb that mountain and shoot a 7/8 curl? Hell no.
7 I bet you shot the first sheep you came upon.

8

9 (Laughter)

10

11 MR. BALLUTA: Well, sheep hunting is
12 getting really slow nowadays, you know, of course it's --
13 there's no sport hunting. When I was finding sheep up
14 there it would just be sport hunters up there then. But
15 right now, very few people go up there and hunt sheep
16 anymore. I know I don't, I'm getting too old for that.

17

18 But yeah, I think only Iliamna, Nondalton
19 and Pedro Bay is the closest place for sheep hunting so
20 that's what we determined at our meeting in Lake Clark.

21

22 MR. FINK: Mr. Chairman, I might add that
23 last week, Saturday, we conducted the local Subsistence
24 Resource Commission meeting for Lake Clark National Park
25 and Preserve which Andrew attended and the SRC supported
26 this proposal as written .

27

28 CHAIRMAN SAMUELSEN: Thank you, Lee.
29 Comments Council. Is there any people from the public that
30 want to comment on this? Seeing none.....

31

32 MR. EDENSHAW: Mr. Chair.

33

34 CHAIRMAN SAMUELSEN: Yes.

35

36 MR. EDENSHAW: Just for the Council, on
37 Page 66, under ADF&G comments, seeing that there isn't
38 anyone here, I'll go ahead and read those into the record.
39 The Department supports rural residents who are eligible to
40 conduct subsistence activities on National Park lands
41 having the opportunity to do so. In this case, we
42 recommend that the Staff analysis be extended to include
43 any residents of Unit 9(B) living outside of the five
44 designated communities and outside of the Lake Clark
45 National Park and Preserve. And those were the Alaska
46 Department of Fish and Game comments, and there weren't any
47 written public comments.

48

49 CHAIRMAN SAMUELSEN: Okay, thank you. It's

50 my understanding that any residents living outside of the

00035

1 Lake Clark National Park and Preserve, the five
2 communities, if the Council adopts this proposal, it
3 doesn't preclude those other communities that may have --
4 that feel that they have a customary and traditional use to
5 petition the Council through the regulatory process to be
6 included.

7
8 MS. McBURNEY: Absolutely not. I might
9 add, though, that in 1996, the villages of Levelock,
10 Igiugig, and Kokhanok were considered for the original C&T
11 determination and the conclusion of the Council was that
12 the data did not support a positive C&T for those
13 communities.

14
15 CHAIRMAN SAMUELSEN: Okay, thank you.
16 Robert.

17
18 MR. HEYANO: I need a clarification. In
19 the park, isn't there another mechanism if you don't reside
20 inside the Park and you're not a designated community, that
21 if you do have positive C&T, the whole community -- correct
22 me if I'm wrong, I seem to remember that there's a forum
23 the individuals have to go through.....

24
25 MS. McBURNEY: Yes.

26
27 MR. HEYANO:to be able to hunt in the
28 Park?

29
30 MS. McBURNEY: Mr. Chairman, Mr. Heyano,
31 that's correct. For those people that live outside of the
32 Park and outside of a resident zone community, they can
33 petition the superintendent, under 1344, for what is called
34 a 1344 permit which is basically -- it's almost like an
35 individual C&T of sorts. And where if the individual can
36 show that they have a long time pattern of customary and
37 traditional use of the Park for subsistence, they can be
38 qualified to be given a permit to do so. But the C&T
39 issue, of course, is very separate and distinct. In some
40 cases we do have several residents of the Preserve that do
41 have a 1344 permit to harvest subsistence resources in the
42 Park, however, they do not have positive C&T for Unit 9(B)
43 sheep, so therefore even though they have the entrance
44 ticket, so to say, they can't go into the Park to harvest a
45 sheep because they don't have the C&T.

46
47 MR. BALLUTA: Mr. Chairman, but they could
48 hunt in the Preserve, can't they?

49

MS. McBURNEY: Correct.

00036

1 MR. BALLUTA: Yes, okay. The Preserve is a
2 sport hunting area, too, isn't it?

3
4 MS. McBURNEY: Mr. Chair, Mr. Balluta,
5 that's correct.

6
7 MR. BALLUTA: Yes.

8
9 CHAIRMAN SAMUELSEN: Thank you, Andrew.
10 Robert, follow up, question?

11
12 MR. HEYANO: No, that's what I thought it
13 was.

14
15 CHAIRMAN SAMUELSEN: Okay, Council what's
16 your wishes?

17
18 MR. BALLUTA: I move to support this.

19
20 CHAIRMAN SAMUELSEN: Proposal 19?

21
22 MR. BALLUTA: Proposal 19.

23
24 MR. HEYANO: Second.

25
26 CHAIRMAN SAMUELSEN: Moved by Andrew,
27 seconded by Robert. Further discussion needed, Council
28 members.

29
30 MR. CHRISTENSEN: Question.

31
32 CHAIRMAN SAMUELSEN: The question's been
33 called. I think that Mary has done an excellent job on
34 walking us through a C&T determination and the criteria and
35 it's consistent and I'll be supporting the motion. Further
36 discussion.

37
38 MR. HEYANO: Yeah, I would just like to
39 include the Lake Clark's Subsistence Resource Council, that
40 they also support it, Mr. Chair.

41
42 CHAIRMAN SAMUELSEN: Thank you. All those
43 in favor signify by saying aye.

44
45 IN UNISON: Aye.

46
47 CHAIRMAN SAMUELSEN: Opposed, same sign.

48
49 (No opposing votes)

00037

1 CHAIRMAN SAMUELSEN: So carried. We'll
2 take a 10 minute break and when we come back we'll do
3 Proposal 20.

4
5 (Off record)
6 (On record)
7

8 CHAIRMAN SAMUELSEN: We'll call the meeting
9 back to order. And before we move on to Proposal 20, we'll
10 move back up to Proposal 17. I was just informed that Dick
11 Sellers will not be making it today. And he's attending an
12 advisory committee meeting at Lake Iliamna, that weather
13 forced him out yesterday but it's clear over in King Salmon
14 today so he went up there. So without objection, we'll
15 move back on our agenda to Proposal 17.

16
17 And I'd also like to say at the rate that
18 we're moving through this agenda, it looks like we possibly
19 can, I guess we got to be out of here by 4:00 o'clock
20 today, Cliff?

21
22 MR. EDENSHAW: Yes, Mr. Chair.

23
24 CHAIRMAN SAMUELSEN: But even being out of
25 here at 4:00 o'clock, I think there's a high likelihood
26 that the Council can get through this whole agenda today,
27 as long as Dave doesn't talk too much. But if we got to
28 stay tomorrow, we're not going to rush we're going to do a
29 good job, but it looks like we can get done. Okay,
30 Proposal 17 is before us, Page 34 is the analysis.

31
32 MR. EDENSHAW: Mr. Chair.

33
34 CHAIRMAN SAMUELSEN: Yes.

35
36 MR. EDENSHAW: Perhaps I can -- after Dave
37 did the analysis here earlier this morning, I can go ahead
38 and read the Alaska Department of Fish and Game's comments
39 into the record. ADF&G comments that they had no
40 recommendation at this time. They go on to further state
41 that we are unaware of any brown bears having been
42 harvested under the current regulations for the past few
43 years. The fact that the brown bear population is high and
44 that there is a desire to decrease brown bear numbers is
45 not sufficient rationale for opening the Federal fall
46 subsistence season on September 25th in Unit 9(E).
47 However, an earlier spring season opening might be
48 justified based on traditional use patterns whereby spring
49 bears are said to be good eating when they first emerge

50 from their dens. And Mr. Chair that concludes ADF&G

00038

1 comments.

2

3 There weren't any written public comments.

4 And at this time, if there are any individuals from the
5 audience out there who would like to provide public
6 testimony on Proposal 17, they may do so. And also -- oh,
7 excuse me, I see Mr. O'Hara standing up, the Aniakchak SRC
8 submitted their public comment on Proposal 17 and he'll
9 provide their comment.

10

11 MR. O'HARA: Good afternoon, Mr. Chair and
12 Council. We had our Subsistence Resource Commission
13 meeting this last week and the SRC's comments were to
14 support this proposal as written based on the justification
15 provided in the draft analysis. Additionally, it provides
16 a longer, legal season for subsistence hunters to hunt
17 brown bears. And as you know, a lot of the subsistence
18 patterns don't always follow the current written seasons so
19 they thought that having a longer legal season would be a
20 good idea and they were in support of this proposal.

21

22 CHAIRMAN SAMUELSEN: Okay, thank you, Tom.
23 In your meetings was there any discussion on possibly an
24 earlier spring season as recommended by the ADF&G
25 Department?

26

27 MR. O'HARA: That was a State proposal
28 right -- was there a similar proposal written to the State
29 for.....

30

31 CHAIRMAN SAMUELSEN: This will make it
32 earlier.

33

34 MR. O'HARA: This will make it earlier,
35 yes.

36

37 CHAIRMAN SAMUELSEN: Yeah.

38

39 MR. O'HARA: No, they supported the earlier
40 season and the longer seasons.

41

42 CHAIRMAN SAMUELSEN: Okay. Any comments
43 for Tom? Okay, thank you, Tom. Okay, Council, what's your
44 wishes?

45

46 MR. HEYANO: Move to adopt Proposal 17, Mr.
47 Chair.

48

49 MR. BALLUTA: Second.

00039

1 CHAIRMAN SAMUELSEN: Moved by Robert,
2 second by Andrew. Further discussion needed.

3
4 MR. HEYANO: Well, I think, Mr. Chairman,
5 I'll vote in favor of the motion. It's been my
6 recollection that the brown bear population in Unit 9(E) is
7 healthy and doing well. I think by the additional days to
8 the subsistence season would have very little impact to
9 that resource compared to the amount of brown bear that are
10 taken during the sport hunting season and we'll provide
11 additional opportunity for subsistence harvest.

12
13 CHAIRMAN SAMUELSEN: Thank you, Robert.
14 Further comments, Council members. Hearing none, someone
15 call for the question.

16
17 MR. BALLUTA: Question.

18
19 CHAIRMAN SAMUELSEN: Question's been called
20 for. All those in favor of Proposal 17 signify by saying
21 aye.

22
23 IN UNISON: Aye.

24
25 CHAIRMAN SAMUELSEN: Opposed, same sign.

26
27 (No opposing votes)

28
29 CHAIRMAN SAMUELSEN: So carried. Okay,
30 we'll move down to Proposal 20, that's you, Mr. Fisher.

31
32 MR. FISHER: Thank you, Mr. Chairman. What
33 I'd like to do is take Proposal 20 and 21 and kind of roll
34 them into one and discuss both of them at the same time.

35
36 Proposal 20 was submitted by the Togiak
37 National Wildlife Refuge and if you'll recall this has been
38 a deferred proposal since '98. At that time the Refuge
39 submitted a proposal to establish a fall season to replace
40 a special action, however, it has been deferred pending
41 completion and additional information on the moose
42 population and completion of that moose management plan.

43
44 Proposal 17 was submitted by Mr. Gary
45 Carlos, it would establish a permanent fall season and also
46 a permanent winter season of December 1st through 31st, one
47 antlered bull.

48
49 The for moose in 17, Goodnews Bay and

50 Platinum, they all have been determined to have a customary

00040

1 and traditional use determination for moose in 17(A). The
2 Federal public lands we're dealing with in this subunit
3 consist of the Togiak National Wildlife Refuge. And if
4 you'll recall we've discussed 17(A) moose at our last seven
5 or eight Council meetings, I believe, so we're pretty
6 familiar but the population has -- at one time was very low
7 and it has, since then, increased. I believe the last
8 count was 425 animals in the year 2000. And since then the
9 Refuge has -- they have a collaring project to where they
10 can better monitor the population. They've done some
11 vegetative work and some mapping and so on and so they're
12 getting a very good handle on what that subunit is capable
13 of supporting. And they've also completed the draft moose
14 management plan as you people are very familiar with.
15 Recently here, just within the last several weeks they've
16 been doing surveys and I'll let Andy bring you up to date
17 on those when he gets his chance to talk.

18
19 The preliminary conclusion on these two
20 proposals, we would support the proposed fall hunt. That
21 would align Federal regs with current State regulations and
22 we would oppose the winter hunt.

23
24 Like I say, the fall season would align
25 with current State regs. The opposition to the winter
26 season, as you recall, the Federal Board recently addressed
27 this through the request for reconsideration to establish
28 the winter hunt. We looked at it and we thought that a
29 limited hunt could be possible but your Council and the
30 Board expressed unanimous support for the planning process
31 involving this moose management plan. And presently, the
32 moose management plan does not call for a winter hunt until
33 the population reaches 600.

34
35 That's about all I have, Mr. Chairman.

36
37 CHAIRMAN SAMUELSEN: Thank you. Council,
38 any questions.

39
40 MR. FISHER: I do have one more thing to
41 add.

42
43 CHAIRMAN SAMUELSEN: Okay.

44
45 MR. FISHER: Apparently there is a proposal
46 before the Board of Game to modify the fall season. I
47 think they want to increase it by five days. And in
48 talking to the Refuge people here during the break, I guess
49 they're looking at somehow trying to align the season so

50 the Federal season would be the same as the State season.

00041

1 Andy may want to discuss that a little bit but I wanted to
2 make you aware of that.

3
4 CHAIRMAN SAMUELSEN: Okay.

5
6 MR. FISHER: Thank you.

7
8 CHAIRMAN SAMUELSEN: Thank you. Andy.

9
10 MR. ADERMAN: Thank you, Mr. Chairman.
11 Andy Aderman, Togiak National Wildlife Refuge. We have
12 been out counting moose over the last week. We have nearly
13 the entire area surveyed. The count, to date, is 469 in
14 17(A). The remaining areas, I don't think are going to add
15 more than 10 moose. We did have a look at those the week
16 previous and there weren't many moose in those areas yet to
17 be surveyed.

18
19 Dave mentioned that there is a proposal
20 before the Board of Game, it's Proposal 51(a). That
21 proposal asks for an August 25 to September 20th fall
22 season. It doesn't increase the season length, it shifts
23 it back five days.

24
25 MR. ABRAHAM: Come again, what are the
26 dates, August 25th?

27
28 MR. ADERMAN: The Board of Game proposal
29 asks for a season to start on August 25th, five days later
30 than what it currently is but also end five days later than
31 what it currently is on September 20th.

32
33 The second part of Proposal 51(a) is a
34 winter hunt in the month of December.

35
36 As Dave mentioned, the Refuge is neutral in
37 regards to Proposal 51(a). It does fall within the
38 guidelines of the management plan. And in regards to the
39 proposal before you right now, Proposal 20, we support that
40 proposal with one modification, possibly two. The first
41 modification would be that language;
42 the moose season will be closed when or if the total
43 harvest limit to be determined later in the entire.....

44
45 CHAIRMAN SAMUELSEN: What page are you
46 working off of Andy?

47
48 MR. ADERMAN: Page 68.

49

00042

1 MR. HEYANO: 68.

2
3 MR. ADERMAN: 68.

4
5 MR. ABRAHAM: Thank you.

6
7 MR. ADERMAN: I guess we would recommend
8 that that language doesn't need to be in there.

9
10 CHAIRMAN SAMUELSEN: Can you restate that
11 language?

12
13 MR. ADERMAN: The moose season will be
14 closed when/if the total harvest limit, and then in
15 parenthesis (to be determined later), in the entirety of
16 Unit 17(A) has been reached. And the other possible
17 modification is, I guess, trying to predict what the Board
18 of Game will do on their proposal and what the Federal
19 Board will do with this one, but the Refuge would like to
20 maintain a consistent fall and State season, whether it
21 starts August 20th and goes to September 15th or is pushed
22 back five days. We'd like to see that consistent under both
23 the State and fall hunts.

24
25 CHAIRMAN SAMUELSEN: Okay, thank you. Who
26 submitted Proposal 51(a) to the Board of Game?

27
28 MR. ADERMAN: I believe it was Togiak
29 Advisory Committee.

30
31 CHAIRMAN SAMUELSEN: Okay, questions,
32 Council of Andy?

33
34 MR. ABRAHAM: Yes, I have. Mr. Chairman,
35 Peter Abraham, Togiak. No matter what we do over there,
36 we're going to have moose over there all the time because
37 we have permanent resident caribou that are there now in
38 two areas and that will balance the moose hunt over there.
39 Because people, they prefer moose than caribou except in
40 the falltime when the moose season opens, they prefer
41 moose, winter comes -- in the wintertime they prefer
42 caribou then than the moose.

43
44 So even though we have a winter hunt it's
45 not going to impact the moose over there because according
46 to the information from Andy and the rest of the people,
47 some of those moose are migrant, they come and go, they go
48 back there again. I think the number -- I don't think
49 we'll ever reach the number of 600. Because we've looked

50 at that number, 600, for some, what, five or six years now

00043

1 and we have more moose now in west of Togiak, (In Native)
2 area there and last year we had three and I think we got
3 more three now in that area because the moose stays over
4 there, it come back in the springtime and go back in the
5 summertime again and calf over there.

6
7 Like I said, we're going to have moose over
8 there all the time, no matter what. And last fall we had,
9 what, five moose -- five moose were taken?

10
11 MR. ADERMAN: Last fall there were 10 moose
12 taken.

13
14 MR. ABRAHAM: This fall?

15
16 MR. ADERMAN: This fall. This last fall.

17
18 MR. ABRAHAM: So it's not going to impact
19 the herd over there whether we have a winter hunt or not.
20 And especially this winter because of the conditions
21 everywhere, there's a lot of open water and nobody hunted
22 any moose over there. The hunt -- when we had that
23 emergency opening behind Twin Hills, people hunted caribou
24 for awhile and now they quit hunting them because we have
25 -- you have full freezers now and then they will be hunting
26 again right before caribou season closes for drying and
27 then they're not going to hunt no moose over there. And I
28 think that's all I got.

29
30 CHAIRMAN SAMUELSEN: Thank you, Pete.
31 Council members. Robert.

32
33 MR. HEYANO: Why is the moose population
34 stabilizing?

35
36 MR. ADERMAN: Well, I think we might need
37 to look beyond 17(A). And 17(A) is not a closed
38 population. I think based on our radio-collar information
39 it is increasing. But maybe not all those animals are
40 staying in 17(A). We haven't done counts or surveys in
41 adjacent areas here recently. But moose move freely
42 between 17(A) and 17(C) and 17(A) and Unit 18. You know,
43 if you just looked at the numbers, what we counted this
44 year, is an increase over last years count but still lower
45 than what it was two years ago. We haven't had predation
46 on the radio-collared animals here in the last year that we
47 experienced the first two years. So I think it's
48 increasing. A month ago I had three or four of the radio-
49 collared animals in 17(C), they were originally caught in

50 17(A). We don't have collars on moose that were originally

00044

1 collared in 17(C) and there may be a likewise movement.

2

3 I don't know if that answers your question.

4

5 MR. ABRAHAM: Mr. Chairman.

6

7 CHAIRMAN SAMUELSEN: Pete.

8

9 MR. ABRAHAM: That's why, you know, a lot
10 of those moose are migrant, they go back and forth between
11 that area there. What about the predators, because the
12 brown bears are increasing in that area there, and the
13 calving season, do you think that's the problem?

14

15 MR. ADERMAN: We don't have any objective
16 information on wolves or brown bears but the incidental
17 information suggests that both populations are increasing.
18 Again, looking at radio-collared information we had 155
19 calves per 100 cows produced this spring and that's pretty
20 high. Looking at them in November, over half of those
21 calves were still alive which is exceptional when you have
22 both wolves and brown bears, multiple predators in the same
23 system.

24 CHAIRMAN SAMUELSEN: Okay. Any other
25 questions. Robert.

26

27 MR. HEYANO: Andy, you gave us a report, I
28 think at the advisory committee last fall based on
29 mortality on your radio-collared moose, do you have those
30 percentages for us? I don't recall what they were.

31

32 MR. ADERMAN: I think if you take a look in
33 the meeting minutes, I'll try to find a page for you,
34 towards the top of Page 12, the second paragraph is, I
35 think, the information you're referring to. In the first
36 two years of the radio-collaring project we had an average
37 of 17 percent mortality. And then out of all the animals
38 that have died, the radio-collared animals that have died,
39 just under half was illegal harvest. And then I'm sorry, I
40 don't have the percentages, but we're talking 11 moose have
41 died and five of those were due to illegal harvest, brown
42 bears account for four and the two bulls that locked up
43 account for the other two animals.

44

45 CHAIRMAN SAMUELSEN: To keep things clear,
46 Council, I would recommend that we deal with -- even though
47 Staff gave us Staff reports on 20 and 21 that we deal with
48 20 first and then 21 as a separate proposal. They're
49 distinctively different.

00045

1 Andy, you stated in 51(a) that your agency
2 supported the winter hunt?

3
4 MR. ADERMAN: No, we did not.

5
6 CHAIRMAN SAMUELSEN: Okay, I wrote that
7 down wrong. How was the survey conditions this year?

