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BRISTOL BAY SUBSISTENCE REGIONAL ADVISORY COUNCIL
PUBLIC MEETING
February 23, 1994
Dillingham City Hall
Dillingham, Alaska

COUNCIL MEMBERS PRESENT:

- Daniel O'Hara, Chairman
- Robert Heyano, Vice Chairman
- Sam G. Stepanoff, Secretary
- Timothy J. LaPorte, Member
- Peter M. Abraham, Member
- Ray S. Matsuno, Member
- Harold Robin Samuelsen, Jr., Member
- Helga Eakon, Coordinator

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P R O C E E D I N G S

1

2

3 MR. O'HARA: Call the meeting order and just so you'll
 4 have a little idea how we're going to work this as far as the
 5 meeting today, we have an individual up in Nondalton that'll be
 6 calling us on teleconference who wanted to address one of the
 7 proposals. Whenever that person calls in, if it's okay with
 8 the Council Members, we'll go ahead and hear from them since
 9 it'll be by phone.

10

11 How we're going to work down here under format, your
 12 agenda under format, we'll have the biologist address what we
 13 have in the way of inventory or needs that pertain to our
 14 proposals. Secondly, we'll have our anthropologist just
 15 message us so we can feel good about what were doing. And then
 16 we'll have Moses. Moses here today? Okay, you're going to
 17 talk to us about the summary of the proposals if you would,
 18 huh?

19

20 MR. DIRKS: (Nods in the affirmative)

21

22 MR. O'HARA: And then we'll go to public hearing.
 23 First item of business this morning, we got to go back, if the
 24 Council agrees, to the Operations Manual and approve that. If
 25 you want to wait till a little longer in the day, that's fine,
 26 what's the wishes? Yeah.

27

28 MR. SAMUELSEN: Mr. Chairman, I make a motion that we
 29 adopt and approve the Operations Manual dated January of 1994.

30

31 MR. O'HARA: Okay.

32

33 MR. ABRAHAM: Second.

34

35 MR. O'HARA: Second by Peter, moved by Robin. The only
 36 question I had is on Page 25 it talked about our quorum and so
 37 on. How long does this Council go on; when does our job end?
 38 Do you have any idea, Helga?

39

40 MS. EAKON: As long as

41

42 MR. O'HARA: So long as Babbitt's in office.

43

44 MR. KNAUER: Mr. Chairman, I'm Bill Knauer with the
 45 U.S. Fish and Wildlife Service, Office of the Subsistence. And
 46 the Council's life is until the Federal Government is no longer
 47 involved in the subsistence program, until the State has
 48 established a program such that they have the program back from
 49 the Federal Government. The Council charter is for two years

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and then they're renewed every two years. And we'll talk about that a little later.

3

4 MR. O'HARA: Thank you. If there's no other questions,
5 I'll call for the question.

6

7 MR. SAMUELSEN: Question.

8

9 MR. O'HARA: All those in favor say aye.

10

11 (Ayes respond)

12

13 MR. O'HARA: Opposed.

14

15 (No opposing votes)

16

17 MR. O'HARA: The ayes have it. We're under new
18 business, Helga, and Annual Report modification.

19

20 MS. EAKON: Somewhere in your pile of things you do
21 have a copy of the 1993 Annual Report. I have to explain that
22 we were in a very, very tight crunch, the deadline for this
23 report was November 15. And having three council annual
24 reports to coordinate I got behind, so actually this was
25 submitted November 22. And basically the format follows the
26 format as specified under Title 8 of ANILCA pretty much.

27

28 I do want to thank Bristol Bay Native Association for
29 taking the time to do a summary of the kinds of subsistence
30 fish and wildlife that are customarily and traditionally used
31 in the Bristol Bay Region. Russell Nelson did a very fine job.
32 I know that he had a couple of corrections, but I had told him
33 he could put that in writing we could make the corrections
34 in the 1994 report.

35

36 Page 3 is the regional issues that the Council had
37 discussed at their September 30, 1993 meeting. And there's
38 quite a few issues here that were brought out. And then Page 8
39 covers the recommended solutions to critical issues that you
40 had brought out.

41

42 Recommendation Number 1 was regarding the redfish in
43 Katmai. And Recommendation 2 was the freshwater fin fish c&t
44 the request from the Council. And attachments are the
45 appropriate letters that pertain to the recommendations. Did
46 any of you have any corrections to make. In which case you
47 could just jot them down and we'll make certain that they're
48 brought out in the '94 report.

49

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1 MR. O'HARA: Helga, under Page 5, it would be, one,
2 two, three, four, five, six, seven, eight dots down, use of
3 High power jet boats adversely impact spawning grounds in the
4 Illiamna Mulchatna spawning grounds. In the past before advent
5 of these jet boats creeks were good for kings and silvers. And
6 I would like to ask Ron Hood if he wouldn't mind addressing
7 this issue. Big Creek runs into the refuge up so far --
8 probably State or Native lands, part of Big Creek, Ron?

9
10 MR. HOOD: That's correct.

11
12 MR. O'HARA: And then you go from there into the
13 refuge?