8
9 MR. ADERMAN: About the same as last year,
10 pretty good in the northern two-thirds of the area and then
11 in the southern third, pretty poor. However, I might add
12 that we did actually start a survey a week ago or two ago
13 and we completed a good part of that with a little better
14 conditions than what we have now. And then that weather
15 come up about a week ago and basically we had to start over
16 and with all that rain and warm weather we lost a lot of
17 snow, like in the Lower Kukaktlik and over across Lower
18 Togiak. But looking at the numbers that we seen there in
19 the first survey and what we seen in the second survey,
20 they're pretty comparable.

21
22 CHAIRMAN SAMUELSEN: And then in the fall
23 hunt, we've spent quite a bit of time on deciding the
24 August 20th start date in the Togiak area. It's my
25 understanding that in Proposal 51(a) to the Board of Game
26 now it's moving it from August 25th and adding another five
27 days on to September 20th, so that's, you know, that's
28 going to get us out of compliance with the State
29 regulations if the State adopts it again and it seems like
30 we keep going around this merry-go-round on these dates.
31 So I guess we should address that, it depends on what the
32 Council adopts here. Otherwise we're going to be dealing
33 with aligning the seasons up at our next meeting again.

34
35 Okay, Robert.

36
37 MR. HEYANO: Mr. Chairman, along those
38 lines since the land in 17(A) is predominately Federal land
39 -- if we adopted the dates that are proposed in Proposal 20
40 and the State adopted the dates that were proposed in
41 51(a), what's the implications?

42
43 MR. ADERMAN: The implications would be
44 that moose season would run five days longer than it
45 currently does and any State resident could hunt that last
46 five days.

47
48 MR. HEYANO: On State lands or both?
49

MR. ADERMAN: On both. On the front end,

00046

1 without a corresponding State, if they would push it back
2 five days, the people that have C&T for moose in that area
3 would have to hunt on Federal lands only.

4

5 CHAIRMAN SAMUELSEN: Go ahead, Robert.

6

7 MR. HEYANO: So if the dates we wanted,
8 hypothetically, August 20th through September 15th, if
9 those were the dates, we would close Federal lands before
10 and after those dates to hunting, correct, then regardless
11 of what the State did, Federal lands would still be closed
12 after the 15th?

13

14 MR. ADERMAN: That would be a separate
15 proposal, I believe, to actually close the Federal public
16 lands in that area -- or the Refuge. Right now.....

17

18 MR. HEYANO: We couldn't do it in this
19 proposal?

20

21 MR. ADERMAN: I'm not certain if you could.

22

23 MR. HEYANO: I guess, Mr. Chairman I see
24 your concern, you know, we align the dates here and you'll
25 notice in some of -- I think there's some proposals in 9
26 also asking to change the dates in the State, we're kind of
27 like a dog chasing its tail. Between the Federal and the
28 State, we keep going around and around.

29

30 The way I understand it and I wasn't aware
31 of this, the way I understand the way it works in the
32 Federal system, if we don't close Federal lands to non-
33 qualified Federal subsistence users, then whatever the
34 State passes as regulations apply to Federal land.

35

36 CHAIRMAN SAMUELSEN: That's my
37 understanding, is that correct, Staff?

38

39 MR. FISHER: (Nods affirmatively).

40

41 MR. ADERMAN: Yeah, that's correct.

42

43 MR. HEYANO: And I think that's how we get
44 into this circle.

45

46 MR. FISHER: The other thing that kind of
47 complicates it is, it seems like sometimes we try to adjust
48 through a special action and then we do that and then they
49 line up and then special action only applies for that

50 regulatory year and then in order to make it sort of a

00047

1 final regulation, we have to do a proposal and then by the
2 time we're doing a proposal, then it's modified on the
3 other end again. So it is kind of a cat trying to catch
4 its tail, like Robert said.

5
6 CHAIRMAN SAMUELSEN: Andy.

7
8 MR. ADERMAN: Mr. Chairman, I guess one
9 other possible implication, if you went with an August
10 20th, September 15th Federal hunt and the State changed
11 theirs, right now that's currently being done by State
12 registration permit and I can't speak for the State, but
13 they may not agree to -- I mean how can they offer a State
14 registration permit for a Federal only hunt that first five
15 days. They may take issue with that. And looking at the
16 draft management plan, under Goal 3, Objective 2, it states
17 when the population exceeds 300 moose allow a State and
18 Federal fall harvest of bulls by State registration permit.

19
20 MR. ABRAHAM: On the Federal land?

21
22 MR. ADERMAN: In 17(A).

23
24 MR. ABRAHAM: And that's all Federal land,
25 right?

26
27 MR. ADERMAN: It's not all Federal land.
28 It's probably in the neighborhood of 70 percent Federal
29 land, but you have corporation lands there around Togiak
30 and Twin Hills and then allotments up the river.

31
32 MR. ABRAHAM: That's not going to effect
33 anything, I mean regardless of corporation land or Native
34 allotments. If it's a Federal hunt then it's going to be a
35 Federal hunt. My understanding is this was supposed to be
36 for residents of these people only, not open for State
37 drawing and I prefer to keep it that way because this area
38 over here, 17(A) is sort of like breeding area for the rest
39 of 17. You know, we should keep it that way.

40
41 CHAIRMAN SAMUELSEN: I don't think, Pete,
42 that the regulation precludes under the State hunt.
43 Correct me if I'm wrong, that a person from Valdez, Alaska
44 could go over in Togiak and hunt?

45
46 MR. ADERMAN: Under the State system,
47 that's correct.

48
49 CHAIRMAN SAMUELSEN: That's right. Because

50 Togiak, there's no difference between a Togiak subsistence

00048

1 hunter and a Valdez subsistence hunter.

2

3 MR. ABRAHAM: I know.

4

5 CHAIRMAN SAMUELSEN: And I've got some
6 serious concerns with going to September 20th as 51(a)
7 states. My personal preference, if you got a moose on
8 September 20th and tried to give it to me, I'd say, thank
9 you but no thank you.

10

11 MR. CHRISTENSEN: You kind of want to go
12 into August more.

13

14 CHAIRMAN SAMUELSEN: You want to go into
15 August more when the meat is prime and it seems -- the
16 underlying thing here and I've seen it happen in
17 subsistence zones, you get six-pack licenses and you get a
18 couple of entrepreneurs get into the guiding business and a
19 subsistence guided hunt and I just wonder if that's -- you
20 know, maybe it's just my paranoia but that's my concern of
21 going later and later into the season.

22

23 Robert.

24

25 MR. HEYANO: Well, I think the problem we
26 have here, Mr. Chairman, is that the lands closest to those
27 two communities are private lands and they will be
28 regulated by State regulations because they're private
29 corporation lands. And that's the situation we got in when
30 we addressed this through special action, is that, there
31 was a need to do it through the State system so those folks
32 could legally hunt on those private corporation lands. I
33 mean it's very easy for us to have a moose season in 17(A)
34 for only Federally qualified subsistence users and then the
35 only thing open would be -- to the other State residents
36 would be those private lands. But what I understood, that
37 wasn't what the folks over there wanted.

38

39 CHAIRMAN SAMUELSEN: Do we need to take a
40 five minute break to construct an amended proposal?

41

42 MR. HEYANO: Well, I guess just for the
43 record, Mr. Chairman, I agree with the Togiak Refuge's
44 comments to delete the language, the moose season will be
45 closed if and when total harvest limit to be determined
46 later in the entirety, you know, I don't think we need that
47 now. We should just have some type of a permit hunt and
48 set the dates. I have concerns with those permits being
49 issued in only one community. I also have a problem with

50 the restriction of aircraft access. I guess, to me, we're

00049

1 boarding very closely on Section .804 when we have to make
2 a determination between subsistence users, who has priority
3 over a resource.

4
5 But your recommendation of a break to try
6 to draft something is probably productive.

7
8 CHAIRMAN SAMUELSEN: Okay.

9
10 MR. HEYANO: Whatever something is.

11
12 CHAIRMAN SAMUELSEN: Okay. I'll ask you
13 and Pete to get together with Staff and we'll take a 10
14 minute break and this is dealing with Proposal 20. Okay,
15 we're on break.

16
17 (Off record)
18 (On record)

19
20 CHAIRMAN SAMUELSEN: Okay, we'll call the
21 Council back to order, it's 11:17. We're dealing with
22 Proposal 20.

23
24 MR. ABRAHAM: Mr. Chairman.

25
26 CHAIRMAN SAMUELSEN: Mr. Abraham.

27
28 MR. ABRAHAM: I got a question for Andy on
29 this proposed regulation, 17(A) moose, one bull by State
30 registration permit. The moose season will be closed
31 when/if the total harvest limit (to be determined later) in
32 the entirety of Unit 17(A) has been reached; what is the
33 limit?

34
35 MR. ADERMAN: Right now there's no limit
36 identified. If you recall this proposal is about three or
37 four years old and about the time when the first hunt was
38 taking place over there, there was concern that we don't
39 overharvest that resource. And I think this committee
40 identified 10 back in '97. And that's the language that
41 the Refuge is suggesting to take out, just after one bull
42 by State registration permit, delete the rest of that
43 language.

44
45 MR. ABRAHAM: Yeah, that is Robert's
46 argument and I argue back to him because we don't have no
47 access to that area there. I projected it wouldn't be --
48 it would be less than 15 and my prediction was correct
49 because we never go beyond 15, I don't think. So the

50 language we have right now, one bull by State registration

00050

1 permit and the rest of it can be deleted. Because like I
2 said we're not going to overharvest the area over there.

3
4 CHAIRMAN SAMUELSEN: Robert.

5
6 MR. HEYANO: Well, Mr. Chairman, I would
7 propose amending Proposal 20 to read Unit 17(A) moose, one
8 bull by State registration permit, August 20, September 15.

9
10 MR. ABRAHAM: You move.

11
12 MR. HEYANO: (Nods affirmatively)

13
14 MR. ABRAHAM: I second the motion.

15
16 CHAIRMAN SAMUELSEN: Okay.

17
18 MR. ABRAHAM: Discussion.

19
20 CHAIRMAN SAMUELSEN: Moved and seconded.
21 Discussion.

22
23 MR. ABRAHAM: If you go down a little bit
24 further on Page 68, effect of change on the fish and game
25 wildlife population. Proposed season and State
26 registration permit requirements permits issued in Togiak,
27 aircraft access is prohibited for this hunt except to State
28 maintained airports and the hunt report must be returned
29 within five days of the kill. Aircraft access is
30 prohibited, I want to keep it there, but accept this to the
31 State maintained airports, since we started hunting over
32 there, I think -- well, how long is it now, six or seven
33 years?

34
35 MR. ADERMAN: Since 1997.

36
37 MR. ABRAHAM: I think we had only two
38 people came in, one from Dillingham and one from Goodnews
39 that have come into Togiak, I believe it was both of those
40 hunts -- they were unsuccessful. But I want to keep this
41 aircraft access is prohibited.

42
43 CHAIRMAN SAMUELSEN: Okay, Pete, what I
44 would recommend since it looks like it's going to be a
45 multi-faceted proposal, I recommend that the Council act on
46 the dates and see if we could agree on the proposal that's
47 before us at this time and then the methods and means, I
48 guess we'll -- or the aircraft issue and the other issues
49 we could deal with in another motion or would the Council

50 want to deal with everything in one motion?

00051

1 MR. HEYANO: My understanding, Mr.
2 Chairman, is the restrictions on the permits that restricts
3 aircraft access to State maintained airports and that the
4 permits are only issued in Togiak is not regulation, it's a
5 function, it's a discretionary function of the Alaska
6 Department of Fish and Game so it's not in regulatory
7 language.

8
9 CHAIRMAN SAMUELSEN: Oh, okay.

10
11 MR. ABRAHAM: So in other words, anybody
12 can come to Togiak and get a permit?

13
14 MR. HEYANO: No, what I'm saying is that
15 it's up to the Department what type of restrictions they
16 want to place on those permits. It's not in regulation.

17
18 MR. ABRAHAM: Okay, I understand. Okay, I
19 understand, yeah. If it's a Federal hunt on Federal land
20 and registered by the State how do you put the wording for
21 the State -- put the wording on the registration?

22
23 MR. ADERMAN: I'm not sure I follow your
24 question, Pete.

25
26 MR. ABRAHAM: In the registration, in the
27 permit, there's a work I cannot remember how it's worded.
28 But if I recall, I think it says qualified residents only
29 or -- I can't remember. Is Jim Woolington here?

30
31 MR. ADERMAN: No. On the State
32 registration permit, those are available for any State
33 resident. Now, they may have conditions of the permit that
34 are the discretion of the Department, things like the
35 aircraft access prohibition, maybe the five-day requirement
36 to report on the outcome of your report. But on the State
37 registration permit it doesn't identify one group of people
38 over another. It's any State resident can participate.

39
40 MR. ABRAHAM: Well, I must be thinking
41 about the Cape Constantine permit, yeah.

42
43 MR. ADERMAN: That's a Federal registration
44 permit.

45
46 MR. ABRAHAM: Yeah.

47
48 MR. ADERMAN: And that does identify who
49 can hunt that resource in that area.

00052

1 MR. ABRAHAM: Well, why can't U.S. Fish and
2 Wildlife issue similar permits that you have like in Cape
3 Constantine?

4
5 MR. ADERMAN: I guess we could if that's
6 the discretion of this Council.

7
8 CHAIRMAN SAMUELSEN: I think the problem we
9 have, though, Pete, correct me if I'm wrong, Andy, is that
10 there's two landholders over there, there's Federal land
11 and there's State land. And if I get the drift of where
12 you're trying to go, you're trying to preserve a hunt,
13 quote, to the maximum extent practical, for Togiak
14 residents. But with the all Alaskans being subsistence
15 users, and the two landholders, I don't see how you could
16 get from Point A to Point B. Is that what you're trying to
17 do, if I understand what you're trying to do there, Pete?

18
19 MR. ABRAHAM: You know, the more
20 complicated the wording gets, the more confused audience
21 you have or the people in the village, so therefore you go
22 around in circles and chasing your tail like you said
23 awhile ago. You know, look at all these proposals over
24 here and here and there and there, the more complicated
25 they get the faster you go around in circles. So just why
26 not make it overall registration hunt for qualified users
27 including surrounding villages and that can include hunting
28 in Native lands, corporation lands and then you wouldn't
29 have no complications or confusion. The more you piece
30 these -- these separate little pieces all over the place,
31 you know, the more confusing you get.

32
33 CHAIRMAN SAMUELSEN: But I think pre- the
34 McDowell case, what you want to do was obtainable, but
35 after the McDowell case when all Alaskans became equal
36 subsistence users, Pete, we can't get there today, what you
37 want to do.

38
39 MR. ABRAHAM: Well, McDowell -- whoever
40 McDowell is over there, he doesn't live in Togiak, and
41 doesn't live in Alaska, doesn't live in Yukon, I mean the
42 more -- like I said, you know, the more complicated things
43 are the more frustrated the people get.

44
45 CHAIRMAN SAMUELSEN: I fully understand
46 what you're saying there. Robert, shed some light.

47
48 MR. HEYANO: Pete, here's the best thing
49 going. Adopt this proposal, right, so there's no

50 confusion, anybody from Togiak and Twin Hills will then be

00053

1 allowed to hunt any place in 17(A). Then if you're
2 concerned about outside non-qualified subsistence hunters
3 coming in, i.e., Anchorage or some other place and hunting,
4 the only place they can hunt on is corporation land. You
5 get the corporation of Togiak and the corporation of Twin
6 Hills and close those lands to those hunting and then you
7 got where you want to go, very simple.

8
9 MR. ABRAHAM: When the moose walks across
10 the corporation land to the Federal land or vice versa and
11 there's a hunter sitting in between the two lines over
12 there, the moose isn't going to tell the difference between
13 the corporation land and the Federal land, and unless
14 there's a chalk line right where the line is, the hunter
15 wouldn't even tell where the line's at.

16
17 MR. HEYANO: But if you're the hunter you
18 won't have to worry about it because you could shoot him
19 anyplace.

20
21 MR. ABRAHAM: That's what I want to.....

22
23 MR. HEYANO: It's the guy who comes from
24 outside the area who's going to have worry about it.

25
26 MR. ABRAHAM: That's what I want, you know,
27 open it all the way around, whether it's on corporation
28 land, private land so we won't have no confusion.

29
30 MR. HEYANO: That's what this proposal
31 says.

32
33 MR. ABRAHAM: That's what I want, yeah.

34
35 MR. HEYANO: Okay, good man.

36
37 MR. ABRAHAM: Yeah.

38
39 CHAIRMAN SAMUELSEN: No wonder you seconded
40 the motion. I was confused.

41
42 MR. ABRAHAM: Well, you can be confused
43 because I've been confused all this time.

44
45 CHAIRMAN SAMUELSEN: Okay, do we fully
46 under -- Shirley.

47
48 MS. KELLY: I guess I need to be clear on
49 who are the qualified subsistence users of 17(A) right now?

00054

1 MR. FISHER: Residents of 17(A), Goodnews
2 Bay, I believe.

3
4 MR. ABRAHAM: 17(A), where are you at?

5
6 MR. JENNINGS: Page 70.

7
8 MR. ABRAHAM: Goodnews Bay, Platinum.....

9
10 MR. FISHER: Akiak, Akiachak [sic],
11 Goodnews Bay and Platinum -- no, I'm sorry.

12
13 MR. ABRAHAM: No. Goodnews Bay, Platinum,
14 Aniakchak and Quinhagak.

15
16 MR. FISHER: Yeah.

17
18 CHAIRMAN SAMUELSEN: Okay, other comments
19 Council on Proposal 20. We have a motion before us, we're
20 in discussion.

21
22 MR. ABRAHAM: Second the motion. Second.
23 I mean, what I am I saying?

24
25 CHAIRMAN SAMUELSEN: You seconded it
26 already.

27
28 (Laughter)

29
30 MR. HEYANO: You seconded it already.

31
32 MR. BALLUTA: You seconded it already.

33
34 MR. ABRAHAM: Gee, now, I'm more confused
35 now.

36
37 CHAIRMAN SAMUELSEN: We forgot our chalko
38 (ph).

39
40 MR. HEYANO: I'll vote in favor of the
41 amended proposal, Mr. Chairman. I think it simplifies the
42 issue. And I don't think there's a need now to close the
43 season based on some predetermined harvest. I think if
44 there's a decision that the harvest is too high for the
45 resource, we can adjust that by time and maybe area. I
46 support the August 20 through September 15th dates because
47 those coincide with the surrounding areas. And the concern
48 I have with the 51(a) in the State proposal is that this
49 would leave this area open five days later than the

50 surrounding areas. And I think we're still in a place

00055

1 where we would like to see that moose population increase.
2 So to add the additional harvest to it is probably contrary
3 to what we're trying to accomplish in the moose management
4 plan.

5
6 CHAIRMAN SAMUELSEN: Okay, thank you.

7
8 MR. ABRAHAM: I second the motion.

9
10 CHAIRMAN SAMUELSEN: You did that already.

11
12 (Laughter)

13
14 MR. ABRAHAM: Did you make a motion?

15
16 CHAIRMAN SAMUELSEN: No, he was doing the
17 justification why he was going to support the proposal.
18 Any further comments before we vote?

19
20 MR. ABRAHAM: No more comment.

21
22 (Laughter)

23
24 CHAIRMAN SAMUELSEN: Okay. All those in
25 favor of the motion signify by saying aye.

26
27 IN UNISON: Aye.

28
29 CHAIRMAN SAMUELSEN: Opposed, same sign.

30
31 (No opposing votes)

32
33 CHAIRMAN SAMUELSEN: So carried. Is there
34 anything else we need to bring up under Proposal 20?
35 Staff, nothing?

36
37 MR. FISHER: Well, if we don't get it under
38 20 we can get it under 21, I guess.

39
40 CHAIRMAN SAMUELSEN: Okay. Moving on,
41 Proposal 21.

42
43 MR. FISHER: The first part of 21 is -- I
44 believe it would be covered under 20, your action on 20.
45 Then the only other thing to do would be to, I guess, act
46 on the other part of 21 which would address -- which
47 requests a winter season and I think I've explained that
48 and you guys are pretty familiar with that.

49

CHAIRMAN SAMUELSEN: Okay.

00056

1 MR. EDENSHAW: Mr. Chair.

2
3 CHAIRMAN SAMUELSEN: Cliff.

4
5 MR. EDENSHAW: ADF&G's comments on Proposal
6 21 were they do not support and they further state,
7 consistent with our position on previous proposals to
8 establish a winter moose season in Unit 17(A), the
9 Department supports provisions of the moose management plan
10 for this area which stipulate that a winter season should
11 be opened only after the moose population in the area
12 reaches 600 animals. A moose survey is planned in late
13 winter in Unit 17(A) and should provide updated population
14 data for presentation to the Federal Board at its spring
15 meeting.

16
17 There weren't any written public comments.

18
19 CHAIRMAN SAMUELSEN: Okay, thank you. Is
20 there any public comments on Proposal 21? Hans Nicholson.

21
22 MR. NICHOLSON: For the record my name is
23 Hans Nicholson, Chairman of the Nushagak Advisory
24 Committee. I'd just like to report action we took on
25 Proposal 21. Let me find it first. Actually we took
26 action on Proposal 22. In the Alaska Department of Fish
27 and Game proposal book we took up the issue, we decided to
28 break it into two sections. To amend the proposal into
29 (A), the regular fall hunt and (B), the winter hunt.

30
31 The committee voted to support the current
32 hunt in the fall but opposed the winter hunt, primarily
33 because the population numbers currently in the 17(A)
34 drainage do not go along with the moose management plan for
35 17(A). And that was the primary reason.

36
37 CHAIRMAN SAMUELSEN: Okay, thank you. Any
38 questions of Hans?

39
40 MR. ABRAHAM: Mr. Chairman.

41
42 CHAIRMAN SAMUELSEN: Mr. Abraham.

43
44 MR. ABRAHAM: Sometimes I get tired of
45 arguing with you guys over here. Sometimes I get tired of
46 proposals that oppose what the people want. Like you said
47 in 17(A), bull/cow ratio over there is more than 50/50 over
48 there, I think bulls are more over there than the cows. So
49 the bulls over there are needing some women over there,

50 women cows. And they're fighting over the women over the

00057

1 falltime all the time. If we don't have enough girls in
2 the audience, if there isn't enough for too many men, man
3 alive we'd be killing each other, that's what the moose are
4 doing over there. This number over we have, 600.....

5
6 CHAIRMAN SAMUELSEN: You got a question for
7 Hans?

8
9 MR. ABRAHAM: Yeah.

10
11 CHAIRMAN SAMUELSEN: Okay.

12
13 MR. ABRAHAM: The 600 over here, to me, is
14 a wrong number, 300 is a more likely number over there.
15 It's not going to effect the moose over there, you know, in
16 the winter hunt. Fall hunt, winter hunt, it's not going to
17 effect it. That's all I got. I mean I'm not going to
18 argue with you guys anymore because I'm not going to win
19 anyway.

20
21 MR. NICHOLSON: Okay, Pete, our advisory
22 committee took up the issue and the actions taken were
23 after consideration with the 17(A) moose management plan
24 and that was the recommendation from the advisory committee
25 as a whole. It does not reflect any personal opinions.
26 It's basically based on, you know, the biological reports
27 that were submitted to us.

28
29 And clarification on Proposal 20, the
30 Federal Proposal 20 concerning the moose in 17(A), our
31 committee amended -- to amend no action on the first part
32 and voted to oppose the second part basically. That was
33 the action of the Nushagak Advisory Committee.

34
35 CHAIRMAN SAMUELSEN: Thank you, Hans. Any
36 other questions of Hans? I don't see any. Thank you,
37 Hans. Any other members of the public that want to comment
38 on this proposal.

39
40 Seeing none, we have the proposal before
41 us. What is the wishes of the Council?

42
43 MR. HEYANO: Well, Mr. Chair, I would move
44 that we oppose Proposal 21.

45
46 CHAIRMAN SAMUELSEN: Okay, there's a motion
47 to oppose, is there a second?

48
49 MR. BALLUTA: Second.

00058

1 CHAIRMAN SAMUELSEN: Seconded by Andrew.
2 Further discussion Council.

3
4 MR. HEYANO: Well, Mr. Chairman, this issue
5 has been before us many, many, many times. It was before
6 the Federal Subsistence Board in December, they elected to
7 support us and support the moose management plan that's
8 been in effect. I was just made aware of, through
9 personnel from the Togiak Wildlife Refuge, that at a recent
10 meeting in Togiak there was expressed interest of coming
11 back to the table to address this issue on when a winter
12 hunt could be allowed. I understand that maybe instead of
13 a fixed number look, they would like to look at bull/cow
14 ratios. So I think that I support the concept of a local
15 management plan for this resource. I think we need -- we
16 represent all subsistence users, Federally qualified
17 subsistence users for this resource and it appears to be
18 there's some movement to, at least, discuss this
19 contentious issue on a local level. So in that light, I
20 guess I'm going to oppose this proposal and I'd be willing
21 to look at the results of a moose management -- another
22 moose management meeting and see what the recommendations
23 are and if there is consensus on a different alternative
24 rather than a fixed number.

25
26 MR. ABRAHAM: Mr. Chairman.

27
28 CHAIRMAN SAMUELSEN: Question first from
29 me. What was your motion, to oppose?

30
31 MR. HEYANO: Oppose.

32
33 CHAIRMAN SAMUELSEN: So you need to support
34 to oppose? You made a motion that we oppose it and then in
35 your justification you said you were going to oppose the
36 motion. Am I right?

37
38 MR. HEYANO: No. I'm not going to support
39 this proposal is what I said or what I thought I said.
40 What did I say?

41
42 REPORTER: That's what you said.

43
44 MR. HEYANO: Yeah.

45
46 MR. ABRAHAM: I'm glad when somebody gets
47 confused like me.

48
49 (Laughter)

00059

1 CHAIRMAN SAMUELSEN: I'm having one of
2 those days, Pete. So you made a motion to.....

3
4 MR. HEYANO: Oppose.

5 CHAIRMAN SAMUELSEN:oppose.

6
7 MR. BALLUTA: Oppose.

8
9 MR. HEYANO: Right.

10
11 REPORTER: Right.

12
13 MR. BALLUTA: That's what he said.

14
15 CHAIRMAN SAMUELSEN: Yeah.

16
17 MR. HEYANO: Yeah.

18
19 MR. BALLUTA: And I seconded the motion.

20
21 MR. HEYANO: And I gave justifications why
22 I won't support the proposal.

23
24 CHAIRMAN SAMUELSEN: Okay. And you're
25 going to vote to oppose the motion or support it. See,
26 maybe.....

27
28 MR. HEYANO: I'm going to support my
29 motion, Mr. Chairman.

30
31 CHAIRMAN SAMUELSEN: Oh, that's -- okay.

32
33 MR. HEYANO: Which is to oppose Proposal
34 21.

35
36 CHAIRMAN SAMUELSEN: That's right. That's
37 what I was trying to say.

38
39 MR. HEYANO: Yes, thank you.

40
41 CHAIRMAN SAMUELSEN: In your justification
42 you got me all mixed up. Mr. Abraham.

43
44 MR. ABRAHAM: Mr. Chairman, how do we get
45 rid of this number here, I mean this nagging 600 number
46 here? Minimum of 600 moose in Unit 17(A).

47
48 CHAIRMAN SAMUELSEN: Robert.

49

00060

1 MR. HEYANO: Well, maybe could.....

2
3 CHAIRMAN SAMUELSEN: Andy.

4
5 MR. HEYANO:no, the other fellow.

6
7 CHAIRMAN SAMUELSEN: Aaron.

8
9 MR. HEYANO: Aaron, I'm sorry.

10
11 CHAIRMAN SAMUELSEN: What's his name.

12
13 MR. HEYANO: I drew a blank there. Maybe
14 he can explain what the folks in Togiak are proposing to
15 do.

16
17 MR. ABRAHAM: I know where the number came
18 from.

19
20 MR. HEYANO: No, no, no, now, just listen.

21
22 MR. ARCHIBEQUE: Mr. Chairman, Aaron
23 Archibeque, Togiak Wildlife Refuge.

24
25 MR. ABRAHAM: Hello, what's his name.

26
27 MR. ARCHIBEQUE: We recently attended a
28 meeting in Togiak, Mr. Abraham actually chaired the meeting
29 of their -- they call it their joint meeting, their monthly
30 joint meeting, it's with the corporation, the city council
31 and the traditional council. And in that meeting we
32 presented different information. But one of the topics
33 that came up was 17(A) moose and what they suggested and
34 actually encouraged was that another meeting take place
35 between the representatives from the Regional Advisory
36 Council, the Nushagak Advisory Committee, Alaska Department
37 of Fish and Game and the Refuge, along with the
38 representatives from Togiak, the traditional council and
39 any other interested parties, the Togiak advisory
40 committee, take place to discuss the number, the 600 that's
41 there as far as when we would allow a winter hunt.

42
43 There's a request to look at it and maybe
44 consider a bull/cow ratio instead of a fixed number. We're
45 very supportive of trying to get together to try to iron
46 this out. I think we all agree that we want a management
47 plan and we want to try to move ahead and if there are
48 opportunities for additional harvest, we want to try to
49 provide those. So I think that's how we can address your

50 question, Mr. Abraham, is if we can get together here,

00061

1 shortly, we can talk about that number and try to come to
2 some consensus in that plan.

3

4 CHAIRMAN SAMUELSEN: Thank you.

5

6 MR. ABRAHAM: So Mr. Chairman.

7

8 CHAIRMAN SAMUELSEN: Follow up to that
9 response, go ahead, Pete.

10

11 MR. ABRAHAM: Make sure it's on the record.

12

13 REPORTER: I will.

14

15 MR. ABRAHAM: Nushagak Advisory Council
16 will be invited to Togiak, that will include Robin and
17 Robert and members from U.S. Fish and Wildlife and ADF&G on
18 our next joint meeting to discuss this number here in
19 Togiak. Because, I don't know how long it's been, but like
20 you said, we want to iron this out and get rid of it and go
21 forward because it's slowing -- every meeting it slows us
22 down, on this damn 600 over here.

23

24 CHAIRMAN SAMUELSEN: Okay. Shirley.

25

26 MS. KELLY: I'd like to know how was the
27 600 number derived?

28

29 MR. ARCHIBEQUE: It was from the original
30 meeting that we had that actually took place in Togiak with
31 representatives from the Regional Council, Mr. Abraham was
32 also present, representatives from Togiak, Alaska
33 Department of Fish and Game and the Refuge. That's where
34 the original numbers and the management plan was
35 developed.

36

37 MS. KELLY: I know. Okay, with that
38 explanation, but I want to know is how did you guys come
39 about to that number? What was the rationale?

40

41 MR. ARCHIBEQUE: It was from that group.

42

43 CHAIRMAN SAMUELSEN: Carrying capacity.

44

45 MR. ARCHIBEQUE: The number, we looked at
46 based on the information that we had on the population, the
47 carrying capacity, the habitat out there, what that area
48 could support and it was tiered off at what level would we
49 allow different types of harvest. The initial one would be

50 a fall season and then we would expand it into a winter

00062

1 hunt. And that number was what was identified, 600, for a
2 winter hunt, 300 was for a fall hunt.

3

4 MR. ABRAHAM: Believe it or not, Shirley,
5 the first number they offered was 1,200. You know, if that
6 1,200 got stuck in this thing over here, I'd be waiting for
7 that 1,200 until I died. I'd be 102 years old when the
8 1,200 comes. I won't be able to move then.

9

10 MR. ARCHIBEQUE: Well, I'll address that
11 real quick. I don't believe that's correct. The 1,200
12 that was -- that's what was estimated for the overall
13 carrying capacity for the entire unit, not for when we
14 would allow an additional harvest opportunity.

15

16 CHAIRMAN SAMUELSEN: Well, okay, well,
17 Pete, I would gladly go to Togiak, but I don't sit on the
18 Nushagak Advisory Committee, Robert does and Hans Nicholson
19 is their chairman. But I'll gladly go to Togiak as a RAC
20 member if you guys invite me over.

21

22 I'm going to support the motion before us.
23 Way before the Federal Subsistence Board was a thought in
24 any of our minds, the Nushagak Advisory Committee,
25 realizing the geographic location of Togiak, we had poor
26 salmon seasons and we had 10 moose in that area and way
27 back then the Nushagak Advisory Committee sat down with
28 ADF&G biologists and at that time Togiak was part of the
29 Nushagak Advisory Committee from my recollection, back in
30 the '70s and decided, how can -- they were concerned with
31 the downturn in salmon and no caribou in the area and only
32 10 moose, that the subsistence opportunities were being
33 confined to some saltwater fish but mostly freshwater fish,
34 how could they get a red meat source into that area. And a
35 plan was developed by the Nushagak Advisory Committee, with
36 Togiak's participation and that plan was to close the
37 Sunshine Valley area, the areas around Monokotak to
38 Dillingham, Aleknagik and Monokotak residents to try to
39 experiment to try to see if moose would cross through that
40 mountain pass to get into Togiak Valley to provide a red
41 meat source. Along came the Federal Subsistence Board
42 because of the McDowell decision and the working group was
43 put together and within that working group goals and
44 objectives were set forth. Based on reports that we got
45 this morning, we're 131 moose shy from our 600 goal that
46 the working group has put together. Last week the State
47 and the Federal subsistence counterparts developed
48 emergency regulation on liberalizing the season on caribou.
49 The Mulchatna Caribou Herd has gone up around Aniak and it

50 has come down the coast and is pushing eastward. We've had

00063

1 emergency openings for caribou. We've liberalized the moose
2 season to a fall hunt to afford them an opportunity and I
3 think it'd be a -- I think the moose in Togiak is a real
4 success story. And I think I was arguing against it back
5 in the '70s, on closing the areas because there was no
6 moose around here behind Kanakanak, all the moose were in
7 Sunshine Valley, they seem to gather up there.

8
9 But the Nushagak Advisory Committee, the
10 ADF&G biologists, and, you know, they wanted to try this
11 experiment and I think we're just about there for a
12 sustainable red meat source for the people of Togiak and
13 Twin Hills and the other qualified subsistence users and I
14 think it -- you know, I know Pete's frustrated, I'm
15 frustrated too. I'm tired of this issue coming before this
16 Council, since this Council's been formed we've been
17 grappling with this issue and it's either in the Federal
18 system or in the State system. But I think we're so close
19 to finally achieving the goals and objectives of the
20 management plan and the Federal Subsistence Board has
21 recognized that a lot of work went into this management
22 plan. Yeah, there's discontent among residents of Togiak,
23 but the overall goal is so close to achieving that -- and
24 there's alternative resources and we've provided a limited
25 hunt, that we should stick with the plan. So that's why
26 I'll be supporting the proposal.

27
28 Any other comments.

29
30 MR. HEYANO: Question.

31
32 CHAIRMAN SAMUELSEN: Question's been called
33 for. All those in favor signify by saying aye.

34
35 IN UNISON: Aye.

36
37 CHAIRMAN SAMUELSEN: Opposed, same sign.

38
39 (No opposing votes)

40
41 CHAIRMAN SAMUELSEN: So carried.

42
43 MR. CHRISTENSEN: We just voted against it,
44 right?

45
46 CHAIRMAN SAMUELSEN: Yeah, it's status quo.

47
48 MR. HEYANO: I need clarification, Mr.
49 Chairman, back to my original concern. How do we prohibit

50 State regulations from circumventing what we just did?

00064

1 CHAIRMAN SAMUELSEN: Well, let's see which
2 one of the Federal Staff wants to come up and if they
3 don't, we'll call Mr. Chythlook up with the Division of
4 Boards. Where did Mr. Fisher go? Andy?

5
6 MR. CHYTHLOOK: Mr. Chairman.

7
8 CHAIRMAN SAMUELSEN: Welcome Joe.

9
10 MR. CHYTHLOOK: Coordinator for Board of
11 Fish, Board of Game. I guess the only suggestion at this
12 point, prior to the Board of Game meeting is that you, as a
13 member of the public or any organization for that matter,
14 can make a comment to the Board of Game. Probably based on
15 the action you took at this Council meeting that you could
16 write a comment to the Board of Game recommending that they
17 take no action on that proposal that you're concerned with.
18 In the interest of aligning -- or keeping the State and
19 Federal regulations aligned and causing less confusion to
20 some of us that have to live with the regulations that are
21 adopted by both agencies.

22
23 That's just my recommendation. Beyond
24 that, I don't know what the Federal boys will suggest.

25
26 CHAIRMAN SAMUELSEN: Thank you, Joe. Andy.

27
28 MR. ADERMAN: Yes. In answer to Robert's
29 question, if you wanted to preclude the State having a
30 season on the Federal lands, then you could ask the Federal
31 Subsistence Board to close those Federal lands for moose in
32 that area.

33
34 MR. HEYANO: And what I heard in the 20
35 minute break, was that the State Board of Game will act
36 prior to the Federal Subsistence Board; is that correct?

37
38 MR. ADERMAN: That's correct.

39
40 MR. HEYANO: So is it appropriate at this
41 time, Mr. Chairman, that we have our minutes or request to
42 the Federal Subsistence Board, that if the State opens a
43 winter hunt in 17(A), that we request that they close all
44 Federal lands in the winter.

45
46 CHAIRMAN SAMUELSEN: I think if your
47 intention is to be consistent with the management plan put
48 in place, I'd say, yes. Wouldn't you say so, Andy?

49

MR. ADERMAN: (Nods affirmatively)

00065

1 CHAIRMAN SAMUELSEN: He's nodding his head
2 yes.

3
4 MR. ADERMAN: Yes.

5
6 MR. EDENSHAW: Mr. Chair.

7
8 CHAIRMAN SAMUELSEN: Yes.

9
10 MR. EDENSHAW: Regarding Robert's concern,
11 if the State does go ahead and pass and approve a winter
12 hunt in December, then what I would suggest to the Council
13 is when the Board meets in May they're going to address
14 Proposals 20 and 21, and those basically address seasons.
15 And if he would like those Federal lands closed to moose
16 hunting, that would likely have to be addressed with a
17 special action. And maybe Tim or Pat or someone else, but
18 that's my read on what Robert is suggesting regarding when
19 the Board meets in May to address wildlife proposals,
20 specifically these ones by the Bristol Bay region.

21
22 MS. FOX: Hi. Thank you, Mr. Chair. I
23 would like to address this for a moment.

24
25 I would say in the presentation to the
26 Board of Game that Dan LaPlant can make a case for the
27 State, the Fish and Game Department, being a member of this
28 planning group that prepared this management plan and even
29 though it's in draft form and not yet finalized, it is one
30 in which the Board is relying on for guidance and working
31 with the people in the area. I think our approach should
32 be more unified in working with the Board of Game in terms
33 of getting the recognition for that working group effort.
34 And say, we're still tracking with that until it is
35 finalized and would hope that the Board of Game would be
36 supportive of that working group effort.

37
38 I think it's important that we signal that
39 we're trying to work this out at a local level and that we
40 have some objectives, as you indicated, that are near
41 completion or near achievement and we're continuing to meet
42 and resolve differences and ask them to be, again, in
43 support of that effort. If that doesn't work then, yes, we
44 have contingencies, if you will, the Board can take action
45 to close Federal public lands, but as much as possible we
46 should be trying to local efforts to resolve things. And
47 that's the message that I'd like to send to the Board of
48 Game with your permission through Dan LaPlant.

49

CHAIRMAN SAMUELSEN: Thank you, Peggy.

00066

1 Questions of Peggy. Robert.

2

3 MR. HEYANO: Yeah, and I think that's the
4 approach we should all be striving for. What I'm looking
5 for is that if we don't take a specific action here
6 requesting something of the Federal Subsistence Board based
7 on State Board of Game action then we'd either have to
8 reconvene through a teleconference, I would assume, to do a
9 special action. What I would like to do is take care of it
10 now in the event of; request the Federal Subsistence Board
11 to close.

12

13 MS. FOX: You can do that, yes.

14

15 MR. HEYANO: Would that be appropriate?

16

17 MS. FOX: Yes, that would be appropriate.
18 It's just that you don't really know what the Board of Game
19 is going to do.

20

21 MR. HEYANO: Right.

22

23 MS. FOX: So you're making assumptions
24 about what actions they might take and it may not be, you
25 know, valid assumptions, they might do something else other
26 than what is being put before them, modify the proposal,
27 for example. However, I would encourage you to go ahead to
28 do that so that your message is clear and it is done as a
29 Council and then we will just kind of see how it plays out
30 and the Board will be prepared to act in May.

31

32 CHAIRMAN SAMUELSEN: Okay.

33

34 MS. FOX: Either way, if you do a special
35 action after the Board of Game meeting or you send that
36 message right now, they should be able to react in May.

37

38 CHAIRMAN SAMUELSEN: Very good, thank you.
39 Further comments.

40

41 MR. HEYANO: Do we need to put that in the
42 form of a motion or do you direct Staff to draft that
43 letter?

44

45 CHAIRMAN SAMUELSEN: I would direct Staff
46 to -- you know, I'd prefer that, if there's no objection
47 from the Council, that we direct Staff to write a letter
48 that that is our intention.

49

MR. ABRAHAM: Mr. Chairman, if you draft a

00067

1 letter, I think you should send copies to us, this Council.

2

3 CHAIRMAN SAMUELSEN: We will. We will.

4

5 MR. ABRAHAM: For their discussion.

6

7 CHAIRMAN SAMUELSEN: Is there any objection
8 to Staff drafting a letter and me signing it and shipping
9 it to the Board, the Federal Subsistence Board, Board of
10 Game? Okay, that's how we'll do it then. Anything else
11 under this agenda item? Okay, moving on. You want to go
12 to lunch?

13

14 MR. ABRAHAM: You bet your boots.

15

16 CHAIRMAN SAMUELSEN: Okay, let's see here,
17 we've got -- Peggy, what time is your plane?

18

19 MS. FOX: It's not until this evening, 7:00
20 or something.

21

22 CHAIRMAN SAMUELSEN: Okay, it's a good time
23 to -- I thought you were leaving this afternoon.

24

25 MS. FOX: No.

26

27 CHAIRMAN SAMUELSEN: It's a good time to
28 take a break, we'll adjourn until 1:15.

29

30 MR. ABRAHAM: 1:30.

31

32 CHAIRMAN SAMUELSEN: Boy, you're awnry
33 today, okay, 1:30.

34

35 (Off record)

36 (On record)

37

38 CHAIRMAN SAMUELSEN: Okay, we'll call the
39 meeting back to order, it's 1:30. Proposal 22.

40

41 MR. EDENSHAW: Yes, sir.

42

43 CHAIRMAN SAMUELSEN: We're on Proposal 22.
44 Dave.

45

46 MR. FISHER: Thank you, Mr. Chairman.
47 Proposal 22 was submitted by the Bristol Bay Native
48 Association.

49

CHAIRMAN SAMUELSEN: Okay.

00068

1 MR. FISHER: And what this proposal would
2 do would allow for subsistence hunting same day airborne,
3 the landing and shooting of wolves under subsistence
4 hunting regulations for Subunits 9(C) and (E). It also
5 would allow for the subsistence take, same day airborne
6 land and shooting of free-ranging wolves under the
7 subsistence trapping regulations for 9(C) and 9(E).

8
9 We did have a discussion back in January
10 with one of the proponents of this proposal and at that
11 time he did specify that their intent was to -- the purpose
12 of the proposal was to allow for -- to increase subsistence
13 opportunities for the taking of wolves. There was a little
14 bit of a question but we did get that straightened out.

15
16 The current subsistence hunting regulations
17 for Unit 9, August 10th through April 30th, the harvest
18 limit is five wolves. The subsistence trapping regulations
19 for Unit 9 are November 10th through March 31st with no
20 limit. Existing subsistence regulations regarding same day
21 airborne taking of wolves are prohibited. However, this
22 restriction doesn't apply to the taking -- the subsistence
23 taking of deer. The subsistence same day airborne trapping
24 regulations are prohibited, however, a trapper can use a
25 firearm to dispatch furbearers caught in a trap or a snare.

26
27 As far as customary and traditional use
28 determination for wolves in Unit 9, the rural residents of
29 Unit 6, Unit 9, Unit 10, Unimak Island only, Units 11
30 through 13 and Units 16 through 26, plus the residents of
31 Chickaloon all have C&T the for taking of wolves in Unit 9.
32 The Federal public lands that we're concerned with in this
33 proposal include the Becharof National Wildlife Refuge,
34 Katmai National Park, Katmai National Preserve and also
35 Bureau of Land Management lands in Unit 9(C). In 9(E),
36 we're dealing with, again, part of the Becharof National
37 Wildlife Refuge, parts of the Alaska Peninsula National
38 Wildlife Refuge, and the Aniakchak National Monument and
39 Preserve.

40
41 Specific Fish and Wildlife Service
42 regulations regarding the same day airborne taking of
43 wolves or wolverines on Refuges, and this is specified in
44 our 50 CFR, Part 36, these do not apply to the taking of
45 fish and wildlife for subsistence purposes, they apply for
46 recreational purposes, but not for subsistence purposes.
47 The Bureau of Land Management, currently, does not have any
48 regulations related to the use of aircraft on their lands.
49 BLM has, like I mentioned, has land in 9(C) but no land in

50 9 (E) .

00069

1 National Park Service regulations prohibit
2 same day airborne taking of wolves under their title, under
3 Title VIII of ANILCA for subsistence purposes on all
4 National Park Service units.

5
6 The population of wolves, I guess it kind
7 of depends on who you talk to but they are abundant
8 throughout Unit 9. We don't have any specific population
9 data on their numbers. In talking with biologists and
10 other people leads us to the conclusion that the population
11 in Unit 9 is increasing. Most of these observations and
12 reports are feedback from wildlife surveys done by Federal
13 and State people, through bear, moose and caribou census
14 work. Information is also received from guides, hunters,
15 local residents and responses from annual trapper
16 questionnaires that are sent out by Fish and Game. And
17 most trappers and local residents believe that the wolf
18 population in Unit 9 is stable and increasing compared to
19 previous years.

20
21 Pat McClenahan, from our office did a lot
22 of leg work and a lot of phone calls in talking to
23 different people in the Bristol Bay area regarding the
24 history of aircraft use and also subsistence use of wolves.
25 So this information under harvest history is primarily her
26 input and she did -- like I say, she did make a lot of
27 calls and talk to a lot of people on this.

28
29 Aircraft use in the Bristol Bay area, as
30 I'm sure both Pete and Robin and Robert are familiar, and
31 know, took place, it started in the late '40s and early
32 '50s and at that time, both the State and the Federal
33 government encouraged residents to hunt wolves for predator
34 control and also for bounties that were paid. Prior to the
35 1950s most rural residents used dog teams to access their
36 traplines for wolves and other furbearers. I think around
37 1950 aircraft became more readily available and at that
38 time trappers would fly out, check their traplines or fly
39 people out to trapping cabins and drop them off and then
40 pick them up at a later date.

41
42 We don't have a lot of direct information
43 about the subsistence take of wolves. We did put some
44 information together there in Table 1. This primarily
45 depicts the wolf harvest, hunting and trapping, 1983
46 through 1999. Harvest by all methods of access and harvest
47 by aircraft access. So you can see there that aircraft were
48 used as access to obtain wolves.

49

In looking at this proposal we did consider

00070

1 some other options that possibly could be used or presented
2 to you people so you can discuss them. One of these other
3 options was a designated hunter permit system similar to
4 the designated caribou permit that we talked about earlier
5 for the Nushagak caribou. We also talked about increasing
6 the harvest limit. The current harvest limit for the
7 hunting of wolves in Unit 9 is five, that could be
8 increased, both under the Federal and State hunting
9 regulations. And we also mentioned the possibility that if
10 there is a real concern about the wolf population perhaps
11 another workshop would be in line similar to the one we
12 had, I think, in '98 when we talked about declining moose
13 and caribou population at that time; maybe something could
14 be held again along those lines getting all the players
15 involved and coming up with some very accurate management
16 recommendations.

17
18 In looking at the proposal, we felt that
19 additional subsistence opportunities, both to hunt and trap
20 wolves, same day airborne would be provided to those users
21 who have access to airplanes. They would be able to land
22 and take wolves on the same day. This would be a more
23 convenient mode of access for them as they'd be able to
24 cover more areas in a shorter period of time.

25
26 Under this proposal it would be legal to
27 hunt and trap wolves, same day airborne on Fish and
28 Wildlife Service lands and those would be our wildlife
29 refuges that I mentioned and also BLM lands, but not on
30 Park Service or State lands, unless they change their
31 regulations.

32
33 In looking at the primary conclusion, it
34 was to support the proposal with modification. And the
35 modification would be, both under the hunting and the
36 trapping regulations, we would require that the hunter be
37 300 feet from the aircraft when taking a wolf or attempting
38 to take a wolf.

39
40 Like I mentioned earlier, we don't have a
41 lot of good data on customary and traditional use of
42 wolves. Perhaps we need to expand that and get some more
43 information on that. But there does appear to be enough
44 information to document a pattern of taking wolves for
45 subsistence use and also to substantiate it as a
46 subsistence practice for the two subunits.

47
48 That's all I have, Mr. Chairman.

49

CHAIRMAN SAMUELSEN: Okay, thank you.

00071

1 Questions, Council, of Dave? Shirley.

2

3 MS. KELLY: How many people in Unit 9(E)
4 subsistence users do you know have aircraft to do this?

5

6 MR. FISHER: I don't have an answer to
7 that. Maybe Pat would have a better -- from some of the
8 people that you have talked to.

9

10 MS. McCLENAHAN: You gave me a person's
11 name to call and I did try to get a hold of him, I have not
12 been able to talk to him so we don't have very good
13 information on it as of this time, I'm sorry. It's
14 something we can pursue though, if you'd like.

15

16 MR. FISHER: How many people actually own
17 airplanes?

18

19 MS. KELLY: Right, in 9(E), subsistence
20 users.

21

22 MR. FISHER: 9(E) or 9(C) and 9(E)?

23

24 MS. KELLY: Well, I'm primarily interested
25 in 9(E).

26

27 MR. FISHER: Okay.

28

29 MS. KELLY: In the table that you have on
30 Page 91, I'm just curious to find out how many of these
31 people who did take wolves by aircraft access were actually
32 located, subsistence users in 9(E)?

33

34 MR. CHRISTENSEN: Mr. Chairman.

35

36 CHAIRMAN SAMUELSEN: Johnny.

37

38 MR. CHRISTENSEN: I think the figure you
39 see were caught around Pilot Point but it's -- hardly
40 nobody has airplanes anymore. If they was to open up a
41 land and shoot, same day, airborne, there'd be people from
42 here, one or two airplanes from Dillingham, one or two out
43 of Naknek, that's about all that would be around. But the
44 history of wolf hunt, it's always been airplanes, no
45 snowmachines, dog teams. You can't run a wolf down with a
46 dog team. As long as I could remember, Jay Hammond used to
47 do real good with the Federal hunt program with the
48 airplanes to reduce the wolf population. All of us, what
49 we did, we shot them out of airplanes. Snow, trying to

50 track, that's it.

00072

1 CHAIRMAN SAMUELSEN: Shirley.

2
3 MS. KELLY: I have another question
4 directly to.....

5
6 MS. McCLENAHAN: Could I answer your other
7 question?

8
9 MS. KELLY: Yes, could you answer that
10 other question first.

11
12 MS. McCLENAHAN: We have figures here and
13 this does not differentiate, this is only by community.

14
15 MS. KELLY: Okay.

16
17 MS. McCLENAHAN: Egegik in 9(E), between
18 1983 and 1999 has taken two wolves, by all means, this
19 isn't separated by airplane, okay?

20
21 MS. KELLY: Uh-huh.

22
23 MS. McCLENAHAN: Let's see, Chignik 9(E)
24 two wolves. Chignik Lake 13. Egegik, again, 30.

25
26 MS. KELLY: And that's by all access?

27
28 MS. McCLENAHAN: That's by all methods.
29 Pilot Point 87. Port Heiden 15. Port Moller 2. And
30 Ugashik 1. And that's between 1983 and 1999.

31
32 CHAIRMAN SAMUELSEN: Shirley.

33
34 MS. KELLY: I guess, Mr. Chair, the reason
35 I'm asking these questions is because when we had a meeting
36 in Egegik on the Lower Bristol Bay Advisory Committee on
37 February 9th and, of course, this was one of the issues
38 that we talked about in our meeting and it was a very
39 contentious issue within our own committee. The people
40 from Egegik and Ugashik who sit on that committee were not
41 in favor of same day airborne hunting because the people
42 that live in Egegik and Ugashik primarily harvest wolves by
43 trapping and using four-wheeler and snowmachine. They're
44 not using aircraft there and the biggest fear that they
45 have is that the majority of the wolves are going to be
46 taken by people with aircraft access. And the people who
47 do trap and hunt these wolves in Egegik and Ugashik don't
48 have that opportunity to use aircraft access. They don't
49 own airplanes. And the people that continue to hunt and

50 trap them there supplement their income, their winter

00073

1 income from hunting and trapping. And so they're afraid
2 that this is going to take away from their opportunity to
3 have local income because it's going to be people from
4 outside of 9(E) who are going to be coming in there with
5 aircraft to harvest the wolves.

6
7 CHAIRMAN SAMUELSEN: Okay. Other comments
8 for Staff.

9
10 MR. HEYANO: I do.

11
12 CHAIRMAN SAMUELSEN: Okay.

13
14 MR. HEYANO: Do you have harvest numbers
15 that go pre-83?

16
17 MS. McCLENAHAN: Pre-83, no. I don't have
18 -- I haven't gotten those. We've checked the State harvest
19 records, that's where we're getting our information and
20 they don't go beyond '83.

21
22 You might be interested in knowing what
23 communities have hunted wolves, what other communities
24 besides 9(E) communities, have hunted wolves in Unit 9(E)
25 between 1983 and 1999. They include Anchorage -- and this
26 would be non-subsistence for many of these people,
27 Anchorage, Cold Bay, Cooper Landing, Dillingham, Kenai,
28 Ketchikan, King Salmon, Kodiak, Naknek, Palmer, Sand Point,
29 Soldotna, South Naknek, Sterling and Wasilla.

30
31 CHAIRMAN SAMUELSEN: They have hunted or
32 they've harvested?

33
34 MS. McCLENAHAN: They have harvested. They
35 have taken wolves, that's right, they've taken wolves.

36
37 CHAIRMAN SAMUELSEN: Okay.

38
39 MS. McCLENAHAN: The greatest number of
40 wolves taken in 9(E) have been by Pilot Point, 87 wolves.

41
42 CHAIRMAN SAMUELSEN: What year?

43
44 MS. McCLENAHAN: And that's between 1983
45 and 1999.

46
47 CHAIRMAN SAMUELSEN: Okay.

48
49 MS. McCLENAHAN: And Egegik follows with 30

50 wolves. Non-residents, 44 wolves. Anchorage 29 wolves,

00074

1 just to give you an idea of the spread there.

2

3 MR. CHRISTENSEN: Them are trophy wolves.

4

5 MS. McCLENAHAN: A lot of them probably
6 were.

7

8 MR. CHRISTENSEN: Trophy wolves.

9

10 MS. McCLENAHAN: The problem with this is
11 it doesn't differentiate between subsistence hunted wolves
12 and sports hunted.

13

14 CHAIRMAN SAMUELSEN: Okay. Robert.

15

16 MR. HEYANO: Do you have information on
17 what the harvest is under trapping license?

18

19 MS. McCLENAHAN: I don't think we have the
20 trapping figures, do we -- this would be -- this would
21 include trapping, I believe. I think it's hunting and
22 trapping together.

23

24 CHAIRMAN SAMUELSEN: And according to this
25 map up here on the all, the only area that would be open
26 would be these two areas on the other side of the
27 peninsula, Federal land? The pink one?

28

29 MR. JENNINGS: That's wildlife on the
30 right, and fisheries over here.

31

32 CHAIRMAN SAMUELSEN: Okay, the pink one
33 here? The pink area?

34

35 MR. FISHER: The refuge land and.....

36

37 CHAIRMAN SAMUELSEN: And not in here?

38

39 MR. FISHER:BLM land. Are you
40 looking at both 9(C) and 9(E), because that's.....

41

42 CHAIRMAN SAMUELSEN: Yes.

43

44 MR. FISHER: So it would be the refuge land
45 and BLM lands. It would be the yellow land and the pink
46 land in 9(C).

47

48 MR. CHRISTENSEN: How about the purple?

49

MS. McCLENAHAN: No, that's Park Service.

00075

1 MR. FISHER: No, that would be closed.

2

3 CHAIRMAN SAMUELSEN: This would be closed.
4 This would be open, right?

5

6 MR. FISHER: Yes.

7

8 MR. HEYANO: Yes.

9

10 CHAIRMAN SAMUELSEN: Okay.

11

12 MS. KELLY: Mr. Chair.

13

14 CHAIRMAN SAMUELSEN: Yes.

15

16 MS. KELLY: I have another question for
17 you, Dave. Do you know the estimated wolf populations in
18 the pink and the gold-shaded land area?

19

20 MR. FISHER: I don't have a number on the
21 populations because those animals range so freely, so it
22 would be difficult to get an estimate for those specific
23 lands unless Ron or Daryl or maybe Sellers would be able to
24 zero in on a number.

25

26 CHAIRMAN SAMUELSEN: Go ahead, Shirley.

27

28 MS. KELLY: Do we have a law enforcement
29 person present at the meeting? Because I want to know how
30 easy is this going to be for law enforcement to have a
31 handle on this? To make sure that they're hunting these
32 wolves correctly.

33

34 MR. FISHER: Aaron. Could Aaron -- Aaron.

35

36 CHAIRMAN SAMUELSEN: Aaron. Tom.

37

38 MR. O'HARA: I'm Tom O'Hara, thank you and
39 no thank you.

40

41 (Laughter)

42

43 MR. O'HARA: I haven't had a whole lot of
44 opportunity to try to see how well this would be able to be
45 enforced. We have a hard time enforcing the rules that we
46 have now because those still get broken and we know that.
47 One thing it would do would make it easier for people to do
48 it, legally, what they're doing. It will still be
49 difficult to prove that they're 300 feet away from their

50 airplane. You'd have to actually see them in the process

00076

1 and that's probably not going to happen very often. So I'd
2 say it's another one that's a difficult one to enforce.
3 And if you look at the amount of acreage you have there and
4 the amount of enforcement that you have on the Peninsula,
5 total, it's going to be very difficult to enforce, either
6 way.

7
8 MS. KELLY: How many law enforcement do we
9 have for the Peninsula?

10
11 MR. O'HARA: Actually in airplanes flying
12 around, Fish and Wildlife has one law enforcement pilot.
13 Park Service has one law enforcement pilot. The State has
14 two. And the areas that go down towards Cold Bay, below,
15 around the Chigniks and there, I don't know if they have
16 any others. Daryl, do you have any others?

17
18 MR. LONS: (Nods negatively)

19
20 MR. O'HARA: That's, I come up with four.

21
22 MR. FISHER: What about Izembeck?

23
24 MR. O'HARA: Izembeck is below Port Moller
25 and the cut off for 9(E) is right there in the point of the
26 Port Moller Bay area.

27
28 CHAIRMAN SAMUELSEN: Okay, any others?

29
30 MS. KELLY: Yes, I have another question
31 for Dave.

32
33 MR. HEYANO: Don't go away, Tom.

34
35 MS. KELLY: The population, would you say
36 the population of the wolves is more on Federal public
37 lands or is it on State and private lands?

38
39 MR. FISHER: Well, I'd like to defer that
40 to Ron Squibb, he could probably better answer that than I
41 could.

42
43 MR. O'HARA: I won't go very far.

44
45 MR. FISHER: Maybe Daryl can answer it
46 better than Ron.

47
48 MR. LONS: Mr. Chairman, thank you. Daryl
49 Lons, Refuge Manager of the Alaska Peninsula Becharof

50 Refuges. We don't really have an idea as far as if there's

00077

1 more wolves off Refuge than off Refuge. The Refuge lands
2 entail approximately 45 percent of 9(E) and about 10
3 percent of 9(C). And wolves typically, you know, their
4 packs are dispersed, and sometimes more wolves where
5 obviously there's more prey. So depending on where the
6 caribou are there'll be more wolves in those areas.

7
8 We don't have hard figures. Getting hard
9 figures on wolves is a very difficult and expensive thing,
10 especially on the Peninsula where you don't have consistent
11 snow cover. The typical way to get wolf numbers is to do
12 aerial transects with fresh snow and cover a large area at
13 one time and cut tracks through transects and then follow
14 the tracks and get actual numbers of wolves by counting
15 them after you've tracked them or by doing telemetry
16 studies. We've tossed around the last couple of years,
17 I've been real interested in trying to get better numbers
18 and Mr. Squibb has talked to Dick Sellers and he's talked
19 to other biologists around the state and for the Peninsula
20 it's going to be a very difficult thing to get a good
21 handle on wolf numbers unless we put a lot of money into
22 telemetry studies. Actually, there's new technology using
23 DNA analysis so that there's possibilities that we could
24 start a new study and it's going to cost a ton of money but
25 putting bait stations out and then collecting hair by some
26 means, barbwired or whatever, like they do with bears and
27 then do a DNA analysis on seeing how many wolves come to
28 that bait station. But it's going to be terrifically
29 expensive to get those answers.

30
31 But back to law enforcement concerns. Now,
32 that's really a big concern of the agency and that's
33 actually why the Fish and Wildlife Service, at least, the
34 Refuge's side of Fish and Wildlife Service is opposed to
35 this proposal. It's a real big concern of ours. We feel
36 that the proposal is not only going to meet the intent of
37 the proposal but it's going to create a lot of violations,
38 both intentional and maybe some unintentional violations of
39 the airborne hunting act. I don't know if -- some of you
40 folks have probably hunted wolves from the air, it seems
41 like most people that have generally acknowledge that it's
42 pretty difficult to take wolves same day airborne without
43 violating the same day airborne act. There are
44 opportunities when you're out flying around that you could
45 do -- you could maybe see wolves cutting down a creek and
46 land way ahead of the creek and wait for them to come
47 along. But typically how it's usually done is you end up
48 chasing or herding or molesting the wolves in some way so
49 that you can move them into an area where you can land and

50 shoot them. Chasing them onto a big lake and then landing

00078

1 next to them or sometimes it's just a matter of chasing the
2 wolves until they're so exhausted that they can't, you
3 know, hardly move anymore.

4
5 I've talked to wolf hunters over the years
6 since 1984 when I lived in Galena, Jimmy Huntington, Don
7 Stickman, wolf hunting legends and they say that. Actually
8 at the airport today on the way over here I ran into a guy
9 who hunts wolves out of the King Salmon and Naknek area and
10 I talked to him about it, he agreed to that. Testimony in
11 cases involving law enforcement point in that direction.
12 So it's pretty commonly accepted that it's a hard thing to
13 do, is to legally harvest a wolf, same day airborne. It
14 can be done. But again, it's not providing that much of an
15 increased opportunity.

16
17 And as Ms. Kelly pointed out, you know,
18 legally, it's not going to increase the harvest. It may
19 increase the harvest illegally but then are you really
20 increasing the opportunities of subsistence users in the
21 area by having hunters from 17 other GMU's around the state
22 coming and harvesting a subsistence resource that the local
23 people in these villages also count on? There's
24 individuals in each of the villages that harvest wolves and
25 turn those pelts into parka ruffs and sometimes that's
26 worth \$1,500 to \$2,000 to those individuals to turn those
27 pelts into parka ruffs versus a hundred dollars or \$200 for
28 the ruff pelt. So it's an important subsistence activity
29 for some of those folks in the villages. So every one of
30 those wolves that are shot by the minority of people that
31 live in this area that own airplanes or the 17 other GMU's
32 is one less wolf to be harvested by the subsistence users
33 in these villages.

34
35 You know, there's other law enforcement
36 concerns. The boundaries aren't easy to see so
37 inadvertently there could be violations by shooting wolves
38 on Park lands or State lands or corporation lands. And
39 it's not real good public relations when we have -- when we
40 catch a local person with an airplane and take their
41 airplane away; it's not going to be pretty. And it will be
42 the only area in the whole country that's open to same day
43 airborne wolf hunting and the spotlight's going to be on us
44 so there's going to be a lot of pressure to do law
45 enforcement. And it's going to be a difficult thing to
46 enforce so we're going to have to spend a lot of time and
47 money doing that so it diverts money away from our other
48 wildlife programs that we have on the Refuge.

49

CHAIRMAN SAMUELSEN: Who did you say was

00079

1 opposed to it?

2

3 MR. LONS: The Fish and Wildlife Service.

4

5 CHAIRMAN SAMUELSEN: Fish and Wildlife
6 Service?

7

8 MR. LONS: Most of the Fish and Wildlife
9 Service. I mean the Federal Subsistence Staff, they work
10 for the Fish and Wildlife Service, too, but it's for the
11 Subsistence Board. The Division of Refuges and Alaska
12 Peninsula Becharof Refuge are opposed to the proposal.

13

14 CHAIRMAN SAMUELSEN: Well, fully realizing
15 the stigma with same day airborne hunting for wolves, you
16 know, we're a Federal Subsistence Board and we're faced
17 with providing a subsistence opportunity for the people of
18 that Peninsula.

19

20 MR. LONS: That's correct.

21

22 CHAIRMAN SAMUELSEN: And the primary red
23 meat source in that whole Peninsula is not moose meat, the
24 preferred choice is caribou meat. I'll go to a Board of
25 Fish meeting, a Board of Game meeting, a BBNA meeting and
26 the people from the Chigniks are always looking for caribou
27 to trade for halibut or whatever. We've heard outcries
28 from Port Heiden and them villages in the southern end.
29 We're in a Tier II situation where we got 60 permits
30 issued, the year before, we're down to 40. The caribou
31 population is right at about 7,000 and in a downward trend
32 and pretty soon we're going to have to close off hunting to
33 qualified subsistence users to sustain that stock on that
34 Peninsula. Because we've taken a number of management
35 actions that doesn't seem to correct or even slowdown the
36 downward trend in that area.

37

38 Is the U.S. Fish and Wildlife Service
39 agreeable to closing all 9(C) and (E) to non-qualified
40 subsistence users in lieu of this proposal?

41

42 MR. LONS: No, sir.

43

44 CHAIRMAN SAMUELSEN: Why not?

45

46 MR. LONS: Well, right at this time there's
47 no need to do that as long as there's a number of animals
48 that can be harvested.

49

CHAIRMAN SAMUELSEN: I think we're down to

00080

1 40 permits.

2

3 MR. LONS: Right, 400 Tier II and 40
4 Federal, that's correct. But I mean I share all your
5 concerns, Mr. Chair, but to make a regulation that really
6 isn't going to solve that problem and create a lot of other
7 problems just doesn't make sense to us. I mean, it just
8 invites violations of the Same Day Airborne Act. You can
9 increase wolf harvest right now illegally, everybody with
10 airplanes can go out and do it illegally now, they'll --
11 they can go out after this proposal and do it illegally --
12 I mean illegal is illegal. If you're going to limit it to
13 just legal harvest, it's not going to solve the problem.

14

15 CHAIRMAN SAMUELSEN: But anytime we adopt a
16 regulation, a certain sector of the public is going to
17 abide by that regulation and operate in confines of the law
18 and a certain segment is going to operate outside the
19 bounds of the law, whether it's wolves or subsistence
20 regulations for fish or whatever. So that's just a given
21 fact.

22

23 I have Shirley and then Robert.

24

25 MS. KELLY: I have a question for, I don't
26 know if it's for Dave or Ron, but I would like to know if
27 this is instituted, what kind of savings are we looking at
28 in the caribou herd?

29

30 MR. FISHER: I would defer that to Ron.
31 I'm not trying to put him on the spot, he's more familiar
32 with that than I am.

33

34 MS. KELLY: Okay.

35

36 MR. SQUIBB: Ron Squibb with the Alaska
37 Peninsula Refuge. If we wanted to estimate that as best we
38 could since we have no local information, I guess you could
39 do it incrementally if you knew the harvest of wolves and
40 you assume what the replacement rate was and used the rate
41 of kill from other areas and, you know, it'd be an exercise
42 of making assumptions in what the rate of harvest on
43 caribou elsewhere is and versus what was moose and look at
44 the ratios of the populations there. You could come up
45 with reasonable estimate and then by subtraction tell you
46 what, theoretically, the replacement rate would be. And I
47 guess how -- if you were to look to the future and say, how
48 would that affect the number of Tier II permits would be
49 that if, in deed, there -- the caribou that the wolves did

50 not kill were significant enough in number that they would

00081

1 change the post-calving count total we have and the
2 composition estimates we get from the October composition
3 surveys then that would result in a commensurate increase
4 in the number of Tier II permits. To say it simply, if you
5 kill more wolves and, therefore, next June and July we
6 count 6,200 instead of 6,000 caribou and then in the fall
7 the bull/cow ratio is changed from the last October's 38
8 bulls per 100 cows to 42, then you would have the four
9 extra bulls per 100 cows, you'd have to play with -- I mean
10 you'd increase it an increment.

11
12 So, you know, theoretically it would work
13 that way. Now, that'd be the consequence. And we don't
14 have data to tell you how many -- at this time, how many
15 caribou, on average, a wolf that's out there now takes, so
16 it would have to be an estimate exercise, but basically the
17 pragmatic end of it would be look and see what happened to
18 the bull/cow ratio and to the counts. And that's how ADF&G
19 comes up with their estimate for the number of bulls that
20 can be harvested without impacting the potential growth of
21 the herd when their growth recovers.

22
23 MS. KELLY: So you're telling me that --
24 from everything that you said, I can't see that there would
25 be a substantial savings on the caribou herd if we
26 institute this proposal?

27
28 MR. SQUIBB: I wasn't trying to communicate
29 that because it's all of -- there's too many unknowns. It
30 depends on.....

31
32 MS. KELLY: Right. So you can't tell me
33 exactly?

34
35 MR. SQUIBB: Certainly, in one extreme side
36 of the argument would be, yes, wolves eat caribou, that the
37 antidotes from trappers and other folks, we know the wolf
38 numbers are fairly abundant. And, therefore, if you were
39 to extrapolate wolves from the Peninsula, certainly there
40 you would get a response. Now, the other end would be that
41 you might not get enough wolves or you might get wolves in
42 an area where they're concentrated on moose or whatever and
43 you might not get it. I'm not saying there would not be a
44 response, I don't know is what I'm saying.

45
46 But I'm saying, theoretically, at some
47 point you will get a response. You know, that's using a
48 lot of words to say we don't know much except the obvious
49 that you all know yourselves.

00082

1 MS. KELLY: So would you say that mortality
2 on the caribou herd is due greatly to wolf predation or to
3 nutritional stress?

4
5 MR. SQUIBB: Well, the reason for the
6 decline at our present understanding is the nutritional
7 condition. The weights of newborn calves, the age of first
8 reproduction of the cows, et cetera, is delayed, you know,
9 is set back by the animals being in poor condition
10 presumably because of them overgrazing the range and taking
11 the best quality forage when they were at their peak for 10
12 years, 17,000 to 20,000 animals. And those factors have
13 not changed.

14
15 So we would presume that the herd would
16 continue to decline regardless -- rather, I should say, the
17 herd would not recover is a better way to put it because
18 certainly the predation -- you know, basically we have a
19 situation where recruitment does not match mortality and
20 mortality is a combination of mortality from the predator
21 population as well as from the hunting population. So the
22 herd would not to start to recover from that if you kill a
23 lot of wolves but if you take away the predation component
24 of mortality, then it would not decline as fast.

25
26 Again, we're just talking in theory and
27 this is -- you guys understand it just as well as I do, I
28 would guess. We don't have enough information to give you
29 a clear estimate.

30
31 CHAIRMAN SAMUELSEN: Robert.

32
33 MR. HEYANO: I need the other gentleman
34 back up.

35
36 CHAIRMAN SAMUELSEN: Daryl. Bah, bah black
37 sheep where have you been?

38
39 (Laughter)

40
41 MR. HEYANO: Thank you, Mr. Chairman. You
42 gave us what you thought was standard practice on taking of
43 wolves with an aircraft. Could you describe for me the
44 practice of taking of wolves with a snowmachine or a four-
45 wheeler?

46
47 MR. LONS: I can describe to you what I've
48 heard goes on. I haven't witnessed how the majority of
49 harvest goes on other than, you know, through trapping

50 obviously, snares and leg-hold traps. But I understand --

00083

1 I believe what you're getting at is there is a significant
2 proportion of wolf harvest done by snowmachines and four-
3 wheelers where the wolves are harassed, chased, herded,
4 molested.

5
6 MR. HEYANO: I didn't say that. I asked
7 for a description. But isn't that illegal?

8
9 MR. LONS: Yes, that is illegal.

10
11 MR. HEYANO: And how many cases have you
12 successfully prosecuted?

13
14 MR. LONS: The Refuge has not prosecuted
15 any of those.

16
17 MR. HEYANO: Thank you.

18
19 CHAIRMAN SAMUELSEN: Well, we're waking up.

20
21 MR. HEYANO: I'm wide awake.

22
23 (Laughter)

24
25 CHAIRMAN SAMUELSEN: Okay.

26
27 MR. HEYANO: Well, I think that's just my
28 point, Mr. Chairman, is that it's been determined that this
29 is a customary and traditional practice amongst other
30 practices that are on the regulation book and I guess it's
31 nice if you have the latitude to pick and choose which
32 regulations you're going to enforce, but I don't think
33 there's any greater or any lesser chance of subsistence
34 users abusing this method than there is with a snowmachine
35 or a four-wheeler. You know, there are those folks who are
36 going to abuse it and those who aren't.

37
38 And I guess my next question for the Ranger
39 there, a question to him is, in his opinion, is it more
40 difficult, less difficult or the same difficulty trying to
41 enforce or successfully prosecute a case whether it's an
42 aircraft or a snowmachine, four-wheeler or motorized boat?

43
44 MR. LONS: Are you looking to me as the
45 Ranger or somebody in the back room?

46
47 (Laughter)

48
49 MR. LONS: Well, it's -- I mean law

50 enforcement is a difficult thing when you only have a few

00084

1 officers and huge amounts of ground to cover, true. But
2 the public perception of hunting wolves with an airplane
3 is, you know, it's just not an acceptable thing by the
4 general public to hunt wolves with an airplane and it's
5 going to focus the issue so there will be a lot of law
6 enforcement done. We're probably going to end up if it's
7 subsistence users that are using airplanes to do it we're
8 probably going to end up taking someone's airplane away.

9

10 MR. CHRISTENSEN: Same for snowmachines,
11 right?

12

13 MR. LONS: There's different -- that's
14 under State law. When we're talking about airplanes is the
15 Airborne Hunting Act, it's, you know, Federal law and
16 there's more significant penalties.

17

18 MR. HEYANO: I disagree. When taking of
19 wildlife for subsistence purposes, you may not use a
20 motorized vehicle to drive, herd or molest wildlife, now,
21 that's a Federal regulation.

22

23 MR. LONS: Yeah, you are correct.

24

25 MR. HEYANO: So it appears to me that
26 because you're bowing to public pressure, public
27 perception, you're going to pick and choose which of these
28 regulations you're going to enforce. And I think if we, as
29 a Council, bow to that kind of pressure we'll eventually
30 see no subsistence hunting on Federal land because that
31 seems to be what the public in the Lower 48 is turning to.

32

33 MR. LONS: Point well taken. But I, you
34 know, I think allowing this is going to bring it to the
35 attention of the public and it's going to portray a very,
36 very inaccurate picture of most subsistence activities on
37 National Wildlife Refuges and it's going to actually, quite
38 frankly, be a pretty shocking picture to most of the
39 general public and I think the empathy for subsistence
40 activities and subsistence management could get seriously
41 tarnished, eroded by an activity like this. I mean it is a
42 traditional activity, but the general public is not going
43 to see hunting wolves with an airplane as a, in their
44 minds, as a legitimate subsistence activity. It very well
45 may be but the general public is not going to see it that
46 way.

47

48 MR. HEYANO: I realize that and I guess
49 that's my concern but I would defend that as much as I

50 would defend when the general public wakes up and realizes

00085

1 that chasing a wolf down with a snowmachine or chasing
2 caribou down with a snowmachine isn't what they'd like to
3 see either. The fact of it is is that's happened and
4 that's what the people who live in the area and utilize the
5 resource do. And until it's -- you know, we could take
6 corrective actions if it has a negative impact for the
7 resource. We can do that. We can do that by adjusting
8 seasons and bag limits. But I think what we're targeting
9 here is legitimate customary and traditional practices and
10 you're asking us to change that or not to implement. And
11 today it's the aircraft, next year, three years from now,
12 whoever's sitting here because of public perception and
13 public pressure you could very well come and ask us to
14 eliminate the snowmachine or whoever is sitting here and I
15 guess that's where I'm having a difficult time. If it's a
16 resource issue and concern for the resource, I think we
17 could deal with that, but to deal with it on somebody's
18 perception.....

19
20 CHAIRMAN SAMUELSEN: Thank you. Shirley.

21
22 MS. KELLY: I think also, Robert, that the
23 intent of the proposal was to increase subsistence
24 opportunity and if we institute this proposal we are not
25 going to increase people in Egegik and Ugashik's
26 subsistence opportunity to take wolves because they people
27 do not have aircraft to do this with. So we're increasing
28 people outside of 9(E)'s subsistence opportunity instead of
29 the people who live the unit.

30
31 CHAIRMAN SAMUELSEN: I must be off base
32 because I'm coming from the perspective that everything
33 that this Council has tried to do, this the Federal side,
34 and our counterparts, the State side, we can't stop the
35 decline down there.

36
37 We've thrown out hunters from, where was
38 it, we closed the south Peninsula completely to sport
39 hunting. We thought that would help it. We've instituted
40 a Tier II. We can't stop the decline of caribou. And the
41 predator/prey problems came up as possibly having an
42 impact. The Staff has told us they have no specific
43 population data on the wolf population down there but
44 talking to people and I've talked to people on both sides
45 of the Alaska Peninsula that they said their -- you know,
46 Johnny Chris, 60 year resident, 70 year resident down
47 there, you know, he's never seen the population of wolves.
48 Boris Kosbrook and them people over in that area, they're
49 coming in and killing the dogs in the village. And there's

50 factors that we've dealt with as a Council and the State

00086

1 has dealt with in trying to stop that decline of that
2 caribou herd and, to me, that's important. Wolves are not
3 -- wolves are important to me, don't get me wrong, but for
4 what the people need to eat is caribou along that Peninsula
5 and everything that I've done as a resource manager to try
6 to rebuild that, I can't stop it. And I think that, you
7 know, we got to look at the whole gambit, and sure, it
8 isn't sexy to look at same day airborne wolves and what
9 not, but what else are we going to do? Do we shut down the
10 subsistence and non-subsistence taking of caribou
11 completely until we see an upward trend? I mean I don't
12 know what the sustained yield number is down in that whole
13 area but I remember when I was 12 or 13 and I'm 49 today
14 and I've been going over there and hunting and when I first
15 started going over there and as late as 1970, as far as you
16 could see there was caribou and moose and if a moose was
17 from here to N&N off the lake you wouldn't even shoot it,
18 it was too far to back, there were that many moose. I
19 remember former Governor Jay Hammond, I was telling him
20 about the amount of sport hunters coming in and moving into
21 the Upper Mulchatna from the Peninsula and that's when the
22 Peninsula moose population started to decline and he said,
23 oh, the Upper Mulchatna will never be a trophy moose area,
24 they're too small a moose. Now look at it today, every
25 bend.

26
27 But, you know, what are we going to do for
28 the subsistence users that are relying on that caribou
29 population down there?

30
31 MS. KELLY: I think one of the things that
32 was brought to my attention is the lack of law enforcement
33 in 9(E), in that, yes, we do have a Tier II permit that's
34 instituted, but I think there needs to be more education in
35 the communities because people are taking more than what
36 they're allowed on their permit. And I think that
37 education needs to be done more before an institution of a
38 same day airborne wolf hunt is.

39
40 CHAIRMAN SAMUELSEN: Well, I agree with you
41 that they should only take what's on their permit.

42
43 MS. KELLY: Right. But they're taking more
44 than what's on their permit.

45
46 MR. CHRISTENSEN: That's a local problem.

47
48 CHAIRMAN SAMUELSEN: And that caribou
49 population is very important, with the downturn in

50 abundance of returning salmon and the downturn of salmon

00087

1 prices, the tripling of fuel costs, you know, those people
2 on that Peninsula as well as the other parts of Bristol Bay
3 are facing a real economic crises. In the past, when we've
4 had economic crises, what our people have done is relied on
5 more subsistence gathering, you gather more, but,
6 subsistence, in order to do that, you know, you got to have
7 some kind of a cash economy to buy the fuel and what not.
8 But they're going to be relying on that caribou and if
9 that's all that's available and we've got a Tier II permit
10 and we're down to 7,000 or 5,000 animals.....

11

12 MR. CHRISTENSEN: We're down to six.

13

14 CHAIRMAN SAMUELSEN: And you know, they're
15 going to look at their kids and they're going to look at
16 the cupboard and they're going to say, well, my kids got to
17 eat and they're going to go. I don't care what kind of
18 regulations we have, I mean it isn't like there's an
19 availability of alternative resources, they're going to go
20 after what's available. And I just think that getting down
21 around 7,000, you know, with the trend that we're going, it
22 isn't -- some members are going to be on this Council
23 that's going to have to look at those villages and say,
24 you're not going to be able to hunt caribou, period, you
25 know? And that's going to have a major impact and you're
26 going to make every person in them villages a criminal. I
27 can guarantee you. I don't care what kind of Federal law
28 there is on the books, you can't hunt, if there's a caribou
29 out there they're going to feed their families.

30

31 And like I said earlier, them guys --
32 everybody I've talked to on that Peninsula, that's their
33 preferred diet, is caribou. They'll eat moose in a pinch
34 but they prefer caribou.

35

36 MS. KELLY: Well, I can't say that.

37

38 CHAIRMAN SAMUELSEN: And you know, we've
39 got an abundance of moose down there and I'm also getting
40 complaints that the guides are bringing in hunters on moose
41 and one guide, 57 clients, camps all over traditional
42 subsistence hunting areas and after they get done fishing
43 and moose season opens and they go out there and there's
44 all these camps and all the moose are chased off the river
45 because most of our people, subsistence users are hunting
46 by skiff or whatever and they're feeling very frustrated
47 out there.

48

49 There's a lot of frustration on that Alaska

50 Peninsula.

00088

1 I've talked long enough, somebody else talk.

2

3 MR. EDENSHAW: Mr. Chair, going back here,
4 we had some additional individuals who wished to speak on
5 the issue but I'll go ahead, since the ADF&G isn't here,
6 under their comments, ADF&G said they had no recommendation
7 at this time.

8

9 We received two written public comments.
10 An individual from Aniak supports Proposal 22. He writes
11 in favor of keeping wolf numbers low so that the moose
12 population in his area will not be depleted resulting in an
13 imbalance in the ecosystem and the local people's herds
14 being destroyed.

15

16 David Haeg, Secretary for the Western
17 Wildlife Alliance, writes that the organization supports
18 Proposal 22. He writes that as a result of stopping
19 airborne hunting of wolves in 1996, moose and caribou
20 populations have dropped 50 percent and effect of predator
21 control is needed for wolves.

22

23 The Aniakchak SRC also supports Proposal 22
24 based on the modified justification stated in the draft
25 Staff analysis. In addition, the SRC feels that this
26 proposal may benefit subsistence users by decreasing
27 predation on the North Peninsula Caribou Herd and creating
28 more subsistence opportunities.

29

30 Then at this time there were two
31 individuals who wished to speak on this issue.

32

33 CHAIRMAN SAMUELSEN: Well, Cliff, I'd like
34 to hold off on them in case there's anymore questions of
35 Staff.

36

37 MR. EDENSHAW: Okay.

38

39 CHAIRMAN SAMUELSEN: So the public could
40 listen to the Staff comments also. Anymore comments,
41 Council, or questions of Staff, any members of Staff?

42

43 MR. ABRAHAM: Mr. Chairman.

44

45 CHAIRMAN SAMUELSEN: Pete.

46

47 MR. ABRAHAM: This airborne thing over
48 here, land and shoot and stuff and all that good stuff, I
49 don't think individual -- a person with an airplane will go

50 out there and risk -- I mean that expensive airplane but

00089

1 not only that, the gas for the airplane is something like
2 over 3.50 a gallon unless that person is out there to go
3 after like maybe 20 or 30 wolves per season and I don't
4 think anybody's going to go out there and, you know, land
5 and shoot, with the price of everything going down and the
6 price of furs going down there, unless somebody's doing for
7 sports. As for subsistence over here, you know, to control
8 the overpopulation, I think I would support this same day
9 airborne and shoot on the subsistence.

10
11 CHAIRMAN SAMUELSEN: Okay. I'd like to
12 know if there's anymore questions of Staff before I get the
13 public up here?

14
15 Shirley.

16
17 MS. KELLY: I do have a question for staff.

18
19 CHAIRMAN SAMUELSEN: Okay.

20
21 MS. KELLY: So if this is instituted, I
22 would like to know how law enforcement is going to monitor
23 this to ensure that other subsistence hunters and trappers
24 who use other methods of transportation will have the same
25 opportunity to harvest as aircraft users will?

26
27 MR. LONS: Well, again, I mean we have a
28 limited number of law enforcement officers and airplanes.
29 You know, I'm sure with the focus of the public on this,
30 you know, we're going to intensify our law enforcement
31 efforts. There's no way that we will ever get enough
32 airplanes and officers out there to be totally monitoring
33 every airplane that flies out onto the Peninsula to hunt
34 wolves. You can expect an increase in law enforcement
35 but.....

36
37 CHAIRMAN SAMUELSEN: Any other questions of
38 Staff? Robert.

39
40 MR. HEYANO: In reference to Shirley's
41 question, you you're doing law enforcement, you don't go
42 out and look to make sure that you -- distinguish one more
43 subsistence user over the other has more of an advantage by
44 the methods he's using, do you?

45
46 MR. LONS: No.

47
48 MR. HEYANO: You're out there to enforce
49 the law?

00090

1 MR. LONS: We're looking for all -- that's
2 correct.

3
4 MR. HEYANO: Thank you. You had me
5 concerned.

6
7 CHAIRMAN SAMUELSEN: Any other questions of
8 Staff?

9
10 MR. LONS: Thank you, Mr. Chair.

11
12 CHAIRMAN SAMUELSEN: Thank you. I have
13 one, I don't know who, Ron, do you or who flies that area
14 the most, yourself and who?

15
16 MR. SQUIBB: Ron Squibb, Alaska Peninsula
17 Refuge. Dick Sellers flies it the most. He'll do his --
18 we both fly the post-calving count. Dick will fly the bear
19 surveys in the Black Lake area in August and then we tend
20 to -- these days we both -- we cooperate on the fall
21 composition counts.

22
23 CHAIRMAN SAMUELSEN: How many years you
24 been working over there?

25
26 MR. SQUIBB: Me?

27
28 CHAIRMAN SAMUELSEN: Yes.

29
30 MR. SQUIBB: Since March of '97 with the
31 Refuge. And so I'm saying, also our staff, we have other
32 staff members because sometimes I'm not flying and we might
33 fly a moose survey and we might split up. Is that all of
34 your question or is there something else you're getting at?

35
36 CHAIRMAN SAMUELSEN: If you were there
37 since '85 or '90 or something like that, I'd ask you what's
38 the trend in your professional opinion along the Peninsula
39 there?

40
41 MR. SQUIBB: I think you're right, I
42 haven't been there long enough to have a good sense of the
43 trend.

44
45 CHAIRMAN SAMUELSEN: Yeah.

46
47 MR. SQUIBB: I wish Dick were here to
48 address that. Did I know the -- my best recollection of
49 the sealing records -- well, you have the sealing records

50 of wolves and last year there was a lot of take in Unit 9

00091

1 as a whole. But then that's a reflection of effort more
2 than population often times.

3

4 CHAIRMAN SAMUELSEN: Well, this is one time
5 I think where traditional knowledge in the villages has got
6 something over you guys.

7

8 MR. SQUIBB: Yep, we don't have a good
9 handle on the wolf population.

10

11 CHAIRMAN SAMUELSEN: Okay, thank you.

12

13 MR. SQUIBB: Yes, sir.

14

15 CHAIRMAN SAMUELSEN: Any other questions of
16 Staff?

17

18 MR. CHRISTENSEN: I know there's one wolf,
19 the day I come up I was having coffee, the wolf come by my
20 house.

21

22 CHAIRMAN SAMUELSEN: Okay, public comments.

23

24 MR. EDENSHAW: Hans Nicholson.

25

26 MR. NICHOLSON: Thank you. For the record,
27 my name is Hans Nicholson. I am the subsistence coordinator
28 at the Bristol Bay Native Association. I am the cursed
29 proponent of the proposal. Hindsight, the proposal is
30 poorly written by my standards now. The issue that we
31 should address would be to increase subsistence
32 opportunity. You know, all the discussions concerning
33 predators and predator control could be a secondary result
34 of increased opportunity.

35

36 I met with staff back in January to define
37 the intent of the proposal and I defined the proposal to
38 increase subsistence opportunity for the taking of wolves.
39 Increased opportunity would allow for the taking of wolves
40 with the use of aircraft on the same day with a valid
41 trapping license.

42

43 And like I said, I'd like to focus on, to
44 increase subsistence opportunity and number 2, to allow the
45 use of an aircraft for the taking of wolves with a valid
46 trapping license.

47

48 You know, the issue is quite contentious,
49 unpopular for many, although there is support from some of

50 the villages. Now, this proposal came about as a request

00092

1 from a village council on the Peninsula and as a result of
2 that I submitted the proposal. And as I said before, I
3 think I put too much justification into the proposal, you
4 know, the references to predator control, declining
5 populations of caribou, you know those are a secondarily
6 result of increased wolf populations on the Peninsula.

7
8 So I would like for you, the Council, to
9 focus on increasing the subsistence harvest and basically
10 leave it at that and to stay away from the predator control
11 aspect. And as Staff has indicated, there is same day
12 airborne C&T findings. You'll find that on Pages 86
13 through 90 in the Staff comments on the regulatory history
14 and the harvest history reports.z

15
16 You know, many reports from the villages
17 indicate that truly the wolf population is increasing. You
18 know, verbal communications, specifically with many of the
19 residents in the area who say they can hear them at night
20 howling. The wolves are coming into the villages. Wolves
21 are difficult to harvest because they are a very smart
22 creature and consequently are very difficult to shoot and
23 kill.

24
25 But the primary intent of this proposal is
26 to increase subsistence harvest. I'll leave it at that and
27 I'll keep my comments short, I hesitate to stick my neck
28 out too far. I'm a short Native with a very short Neck.

29
30 (Laughter)

31
32 CHAIRMAN SAMUELSEN: Okay, thank you, Hans.
33 Questions of Hans, Council members. Shirley.

34
35 MS. KELLY: So in your communication with
36 subsistence users in Unit 9(E), how many of them have not
37 had their subsistence needs met?

38
39 MR. NICHOLSON: They were asking for
40 increased opportunity because in the past -- you know, last
41 year was the exception by many when there was adequate snow
42 cover and people were able to get out with snowmachine and
43 four-wheeler because there was adequate snow and the lakes
44 and rivers were frozen. But prior years to that and
45 specifically this year, being able to get out was more
46 difficult, the traveling conditions were dangerous.

47
48 I can't say that their subsistence needs
49 are not being met, but just looking for an increased

50 opportunity to harvest more was the request from the

00093

1 village council. Because traditional means this year had
2 its shortcomings.

3

4 CHAIRMAN SAMUELSEN: Any other questions
5 for Hans? Going once. Going twice. Thank you, Hans.

6

7 MR. NICHOLSON: All right, thank you.

8

9 MR. EDENSHAW: Mr. Chairman, then Peggy Fox
10 from our office and Staff Committee member would like to
11 address the Council regarding this proposal.

12

13 CHAIRMAN SAMUELSEN: Okay, Peggy.

14

15 MS. FOX: Thank you. Thank you, Mr. Chair
16 and Council. I wanted to take this opportunity to address
17 how we crafted our analysis of the proposed regulation.
18 And to also draw some distinction between our office's
19 mandate and perhaps the rest of Fish and Wildlife or other
20 agencies, after all we are an interagency program, but at
21 times, as you're seeing today we will not always agree.

22

23 This proposal also presented some
24 challenges for our Staff, so it was a difficult one and I'm
25 sure the reasons are obvious.

26

27 But from an ANILCA standpoint, ANILCA
28 directs us to protect and provide for the continuation of
29 the subsistence opportunity while maintaining healthy
30 populations of fish and wildlife and providing for the
31 continuance of customary and traditional practices. So
32 with that in mind, you know, in my mind, anyway, it comes
33 down to looking at proposed changes from really two
34 standpoints.

35

36 One, what is the biological impact of
37 making the proposed change? And two, what are the effects
38 on subsistence users?

39

40 And since that mandate is rather focused
41 and perhaps rather singular, we are not obligated to
42 consider all the other laws and policies, at least, at our
43 level that may come into play at your level or at the Board
44 level, and that's where the other agency's views need to be
45 heard and they are a part of the bigger amount of
46 information that the Council and the Board will consider.
47 But from our Staff, our primary goal and task is to look at
48 how to implement ANILCA.

49

I wanted to address a couple of points and

00094

1 one is a lot of concern around the use of aircraft. Well,
2 from an ANILCA standpoint, ANILCA recognizes advances in
3 technology. There is nothing to support requiring people
4 to use traditional methods to continue their subsistence
5 way of life. In fact, you know, snowmachines are very
6 acceptable instead of dog sleds. Rifles instead of spears,
7 if you will. Motorized boats instead of kayaks. And in
8 this case aircraft perhaps instead of snowmachines. ANILCA
9 makes no distinction and it puts no limitation or barrier
10 on people to keep them, so to speak, in a traditional mode.

11
12 So the next question then is, is in terms
13 of a means of taking wildlife, is it a customary practice?
14 Yes, it's a customary practice to take wolves. And this is
15 simply an advancement in technology, a different tool to do
16 that. And in this case there's even a traditional, if you
17 will, there's decades of using aircraft to talk wolf. It
18 doesn't matter how many people, it doesn't matter how many
19 times that has occurred, if it is a practice in the region,
20 it doesn't have to be quantified to say that everybody did
21 it or that only a few people did it. The Board has made
22 decisions in support of customary practices based on the
23 testimony of one or two people and it didn't even have to
24 be over, you know, like a hundred years or anything like
25 that. So there's a lot of flexibility in our policies.

26
27 Secondly, I guess I wanted to address the
28 subsequent effects of reducing the wolf population. Again,
29 you know, it did come out initially as maybe this was a
30 predator control measure, but we understood that that isn't
31 the issue and that isn't an issue we even want to get into
32 a debate around. What we want to look at, is it a
33 customary practice to take wolves and is this an increase
34 in subsistence opportunity? And in both cases the answer
35 is, yes. Again, it doesn't matter from a quantity
36 standpoint and from our analysis, how many people it
37 effects. It does provide some measure of increased
38 opportunity. Yes, there are tradeoffs that may result from
39 it but those are for other people to bring up.

40
41 And we realize that underlying this
42 proposal was really a core issue and that is, is that
43 people in the region's subsistence needs are not being met.
44 What is really at heart here is a decline in the caribou
45 and the moose that most people are very dependent upon and,
46 therefore, increasing the take of wolves could have some
47 subsequent beneficial effects on the caribou and moose
48 populations. We recognize that and that's why we also
49 offered some other options in the analysis to indicate what

50 else can we do. We're sensitive to that. We're

00095

1 sympathetic. Certainly we've been part of the permits that
2 have been available and the need to reduce the number of
3 animals harvested. And so we're trying to take part in the
4 resolution of this and try to find some ways in which to
5 help.

6
7 So I guess I primarily wanted to make those
8 points and to indicate, I guess, or maybe just continue to
9 raise to your attention that airborne taking of animals is
10 allowed in other cases. Not for wolves, anywhere, but even
11 under Federal regulations same day airborne taking of deer
12 is allowed. And in State regulations it's allowed for
13 deer, too, wherever deer are. And then, you know, State
14 regulations also allow for the taking of caribou in some
15 portions of Units 9 and 17, as you may well be aware and
16 then coyotes. So it has been done. I think the wolf is
17 what brings a lot of attention to this. Not maybe so much
18 the practice, and maybe it's both.

19
20 But anyway, I wanted to make sure that you
21 were aware of that and consider these things as you move
22 forward. If there's some other things that we can do to
23 help the overall big picture situation here, we're
24 certainly receptive. I don't know how this is going to
25 turn out but I think you have a range of options and that's
26 basically what I wanted to say.

27
28 Thank you.

29
30 CHAIRMAN SAMUELSEN: Well, thank you, and I
31 appreciate your comments. There's been a lot of specticism
32 about the Federal process and I think the diversion of
33 ideas within the interagencies on this issue because it is
34 a wolf issues proves that the process is working. You're
35 not all in here singing from the same sheet of music. If
36 you all were I'd be mighty suspicious. And I'm glad you
37 guys had a hell of a time coming to this decision because I
38 think the Council, the reason why the proposal is before us
39 today is the desperation of our subsistence users on the
40 Alaska Peninsula. And I got to commend the Federal
41 agencies, regardless of the outcome, I think the process,
42 the process is working.

43
44 MS. FOX: Appreciate that.

45
46 CHAIRMAN SAMUELSEN: Questions or comments
47 to Peggy, Council. Okay, thank you. We will take a 10
48 minute break.

49

00096

1 (On record)

2

3 CHAIRMAN SAMUELSEN: What's the wishes of
4 the Council? Regardless of the outcome, I think we need
5 justification on both sides for the record. Okay, what's
6 the wishes?

7

8 MR. HEYANO: Mr. Chair, I move we adopt
9 Proposal 22 as written.

10

11 MR. ABRAHAM: I second the motion.

12

13 CHAIRMAN SAMUELSEN: Pete Abraham seconded.
14 Discussion.

15

16 MR. HEYANO: Mr. Chairman, I'm going to be
17 supporting the proposal as written. I see Staff
18 recommendation wants to have a 300 foot distance between
19 the subsistence user and the aircraft, I think that will
20 only lead to more potential violations. We don't have a
21 distance requirement for any other subsistence users. I'm
22 going to support this proposal on the grounds that it is a
23 customary and traditional practice and although we don't
24 have hard evidence that what exactly the wolf population is
25 doing in 9(C) and 9(E). For many years now we've heard
26 from the people residing in the area that it's their
27 opinion that the wolves are increasing. And what this
28 does, I view this as providing additional opportunity to
29 subsistence users to harvest wolves.

30

31 CHAIRMAN SAMUELSEN: Okay, thank you.
32 Shirley.

33

34 MS. KELLY: I will not be in support of the
35 proposal. I represent people from Egegik and Ugashik. As
36 stated earlier, the intent of the proposal is to increase
37 subsistence opportunity in 9(C) and 9(E) and you're
38 increasing the subsistence opportunity is not going to come
39 from the local people who live in the region, especially
40 Egegik, Pilot Point and Ugashik, it's going to increase
41 opportunity for people who live outside of 9(C) and 9(E)
42 and for that reason I cannot support the proposal.

43

44 CHAIRMAN SAMUELSEN: Thank you, Shirley.
45 Any other comments.

46

47 MR. HEYANO: Question.

48

49 CHAIRMAN SAMUELSEN: Question's been called

50 for. All those in favor signify by saying aye.

00097

1 IN UNISON: Aye.

2

3 CHAIRMAN SAMUELSEN: Opposed, same sign.

4

5 MS. KELLY: Aye.

6

7 CHAIRMAN SAMUELSEN: One opposed. Motion
8 passes. Proposal 49. Go ahead, Pat.

9

10 MS. McCLENAHAN: Thank you, Mr. Chairman,
11 I'm Pat McClenahan. You can find Proposal 49 on Page 119.
12 Proposal 49 was submitted by the Kenaitze Indian Tribe and
13 it requests a customary and traditional use determination
14 by the rural residents of Unit 15. The proposal is for
15 moose and caribou in Units 9(A), 9(B), 7, 15 and 16. Page
16 49 -- I'm sorry, 119.

17

18 I'm going to talk about those parts of the
19 proposal that are of interest to this Council, of course,
20 that's the portion addressing Unit 9(A) and 9(B). The
21 proposed regulation would add the residents to Unit 15 to
22 9(A) and 9(B) for moose and caribou. Federal public lands
23 in Units 9(A) and 9(B) are Lake Clark National Park and
24 Preserve which is 28 percent, Alaska National Maritime
25 Wildlife which is only 10 percent, BLM, 3.8 percent. With
26 reference to the eight factors, I refer you to Table 3 on
27 Page 127. This shows the cumulative totals for hunting in
28 Units 9(A) and 9(B) between 1983 and 1998. On Page 128,
29 Table 4 it shows the cumulative totals for Unit 15 and Unit
30 7 communities and units 9(A) and (B) for the same period.

31

32 What these figures show is hunting using a
33 State hunting permit, 216 moose were taken in Unit 9(A) and
34 373 moose were taken in Unit 9(B) by the residents in the
35 unit. No caribou were taken in Unit 9(A) and 279 caribou
36 were taken in Unit 9(B) by the residents of Unit 7 and 15
37 during the period in question.

38

39 These figures do not include hunting on
40 Lake Park National Park lands. Jay Crawford from the
41 Seldovia Native Association reported that the residents of
42 Seldovia used the Tuxedni Bay area in Unit 9(A) to hunt
43 moose in conjunction with taking salmon and clams. There
44 is not enough information available to predict the
45 potential effects adoption of the proposal would have on
46 currently recognized subsistence users of Unit 9(A) and
47 9(B).

48

49 Staff's preliminary conclusion is to

50 support the proposal with modifications. To provide a

00098

1 positive customary and traditional use determination for
2 the residents of Unit 15 for moose in Unit 7 and Unit 15
3 for moose in Unit 7 and 15 for the rural residents of Unit
4 7 and 15 for caribou. The proposed regulation is reflected
5 on Page 138 for your information.
6

7 Our justification is that subsistence moose
8 hunting by residents of Units 7 and 15 is primarily within
9 their own unit and there really is not sufficient evidence
10 to support a positive customary and traditional use
11 findings for Units 9(A) and (B). Available documentation
12 on subsistence moose hunting in Units 9(A) and (B) is very
13 sporadic over time at this time. It does not appear to
14 meet the criteria for a positive customary and traditional
15 use determination in those units. Historic records and
16 harvest do not show a significant use of caribou on Federal
17 lands in Units 9(A) and (B). The positive determination
18 should be limited to their own units.
19

20 In addition to that, I like to just comment
21 that recently this Council considered and tabled a parallel
22 proposal for fish based on the fact that there's been no
23 Board decision about the Kenai rural request for
24 reconsideration. There's been no action on the RFR and
25 there won't be any until June. The fisheries proposal are
26 the ones from the Ninilchik Tribal Council and through
27 Ninilchik residents, if you'll remember who are the rural
28 residents of Kenai Peninsula.
29

30 And that's all I have.
31

32 CHAIRMAN SAMUELSEN: Thank you. Are there
33 any questions?
34

35 MR. HEYANO: The recommendation is to
36 modify it?
37

38 MS. McCLENAHAN: Yes, we suggested
39 modifying it to have it restricted to their home units, 7
40 and 15.
41

42 MR. HEYANO: So you didn't find sufficient
43 information?
44

45 MS. McCLENAHAN: Right, there is
46 insufficient evidence.
47

48 MR. HEYANO: Thank you.
49

00099

1 CHAIRMAN SAMUELSEN: Council, we have a
2 couple options here. When we had the C&T findings for
3 fish, we opted to take no action because I think our
4 Congressional Delegation requested the Federal Subsistence
5 Board revisit the rural determination. And Staff just told
6 us that that determination will be made in June and so the
7 rural status will be brought up before the Federal
8 Subsistence Board in June, right?

9
10 MS. McCLENAHAN: Uh-huh.

11
12 CHAIRMAN SAMUELSEN: So we have an option
13 of taking no action like we did before or we could opt to
14 take action on 9(A) and 9(B) consistent with Staff's
15 findings.

16
17 What's the wishes? Any comments.

18
19 MR. EDENSHAW: Mr. Chair.

20
21 CHAIRMAN SAMUELSEN: Cliff.

22
23 MR. EDENSHAW: No ADF&G comments. There
24 was one written comment. Wilbur T. Joe writes on behalf of
25 the Chitina Traditional Indian Village Council that the
26 CTIVC supports Proposal 49 because it extends C&T and
27 therefore the Native way of living.

28
29 And the Lake Clark SRC comments on the
30 request for C&T is for rural residents of Unit 15 for moose
31 and for caribou in Units 7, 9 and 15 and 16. The SRC
32 supports with modifications.

33
34 The Aniakchak SRC opposes, they strongly
35 oppose Proposal 49 as originally proposed. Residents of
36 the Kenai Peninsula are not known to subsistence hunt for
37 moose or caribou in Unit 9(E). In addition, the SRC feels
38 that this proposal would set a negative precedent for
39 making C&T determinations and dilute the concept of
40 customary and traditional to a point where it would be
41 meaningless.

42
43 That's all the comments, Mr. Chair.

44
45 CHAIRMAN SAMUELSEN: Thank you, Cliff.
46 Public comment. If there's no public comment, what's the
47 wishes of the Council?

48
49 MS. KELLY: Mr. Chair, I propose that we

50 take no action on this proposal until after we know what

00100

1 the determination is going to be between rural or urban.

2

3 CHAIRMAN SAMUELSEN: Is there a second to
4 the motion.

5

6 MR. CHRISTENSEN: Second.

7

8 CHAIRMAN SAMUELSEN: Second by Johnny
9 Christensen. Further discussion. Robert.

10

11 MR. HEYANO: Yeah, well, I guess, Mr.
12 Chairman, besides the issue of rural or urban, there's no
13 local knowledge of them having a customary and traditional
14 use so I guess I would have to vote in opposition for C&T.

15

16 CHAIRMAN SAMUELSEN: I think what Shirley's
17 motion was table it until the Federal Subsistence Board
18 examines the issue.

19

20 MS. KELLY: Yes.

21

22 MR. HEYANO: Well, maybe I'm missing
23 something because if they remain rural and they don't have
24 a positive C&T, therefore, they -- they could remain rural
25 and not have a positive C&T and that means that they don't
26 have -- under the Federal regulations they a subsistence
27 preference and that -- is that -- am I missing something
28 here?

29

30 MS. McCLENAHAN: That's correct.

31

32 CHAIRMAN SAMUELSEN: We have a motion
33 before us, do you want to withdraw the motion, you know, if
34 the second concurs and go with the Staff analysis. What
35 Robert is saying regardless of the determination.

36

37 MR. HEYANO: I think we need it on record
38 saying that we agree with Staff that we don't believe that
39 there is sufficient evidence to show they have C&T for
40 moose and caribou in Unit 9. It doesn't have anything to
41 do with whether they're rural or urban. That way when the
42 Federal Board looks at this proposal it will know what our
43 comments are. This other way, we don't have a
44 recommendation.

45

46 CHAIRMAN SAMUELSEN: Okay.

47

48 MS. KELLY: Withdraw the motion.

49

MR. CHRISTENSEN: (Nods affirmatively)

00101

1 CHAIRMAN SAMUELSEN: The motion's been
2 withdrawn and the second concurs, let the record reflect.

3
4 MR. JENNINGS: Mr. Chair, Tim Jennings with
5 the Subsistence Office. Procedurally you could proceed as
6 Shirley recommended or as Robert's also recommending. The
7 Federal Subsistence Board has already committed to not
8 making decision on the fisheries C&T as well as the
9 wildlife C&T on the Kenai Peninsula issues until and after
10 they make the final determination on rural or urban on the
11 Kenai Peninsula. So I hope that clarifies that they won't
12 make a decision on the C&T issues prior to the urban
13 decision.

14
15 CHAIRMAN SAMUELSEN: Robert.

16
17 MR. HEYANO: Thanks for that clarification
18 but that doesn't change whether it's rural or urban, it
19 doesn't change my opinion that there's no -- I'd like to
20 deal with this as a separate issue. If there's not even
21 C&T for them.....

22
23 MR. JENNINGS: I mean if the Council wishes
24 to act on the C&T issue, that's appropriate and the
25 information would be on the record. It's your choice to
26 proceed.

27
28 CHAIRMAN SAMUELSEN: Okay.

29
30 MR. HEYANO: Move to support Proposal 49
31 and support Staff recommendation in regard to C&T for 9(A)
32 and (B).

33
34 MS. MCBURNEY: Mr. Chairman, Mary McBurney
35 from Lake Clark. I just wanted to make it clear that Lake
36 Clark SRC felt that supporting the Staff's analysis as was
37 presented to you would be acceptable to them that C&T would
38 be extended to Units 7 and 15, but would exclude 9(A) and
39 9(B).

40
41 MR. HEYANO: Thank you.

42
43 CHAIRMAN SAMUELSEN: Thank you.

44
45 MR. HEYANO: Mr. Chairman, I think that we
46 would move that we support the staff analysis for Proposal
47 49.

48
49 CHAIRMAN SAMUELSEN: It's not for a

50 positive C&T finding?

00102

1 MR. HEYANO: That's my understanding,
2 right.

3
4 MS. McCLENAHAN: Not for 9(A) and (B).
5

6 CHAIRMAN SAMUELSEN: Right.
7

8
9 MR. HEYANO: Right.
10

11 MS. KELLY: Second.
12

13 CHAIRMAN SAMUELSEN: Seconded by Shirley.
14 Further discussion.
15

16 MR. HEYANO: I guess, Mr. Chairman, I
17 concur with the Staff analysis and to the best of my
18 knowledge would have to agree that they don't meet the
19 requirements for a positive C&T determination.
20

21 CHAIRMAN SAMUELSEN: Okay, thank you.
22 Council comments.
23

24 MR. BALLUTA: Question.
25

26 CHAIRMAN SAMUELSEN: All those in favor
27 signify by saying aye.
28

29 IN UNISON: Aye.
30

31 CHAIRMAN SAMUELSEN: Opposed, same sign.
32

33 (No opposing votes)
34

35 CHAIRMAN SAMUELSEN: So carried. Moving
36 on.

37 Call for fisheries proposals.
38

39 MR. EDENSHAW: The call for subsistence
40 fishing regulations for C&T is until March 30th.
41

42 CHAIRMAN SAMUELSEN: Council.
43

44 MR. HEYANO: In light of all the
45 concerns.....
46

47 (Tape malfunction)
48

49 REPORTER: Wait a minute, we need to go off

50 record.

00103

1 CHAIRMAN SAMUELSEN: All right, a five
2 minute break.

3
4 (Off record)
5 (On record)
6

7 CHAIRMAN SAMUELSEN: Do you want to restate
8 your question for the record, Robert.

9
10 MR. HEYANO: Okay, Mr. Chairman. I guess
11 my question is, is to somebody who deals with Lake Clark
12 Park, is that in light of the low returns of sockeye to the
13 Kvichak and Lake Clark and reading some of the numbers that
14 -- I think I read it in Carol Woody's report when they were
15 counting sockeye this summer in the Newhalen River, less
16 than 200,000. We'll have to get that information here
17 someplace.

18
19 I was wondering, are they considering any
20 restrictions to either the sport fishing for sockeye or
21 restrictions to the subsistence harvest?

22
23 CHAIRMAN SAMUELSEN: Lee.

24
25 MR. FINK: Okay, Mr. Chairman. For the
26 record, Lee Fink, Lake Clark National Park.

27
28 MS. MCBURNEY: And for the record, Mary
29 McBurney, subsistence manager for Lake Clark National Park.

30
31 MR. FINK: I guess, Robert, we haven't
32 really taken any steps for any closures at this time.
33 We've certainly had local discussions for the possibilities
34 of restrictions. The sport take around Lake Clark is
35 probably pretty minimal. There's not any real good sport
36 fishing for sockeye on Lake Clark, it's more in the rivers
37 coming into the Lake. The Tazimina has a substantial sport
38 fishery. The Newhalen has a sport fishery. Once you get
39 into Lake Clark proper, the sport fishery is pretty
40 limited, it's pretty much incidental catch on hook and
41 line.

42
43 There is a -- I don't know if I would say
44 significant but there is a subsistence fishery on Lake
45 Clark, the residents of Port Alsworth, most of the
46 residents of Nondalton. I think Andrew would concur, most
47 of the residents fish outside the Park and Preserve
48 boundary but some traditionally have fished inside the Park
49 and Preserve boundary.

00104

1 MR. BALLUTA: Uh-huh.

2
3 MR. FINK: So there is a subsistence
4 fishery and, you know, we're looking at Dr. Carol Ann
5 Woody's work to really help us determine what type of local
6 runs we're receiving this year, last year. Last year was
7 the first year we had a counting tower operating on the
8 Newhalen for quite some years. Prior to that the State did
9 or FRI did operate a counting tower but it hasn't been
10 active for quite awhile. And last year's runs or counts
11 showed very low returns and this year the plan is,
12 hopefully, to have a tower on the Newhalen River as well as
13 tower on the Tazimina River to help distinguish the
14 population returns to those various drainages.

15
16 CHAIRMAN SAMUELSEN: Follow up, Robert.

17
18 MR. HEYANO: Well, I guess the question is,
19 is no, not at this time?

20
21 MR. FINK: I guess the answer is, prior to
22 the season we do not have any plans to implement
23 restrictions. I guess, you know, if there was a
24 catastrophic in-season failure we might be looking at, you
25 know, in-season discussions as to whether or not there
26 would be, at that point in time, I guess, probably more of
27 a closure than a restriction.

28
29 MR. HEYANO: Well, I guess, you know, as
30 long as I've been on this Council and as long as Andrew's
31 been here, I've always heard concerns dealing with the
32 local concerns with the Tazimina River drainage. And I see
33 by these new maps that it is actually in Federal control,
34 which is -- I think previous comments were that that was
35 State waters.

36
37 MR. FINK: That's kind of a sensitive
38 jurisdictional issue. The Tazimina River is inside the
39 legislative boundary of Lake Park National Park and
40 Preserve, most of the uplands along the river are private
41 property, not Federal public property. But 36 CFR 1.2(b)
42 in Code of Federal Regulations does state that Federal
43 jurisdiction extends on to waters within the boundary of
44 the Park and Preserve. So we do have some jurisdiction on
45 those waters.

46
47 MR. HEYANO: Okay.

48
49 MR. FINK: And it is possible, I guess, if

50 there was a catastrophic failure in that system that if we

00105

1 had a tower there and were observing that or if local
2 residents came forward with voicing specific concerns that
3 we could look to in-season emergency closures on that
4 river.

5
6 MR. HEYANO: But nothing in the form of a
7 proposal based on the information you have before you
8 today, right?

9
10 MR. FINK: Based on the information we have
11 today, we do not plan on submitting a proposal for
12 restrictions on subsistence fisheries.

13
14 MR. HEYANO: Then is somebody going to give
15 us an update on the work that's been done, Carol Ann
16 Woody's project, when we get to Lake Clark?

17
18 MS. McBURNEY: Yes, Mr. Heyano, when we do
19 get to the Lake Clark portion I am prepared to give a
20 report of her status.

21
22 MR. HEYANO: Thank you.

23
24 CHAIRMAN SAMUELSEN: I guess in-season,
25 Lee, if the Kvichak minimum escapement isn't met,
26 subsistence needs are not being met, you hear from
27 subsistence users up in the area, how long does it take
28 you, the agency, to react, if you deem that a closure is
29 necessary in-season?

30
31 MS. McBURNEY: Well, my understanding is
32 that we would then need to be going through the Federal
33 process and working through the Federally authorized
34 official, which would be Jim Larson out of King Salmon, and
35 while I did not bring a copy of the letter of
36 authorization, he, of course, does have a number of
37 criteria that he needs to meet in order to justify a
38 closure. It's very difficult to say how quick, you know,
39 we can turn on a dime on this, whether it would be
40 something that could be done in 24 hours, 36 hours.

41
42 CHAIRMAN SAMUELSEN: Sandy.

43
44 MR. RABINOWITCH: Sandy Rabinowitch with
45 the National Park Service. I'd just like to add to what
46 Mary said. What she said is correct, that there's also
47 another way, and my only point here is, education, you
48 know, to fully respond to your answer, the Park Service has
49 its own body of regulations and occasionally you hear all

50 of the agencies talk about that. And the superintendent of

00106

1 Lake Clark has two different authorities upon which she can
2 act based on her own and those are in the Park Service
3 regulations, it's 36 CFR, Park 13, which I've got here in
4 my hand and the two authorities are 1330; Section 1330,
5 which is a general closure ability, and then 1350, which is
6 one that's aimed specifically at subsistence users. Both
7 of these sections have specific procedures that'd have to
8 be followed.

9
10 But the point is, to make a closure,
11 notice, consultation, so on and so forth, and we can share
12 these, obviously, if you want more detail. The point is,
13 there's two ways to do it. One is through the Federal
14 Board process and I think typically that's the way we'd all
15 try to operate, you know, that's what this whole Council is
16 about, so on and so forth. But if there were an emergency
17 that sort of really demanded things being speeded up, then
18 there's this other avenue through Park Service regulations.
19 So just to share that.

20
21 CHAIRMAN SAMUELSEN: So the short answer
22 is, in regulation and in process within the agencies
23 there's a process to react pretty quickly?

24
25 MR. RABINOWITCH: Right. Think of it as
26 there's two.....

27
28 CHAIRMAN SAMUELSEN: It depends upon the
29 severity on the conservation concern.

30
31 MR. RABINOWITCH:different ways to go
32 at it.

33
34 CHAIRMAN SAMUELSEN: Okay, thank you.

35
36 MR. HEYANO: I guess just a follow up
37 question and maybe we're getting ahead of the agenda, maybe
38 these are more appropriate asked when we get the Lake Clark
39 report. But the first thing that's going to trigger the
40 concern is how many sockeye go past the Kvichak or the
41 Egegik counting tower, right?

42
43 MS. MCBURNEY: Yes, that's correct.

44
45 MR. HEYANO: And then the second one is
46 going to be the number of sockeye you count in the Newhalen
47 River, so those are going to be your heads up on
48 whether.....

49

MS. McBURNEY: Yes.

00107

1 MR. HEYANO:you have to do anything?

2

3 MS. McBURNEY: That's correct.

4

5 CHAIRMAN SAMUELSEN: Lee.

6

7 MR. FINK: Yeah, Mr. Chairman, Lee Fink
8 again with Lake Clark National Park. I think that, you
9 know, Robert's hit a key point here. That it's very
10 difficult, especially with salmon returns to predict them
11 today. You know, we could have a good return, it's not
12 forecasted, but we could, at least, have a reasonable
13 return. But having a tower on the Newhalen River is
14 critical. I mean that is the only way that we can manage
15 sockeye salmon returns is by having some way of counting
16 what is coming into the system. I mean we have some
17 extrapolations of what percentage of the Kvichak fish come
18 into the Lake Clark drainage but, you know, that is --
19 that's very dependent on the portion of the run and, you
20 know, where are those fish at that point, what drainages
21 they're returning to. Because the only way we really know
22 what's coming into either Lake Clark or the Tazimina River
23 is by maintaining those counting towers, you know, at those
24 locations. That's why we feel that's a key, important,
25 project that Carol Ann Woody and BRD continue.

26

27 The Tazimina tower is new and there's, to
28 my knowledge, there's never been a tower on the Tazimina
29 River. At best it's had intermittent aerial counts. But
30 we have had such concern from local residents over time
31 that, you know, we hope that we'll be able to establish
32 that tower this year and get accurate counts on the
33 returns.

34

35 CHAIRMAN SAMUELSEN: Okay. Robert.

36

37 MR. HEYANO: Well, I guess I was under the
38 assumption that you had funding for those two. Did I read
39 that someplace or did I miss that?

40

41 MS. McBURNEY: No. The Tazimina and
42 Newhalen projects were put in for this coming year, using
43 the 2001 fisheries research and monitoring money and that
44 project was advanced through the Fisheries Information
45 Service, the Office of Subsistence Management's process and
46 was included in the Bristol Bay -- the draft Bristol Bay
47 research and monitoring plan for 2001.

48

49 The radio tracking work that Carol Ann has

50 been doing was funded out of the year 2000 monies, but at

00108

1 the time there was no funding available for the full amount
2 for the project so there was an understanding that monies
3 from the 2001 research and monitoring funds would be,
4 basically taken off the top and used to fund the remainder
5 of the telemetry and genetics project in Lake Clark, which
6 is Carol Ann's first project.

7
8 So at this time, as of this past week, from
9 what I understand, there is a question as to whether
10 sufficient funds are available for both of those projects
11 and it's entirely possible that we may not be able to have
12 the Newhalen and Tazimina counting towers, have that
13 project go in this year because the money would probably
14 need to be applied to the radio tracking and genetics work
15 that is being done.

16
17 MR. HEYANO: Well, maybe it's more
18 appropriate to do this in the Lake Clark report because --
19 and maybe I need to read a little bit more because I'm kind
20 of confused. I thought those were funded and going. We
21 could discuss that in the Lake Clark portion.

22
23 CHAIRMAN SAMUELSEN: Okay. I knew she
24 couldn't stay quiet too much longer.

25
26 (Laughter)

27
28 MR. LIGGETT: Mr. Chair, well, I'm not sure
29 that I won't. Deb Liggett, superintendent, Katmai, Lake
30 Clark. The National Park Service, too, also had the
31 understanding that both years of Carol Ann's project would
32 be funded in addition to the project that was approved this
33 year. And so it's just come to our attention in this last
34 week that there's some kind of a snafu between us and the
35 Office of Subsistence Management and where that second year
36 of funding is going to come from. But I will take
37 advantage of this opportunity with Peggy in the room to
38 visit with her and see if we can't resolve this. We know
39 that we've had the Council's full support for Dr. Woody's
40 work. Andrew certainly corners me at every opportunity.
41 And also, not just Andrew and the Nondalton Council, but
42 Kvichak Corporation and the Lake and Penn Borough have all
43 expressed concerns to the National Park Service,
44 specifically about the Tazimina and the fisheries resource.

45
46 Thank you for your questions and we'll
47 entertain when we do agency reports.

48
49 CHAIRMAN SAMUELSEN: Thank you.

00109

1 MR. HEYANO: Okay. Because I don't know if
2 I got it straight yet.

3
4 MS. LIGGETT: We are missing some money.

5
6 CHAIRMAN SAMUELSEN: Okay.

7
8 MR. EDENSHAW: Mr. Chair, we're going to
9 move onto agency reports and under U.S. Fish and Wildlife
10 Service we have A through H. And before we get onto those,
11 Peggy's going to go ahead and start off this portion.

12
13 CHAIRMAN SAMUELSEN: Okay. When do we have
14 to be out of this room?

15
16 MR. EDENSHAW: In about 15 minutes.

17
18 CHAIRMAN SAMUELSEN: So we're going to
19 continue, it looks like in the morning, we're not going to
20 make it through the agenda. I don't know what that does.
21 I noticed a bunch of Staff running in there making phone
22 calls, I hope that they can get out tomorrow. Okay, we
23 tried.

24
25 MS. KELLY: I still have to go home.

26
27 CHAIRMAN SAMUELSEN: Okay. Go ahead,
28 Peggy.

29
30 MS. FOX: Thank you, Mr. Chair. I have two
31 brief presentations for you.

32
33 CHAIRMAN SAMUELSEN: Okay.

34
35 MS. FOX: One is statewide rural
36 determinations, where we're at with that process, the other
37 one is the in-season fisheries management delegations.
38 Now, both of these are in the form of Staff Committee
39 recommendations at this time and the Board is going to meet
40 on Monday to make decisions relative to these two things.
41 So what I'm going to present to you is currently where we
42 are in the process and what's recommended to the Board. So
43 I don't have a Board decision but I'll go into that in just
44 a minute here. I'll take them one at a time.

45
46 CHAIRMAN SAMUELSEN: Okay. Before you get
47 started, Staff, do you think you'll be done by 4:30 with
48 all the reports here? Several people have come up to me
49 and told me they have just real short briefings for the

50 rest of the agenda.

00110

1 MS. McCLENAHAN: My report's about five
2 minutes.

3
4 MR. HEYANO: And getting shorter.

5
6 CHAIRMAN SAMUELSEN: And we're going to
7 lose a Councilmember tonight that has to leave.

8
9 MS. FOX: Mine's less than five minutes.

10
11 CHAIRMAN SAMUELSEN: Okay, go ahead and get
12 started. I'm going to go up and talk to the city manager
13 and see if we can get an extension here real fast.

14
15 MR. CHRISTENSEN: A half hour.

16
17 CHAIRMAN SAMUELSEN: 45 minutes, yeah. Go
18 ahead, Peggy.

19
20 MS. FOX: Last year you may recall that the
21 Board directed Staff to develop a contract for some
22 independent organization to look at our methodology and
23 come up with some more, what they feel, might be useful
24 methodology to decide on what are rural and non-rural
25 communities here in Alaska. And so they've been working on
26 that and, in fact, we've got a small panel of
27 anthropologists and social scientists together to do this,
28 people that are used to working in this area of study. And
29 they have prepared what we call a draft statement of work
30 that will be the basis for a contract. And that draft
31 statement of work will initiate the process for advertising
32 for people to bid and start developing an appropriate
33 methodology. And the recommendation to the Board is that
34 they adopt this. It's a very rigorous, if you will, kind
35 of, I guess from the standpoint of myself and others, it's
36 hard to understand a bit of it, it's very complex, but it's
37 supposed to be very specialized as far as being able to
38 look at how rural categories are developed in other parts
39 of the Federal government or the State government, they
40 have to make decisions on what's rural and so it's supposed
41 to look at how they did it and then develop a methodology
42 that's appropriate for that science.

43
44 So the Board has to decide whether they
45 think that that will produce the results that they're
46 looking for or maybe they want to give Staff further
47 guidance to do something different. And I don't have
48 copies of it here to share with you but it's going before
49 the Board on Monday to just kind of either give us the

50 green light on this statement of work or to tell us to go

00111

1 back and do something different. I'm probably not giving a
2 real fair representation of it because I find it rather
3 complicated to follow. But that's okay because I'm not a
4 specialist in that area and they are looking for somebody
5 who supposedly is very independent and has the expertise in
6 that type of research to be able to do it.

7

8 So that's the status of that. The next
9 thing you'll see is probably the contract out on the street
10 if that's the way the Board goes.

11

12 Are there any questions on that before I
13 move into the next one?

14

15 In-season fisheries management delegations.
16 On Monday, the Board will also consider revising its
17 delegation to managers. Last year we gave field unit
18 managers around the state the authority to open and close
19 subsistence fishing and other fishing in certain areas
20 under their jurisdiction. This year we want to increase
21 that delegation and give them the opportunity to look at
22 gear types, different gear prescriptions, if you will, as
23 well as permit requirements and harvest and possession
24 limits. And the purpose of that is to try to work parallel
25 to what Fish and Game managers are delegated by the Board
26 of Fisheries. In other words, we want them to have the
27 same level of authority that the biologists and managers in
28 Fish and Game have to do emergency orders so that we can be
29 just as timely in our response and that is, whether or not
30 we agree with that or we want to do something different.

31

32 You all know, given your experience with
33 special actions and other emergency requests, to go through
34 the Board is a several day to a couple of week process
35 which is far, far too late for reacting to fisheries
36 situations. So I wanted to let you know that that is going
37 before the Board next week and they'll decide if they're
38 comfortable with that increased delegation or not.

39

40 That's it.

41

42 CHAIRMAN SAMUELSEN: That's it.

43

44 MS. FOX: Unless you have questions.

45

46 CHAIRMAN SAMUELSEN: Any questions of
47 Peggy? Thank you. We have the room until 4:30, so moving
48 on, who's next Cliff.

49

MR. EDENSHAW: Mr. Chair, Carl Jack. Carl.

00112

1 MR. JACK: (In Native)

2
3 CHAIRMAN SAMUELSEN: (In Native)

4
5 MR. JACK: (In Native)

6
7 CHAIRMAN SAMUELSEN: Yeah.

8
9 MR. JACK: Good afternoon. I'm here to
10 present what's in the book as the titled, rural capacity
11 building program. We have come up with a better name, it's
12 now called the Partnership in Fishery Management.

13
14 This is my first public presentation before
15 a Regional Council and bear with me if I do make a mistake.
16 This is the privilege of being a Federal employee for the
17 first time. I've been mow-mowing the Federal agencies for
18 the last 30 years and now I'm on the other side now. I'll
19 probably end up being a flack-catcher.

20
21 Partnerships for Fishery Management. It's
22 not in your packet. It's a handout on the side over there.
23 For your information, this was released to full review by
24 the tribes, tribal organizations and rural organizations.
25 This was sent out on about February 13th. It was done only
26 after we had pre-consultation with the Alaska Native
27 Organizations, examples, AITC, AFN and RuralCap, we had
28 pre-consultations with them in December and January.

29
30 I guess in the interest of time, I will
31 quickly describe this program by framing this to answer the
32 who question, the what question, when and how?

33
34 To answer the who question, the agencies
35 that will be involved is the Office of Subsistence
36 Management, The Alaska Native tribal organizations, the
37 tribal organizations such as BBNA and other rural
38 organizations.

39
40 The what question. Basically this program
41 will be a capacity building program for the organizations
42 that I mentioned in the area of finishing monitoring and
43 program development. I'll get into that a little bit
44 later.

45
46 On the when question, February 13. Again,
47 it was released to the tribal governments. This is for
48 them to review the proposed RFP that will be -- we have
49 until March 15 to receive comments. After that we will

50 review the comments and probably on about March 30th the

00113

1 RFP will be released to the general public, directed to the
2 Alaska Native tribes, the tribal organizations, other rural
3 organizations and these organizations will be allowed 60
4 days to develop their proposals and submit them to the
5 Office of Subsistence Management. So that will be around
6 May 30th. After that, there'll be about 45 days for OSM to
7 determine who's going to be funded, at what level, and
8 we're probably looking at on or about July or August to
9 have the contracts in place. So that's the rough time
10 frame that we are looking at.

11
12 On the how; how to do it? It will be done
13 through probably 809 agreements between the OSM and the
14 selected organizations. It will allow these organization
15 to be able hire biologists, social scientists for them to
16 do fisheries monitoring on site as their employee and that
17 way we're looking at that process for these organizations
18 to develop the capacity to do fisheries monitoring on site.
19 And in other words to be able for them to maybe sometime
20 down the road stand toe-to-toe with the biologists from
21 OSM, the State of Alaska to be able to promote their own
22 interests.

23
24 To answer the why question, this is in
25 response to the requests last year from AITC, AFN and other
26 regional organizations, that tribes should be more involved
27 in the program development of the fisheries management.
28 And from then, I guess, OSM worked very hard to get this
29 program off the ground and we're pretty well on our way.

30
31 Now, the constraints, we do have
32 constraints. We, being, Office of Subsistence Management.
33 We do have constraints and these include number of
34 positions. There's nine positions authorized and the
35 geographic areas, and these are in the information that is
36 passed out and proudly, the level of support that will be
37 given to this in the terms of, you know, dollar amounts.

38
39 The important thing to remember is the
40 dollars for these programs will be minused out from the
41 base that's appropriated to OSM. In other words, they'll
42 be taken off the project budgets for FIS, so it's important
43 to remember that.

44
45 Now, at the regional level -- to me there
46 are -- it's going to be important to reconcile how these
47 proposals will be developed at the regional level because
48 this proposal -- these projects have a potential of pitting
49 the regional organizations with the local village

50 organizations. But it's important, I guess, to look to

00114

1 maximize the benefits that can be gotten from this program.
2 And looking at that, it's going to be important to look at
3 the regional infrastructures that will be able to support
4 whoever's hired by the contractor. Again, part of this
5 will be -- well, the most part, I think, will be answered
6 by the geographic distribution for this program and the
7 number of positions.

8
9 As you note, in the transmittal letter from
10 the Chairman of the Board, he indicates that he's committed
11 to this project, he's committed to tribal consultation and
12 for the next month, up until March 15, that's the period
13 for the tribal consultation on this.

14
15 CHAIRMAN SAMUELSEN: Thank you, Carl.
16 Questions of Carl? Robert.

17
18 MR. HEYANO: I understand that you have
19 funding for nine positions?

20
21 MR. JACK: Yes.

22
23 MR. HEYANO: How come you got us in with
24 Alaska Peninsula and Kodiak?

25
26 MR. JACK: That's the way the -- don't --
27 don't.....

28
29 MR. HEYANO: You're the flack man.

30
31 (Laughter)

32
33 MS. FOX: Take comments.

34
35 MR. JACK: There may be some flexibility on
36 that but I'll have to consult with a person like Peggy.

37
38 MS. FOX: Yes. I was telling Carl from the
39 back to take your comments. This is not set in stone, if
40 you will, this is out for comment in terms of the interest
41 of consulting with the tribes before we move ahead. And
42 any aspects of what we're proposing here are open for
43 comment. Our problem was having set aside funds for nine
44 positions, how to carve that out over the state. If you
45 have a better way to carve it out, we certainly would like
46 to hear it.

47
48 MR. HEYANO: And is that the March 15th
49 deadline.....

00115

1 MS. FOX: Yes.

2

3 MR. HEYANO:those comments need to be
4 in pertaining to this?

5

6 MS. FOX: Yes.

7

8 MR. HEYANO: Okay, thank you. So there's a
9 possibility that it could be changed?

10

11 MS. FOX: Yes, absolutely. Any aspect of
12 the proposal that is in that letter is open for comment
13 except the nine positions, we can't do more.

14

15 MR. HEYANO: Yeah.

16

17 CHAIRMAN SAMUELSEN: Maybe based on my
18 personal knowledge, Peggy, and dealing with the Board of
19 Fish issues 20 plus years that Alaska Peninsula, Kodiak and
20 Cook Inlet should be lumped into one and Bristol Bay should
21 be lumped -- Bristol Bay should not be lumped in with them
22 groups. Our strong positive working relationship with the
23 Alaska Peninsula folks, especially after this last Board of
24 Fish meeting just polarizes us. And there's very little we
25 could agree on. And I would hate to put a fisheries
26 biologist in a position where he's got to answer to them
27 people and he's got to answer to Bristol Bay people. And I
28 think you were at some of the Board of Fish proceedings.

29

30 MS. FOX: Yes.

31

32 CHAIRMAN SAMUELSEN: Then you understand
33 what I'm talking about.

34

35 MS. FOX: Right.

36

37 CHAIRMAN SAMUELSEN: Okay.

38

39 MS. FOX: We will take your comments back
40 to the Board.

41

42 CHAIRMAN SAMUELSEN: Thank you.

43

44 MS. FOX: Yes, you bet.

45

46 MR. HEYANO: Thanks.

47

48 CHAIRMAN SAMUELSEN: Good-bye, Carl.

49

MR. JACK: Thanks.

00116

1 CHAIRMAN SAMUELSEN: (In Native), yeah.

2

3 MR. JACK: (In Native)

4

5 CHAIRMAN SAMUELSEN: Okay, moving on, we
6 got 25 minutes.

7

8 MR. EDENSHAW: Pat McClenahan is going to
9 cover the annual studies plan and information and needs.

10

11 MS. McCLENAHAN: Thank you, Mr. Chairman.
12 I've asked Larry Buklis to accompany me up here because I'm
13 just coming aboard in this program. Larry is just going
14 back to our other division but he's been on board for
15 several months so between us we might be able to answer
16 your questions.

17

18 We've just finished our Regional Council
19 meeting and so you're pretty well updated on the 2001
20 monitoring plan. Next Monday the Board is meeting to make
21 its decision on that plan, and I'll try not to be redundant
22 with those people who just came before me.

23

24 I just will refer you back to the back that
25 you got at the meeting, this book on page -- just before
26 Tab 4. There is Table 1 and Table 2, just before Tab 4
27 have all of your projects except the project that you were
28 talking about was not listed, for your general reference.

29

30 For 2002, I've given you a copy of this
31 page that was -- it's also over there. This is just a
32 draft, it's not complete but it gives you an idea of the
33 kinds of things that are being submitted. It looks as if
34 we have about 120 new proposals for over 20 million dollars
35 and the proposal period closed February 15th. So we should
36 have a complete list for the Council Chair of what has been
37 received by mid-March.

38

39 The schedule for 2002 is out. March 31st,
40 the investigation plans requested for the strongest pre-
41 proposals and June 15th, the investigation plans are due.
42 Between September and October, the draft annual resources
43 monitoring plan will be distributed to the Council as well
44 as tribes, public agencies and other organizations for
45 review and comment. In November the RACs will make
46 comments on the draft annual resources monitoring plan for
47 2002. In December, the decisions will be made by the
48 Federal Subsistence Board and in January 2002, the
49 successful investigators will be notified.

00117

1 As was noted, the Partnership in Fisheries
2 Management Program with nine additional positions will
3 decrease the available dollars in Bristol Bay in 2002 for
4 projects. We want to save some funding for projects in the
5 future, if possible.

6
7 With respect to issues and information
8 needs, you mentioned before that you're interested in
9 creating a five year plan. And I'd just like to ask, how
10 can we help you to get that plan in place and probably you
11 aren't going to want to take that up today but this is just
12 sort of a starter so that you might want to get, you know,
13 some of us involved. Please let us know how we can assist
14 you in formulating a plan.

15
16 That's about all I have. If you have some
17 questions of me, I'll give my best shot and with Larry here
18 to fall back on.

19
20 CHAIRMAN SAMUELSEN: Okay. Larry.

21
22 MR. BUKLIS: Mr. Chairman. Thanks, Pat.
23 The only thing I would add to what was presented is that
24 2002 represents the third year of this projects program
25 monitoring and the first year of what will be viewed as the
26 more normal cycle. The first two years you've had these
27 special statewide Council meetings in Anchorage to review
28 these draft plans, January a year ago and then a few years
29 ago for this year. But the year we're approaching now, as
30 Pat described, 2002, we're moving on to what we see as the
31 more normal pattern hopefully for the future, and that
32 would lead to you reviewing the proposed project activities
33 for the next summer at your regular fall Council meeting so
34 there wouldn't be that special Council meeting right around
35 the holidays or January to do this. You would do it at
36 your regular Council meetings in the fall and that means
37 the process of decision-making by the Board and granting of
38 funds could move along at a more orderly pace well before
39 the summer field season. So you wouldn't be coming up
40 against this time line in the spring before field
41 operations. So it should bring more order to the process.

42
43 That's all I would add.

44
45 MS. McCLENAHAN: Thank you, Larry.

46
47 CHAIRMAN SAMUELSEN: Okay. Questions,
48 either Pat or Larry. Thank you.

49

MS. McCLENAHAN: Thank you.

00118

1 CHAIRMAN SAMUELSEN: Moving on.

2
3 MR. LaPLANT: Mr. Chairman, members of the
4 Council my name is Dan LaPlant. I'm with the Federal
5 Subsistence Office, Office of Subsistence Management. And
6 my job there is as the liaison to the Board of Game. As
7 you may know the Board of Game has a meeting coming up here
8 in March, from March 2nd to the 12th and they will be
9 considering approximately 190 proposals, many of them, I
10 think about 38 of them are proposals that deal with
11 resources in your region. And I just wanted to make myself
12 available to you, if you cared to express any concerns
13 about any of these proposals, I realize in the amount of
14 time we have we're not going to be able to go through each
15 one of these proposals, all 38, unless you desire to make
16 time somehow. But in the event that you wanted to express
17 your concerns or general concerns that you wanted me to
18 carry to the Board of Game, I will be sitting with the
19 Board of Game during their entire session and, again,
20 representing the Office of Subsistence Management and our
21 concerns will be the concerns expressed by the Council as
22 well as the concerns expressed by the Federal land
23 managers.

24
25 If you look behind Tab F in your book, I
26 believe it's the second or third page of the table in
27 there, it looks like this, is just kind of a brief summary
28 of those proposals that are relevant to the Bristol Bay
29 region. As you can see, several of them deal with bear
30 season adjustments, most to liberalize bear seasons. Some
31 of them are very similar to or have some similarities to
32 some of the Federal proposals. There's moose proposals
33 here as well, for example, 51(a) we've already discussed,
34 so I already have a pretty good idea of what the Council's
35 position is on that proposal when that comes up. But as
36 you can see there is a few caribou proposals, beaver
37 proposals and so on, so I don't know how you want to
38 proceed, if you want to take some time or you just had some
39 general concerns you want to express.

40
41 CHAIRMAN SAMUELSEN: Thank you, Dan.
42 Questions.

43
44 MR. HEYANO: Is it your intent, Mr.
45 Chairman, to conclude the meeting today?

46
47 CHAIRMAN SAMUELSEN: Well, I am going to
48 push as hard as I can to conclude the meeting today. And
49 if it looks like about 4:30, 25 to 5:00 and we can't do it

50 then we'll just continue in the morning. But feel free to

00119

1 ask Dan any questions you want on these proposals. Just
2 because I'm trying to push, don't -- ask any questions you
3 want.

4
5 MR. HEYANO: Well, I don't have any
6 questions, Mr. Chairman, what I would like to do is have
7 this Board give direction to him so that he can relay those
8 when he's sitting at the State -- at the Board of Game
9 meeting, you know. 51(a) we went through so he has a
10 pretty good idea of what our position is. This 52, I
11 think, has a significant impact to the Nushagak management
12 team if the State allows this to happen. You know, you go
13 down here and 160, I have some interest in. You know we
14 have this one here on this -- you know, 152 is that
15 changing the opening dates of the walrus hunt. You know,
16 144, basically is subsistence. I don't think there'd be
17 much opposition to that, but some of these others could be,
18 you know, we obviously can't do that and conclude the
19 meeting by 4:30. And I don't know if there's some other
20 proposals here that have some impact to people who reside
21 in other areas, such as, restrict the winter harvest to 36-
22 inch antlers or less, those type of things in 9(E), State
23 land.

24
25 CHAIRMAN SAMUELSEN: Well, I guess to do it
26 right, I think what we need is a proposal book to see where
27 the proposal came from, some justification. You sit on the
28 Nushagak Advisory Committee, Mr. Heyano, you're pretty
29 involved in game issues and I think the rest of us are --
30 maybe it's just me, but I feel handicapped on commenting
31 directly on the proposals.

32
33 MR. HEYANO: Well, I guess those were some
34 that I would like to have this committee take action on.
35 But, you know, I think the question still remains, we
36 obviously can't do that or begin to do that and conclude
37 the meeting at 4:30. So it's one or the other, either we
38 don't do it and attempt to conclude the meeting at 4:30.

39
40 CHAIRMAN SAMUELSEN: We will not conclude
41 the meeting today. We'll lose Shirley tonight. But I
42 don't see how we can conclude the meeting. Dan.

43
44 MR. LaPLANT: Yeah, if you wish to go to
45 some of the other agency reports then I can come back in
46 the morning with those of you who are still here and we can
47 go over some of these in more depth tomorrow, whatever
48 suits the Council.

49

CHAIRMAN SAMUELSEN: Okay.

00120

1 MR. HEYANO: That might be appropriate and
2 then maybe in the mean time we could try to get, you know,
3 all of us a copy of those State proposals to review.

4
5 MR. LaPLANT: I have a copy of the complete
6 proposal book and there's some other copies around as well.

7
8 CHAIRMAN SAMUELSEN: Okay, let's do that in
9 the morning. At this time, I'd like to ask any Staff if
10 they have to leave tonight to give their presentation now
11 if they've got something pressing.

12
13 MR. ABRAHAM: Nobody's leaving until we're
14 done.

15
16 CHAIRMAN SAMUELSEN: That's right. That's
17 right. Okay, well, we are going to -- who has a question?

18
19 MR. HEYANO: I was just wondering if
20 somebody has to leave tonight?

21
22 CHAIRMAN SAMUELSEN: Well, I gave them a
23 chance to leave tonight. We're going to recess until the
24 morning.

25
26 MR. CHRISTENSEN: One foot on the airplane
27 and one foot off.

28
29 CHAIRMAN SAMUELSEN: One foot off, yeah.
30 Tomorrow morning at 8:30, just where we started this
31 morning. Okay, we're in recess until tomorrow morning.

32
33 (PROCEEDINGS TO BE CONTINUED)

34 * * * * *

00121

1 C E R T I F I C A T E

2
3 UNITED STATES OF AMERICA)
4)ss.
5 STATE OF ALASKA)

6
7 I, Joseph P. Kolasinski, Notary Public in and for the
8 state of Alaska and reporter for Computer Matrix, do hereby
9 certify:

10
11 THAT the foregoing pages numbered 02 through 120 contain a
12 full, true and correct transcript of the VOLUME I, BRISTOL BAY
13 FEDERAL SUBSISTENCE REGIONAL ADVISORY COUNCIL MEETING, taken
14 electronically by Salena Hile on the 22nd day of February 2001,

15 beginning at the hour of 8:30 o'clock a.m. at the Assembly
16 Chambers, Dillingham, Alaska;

17
18 THAT the transcript is a true and correct transcript
19 requested to be transcribed and thereafter transcribed by under
20 my direction and reduced to print to the best of our knowledge
21 and ability;

22
23 THAT I am not an employee, attorney, or party interested
24 in any way in this action.

25
26 DATED at Anchorage, Alaska, this 26th day of February
27 2001.

28
29
30
31
32 _____
33 Joseph P. Kolasinski
34 Notary Public in and for Alaska
My Commission Expires: 04/17/04