14
15 MR. HOOD: That's right.

16
17 MR. O'HARA: Okay. I think that area is -- I feel is
18 going to be affected, it's already affected by the jet boat
19 use. Did you guys ever address that or what are your thoughts
20 on that? Or is it unfair to ask that question without some
21 notice? Yeah. I think it should be part of this Annual Report
22 that we have a concern there also because of the population of
23 the Naknek/King Salmon area. It's a very prime area for king
24 salmon and cohos and chums.

25
26 MR. HOOD: Ronald Hood, U.S. Fish and Wildlife Service,
27 Refuge Manager for the Becharof National Wildlife Refuge. Dan,
28 we addressed that issue in our Public Use Management Plan which
29 will be -- the final is due out this week and a copy of which
30 will be mailed to each member of the Advisory Board.

31
32 Basically, we took the position that we did not have
33 the information at this time and that we continue to study the
34 issue.

35
36 MR. O'HARA: Okay. These people here went -- I mean,
37 they went pretty specific -- they talked about the
38 Mulchatna/Illiamna. Well, not very specific actually. There's
39 a lot of areas there, maybe that's pretty open ended, but if
40 you have not made a specific recommendation on the use jet
41 boats in that shallow water up there then that's fine. Thanks.

42
43 MR. HOOD: We have not.

44
45 MR. O'HARA: Anybody else have any thoughts on dealing
46 with the Annual Report? We need to ratify this.

47
48 MR. HEYANO: Mr. Chairman.

49
50

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1 MR. O'HARA: Yeah.

2

3 MR. HEYANO: Going back to the use of high power jet
4 boats adversely impact spawning grounds. Do we know that for
5 sure? My recollection of the last meeting was that the State
6 was doing a study or somebody was going to do a study on the
7 impact jet boats had on spawning streams.

8

9 MR. O'HARA: I'm not sure, I really don't know.

10

11 MS. EAKON: Someone in the audience did say that the
12 Park Service and the University of Alaska were doing a study on
13 these impacts. And whoever the person was said it's going to
14 be ready in a year.

15

16 MR. O'HARA: Okay, we'll just accept that as a wait and
17 see what the end result of the

18

19 MR. HEYANO: Yeah.

20

21 MR. O'HARA: Any other questions on this? This is an
22 action item if the Council would like to make a motion on it.

23

24 MR. HEYANO: On the report?

25

26 MR. O'HARA: Yeah.

27

28 MR. HEYANO: Well, I guess I have a little concern
29 about the statement of high power jet boats as adversely
30 impacting. The way I read it what were, at one time, good
31 spawning streams for kings and silvers. I'm not so sure I can
32 support that statement at this time, I think there's other
33 adverse impacts in why we're having poor king and silver
34 returns.

35

36 MR. O'HARA: Did you wish to change the report or would
37 you like, as a Council Member, make a little addendum to the
38 report to go in it?

39

40 MR. HEYANO: Well, my understanding was before we made
41 this statement is that we were going to wait for the study to
42 be completed. Now, I could be wrong but I recall a discussion
43 like that on high power jet boats.

44

45 MR. O'HARA: What's the wishes of the Council? Yeah,
46 Robin.

47

48 MR. SAMUELSEN: Mr. Chairman, I think that these are
49 just regional concerns that were brought forward. We didn't

50

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necessarily adopt or favor them, they were just brought to
 2 light to this Council. I don't think we're saying that as far
 3 as the jet boats go that high power jet boats adversely impact
 4 spawning grounds.

5
 6 I think that it is a point of interest that was brought
 7 to this Council, we're doing studies. Studies are
 8 inconclusive, past studies have been inconclusive. We're
 9 currently in a study with NPS and the University of Alaska, now
 10 let's see if there is an impact and if there is an impact then
 11 we'll deal with it down the road.

12
 13 MR. O'HARA: Okay.

14
 15 MR. SAMUELSEN: That's the way I interpret this. It's
 16 kind of like two down (ph) activities on spawning beds at lower
 17 ends of creeks have adverse impact on eggs. You know, that
 18 statement is deprived (sic) from the amount of sports fishermen
 19 waiting out in spawning bed streams and casting and disrupting
 20 eggs. That is also inconclusive, we've heard -- some people
 21 believe that it has a real adverse impact on the spawning
 22 population.

23
 24 And then there's others that believe that it has no
 25 impact on the spawning population. But it's a consensus point,
 26 I think, that this Council has been made aware of and that's
 27 why it's in the report.

28
 29 MS. EAKON: Mr. Chair.

30
 31 MR. O'HARA: Yeah.

32
 33 MS. EAKON: Because the Council serves is mandated to
 34 provide a forum for the public this, in part, satisfies that
 35 requirement. The fact that a comment may be printed in here or
 36 concern does not mean that you're saying that it's valid,
 37 okay?

38
 39 MR. O'HARA: Okay. It's not at proposal stage, it's
 40 not a regulation.

41
 42 MS. EAKON: No.

43
 44 MR. O'HARA: Okay.

45
 46 MS. EAKON: Just an open forum for people to make
 47 comments about subsistence issues.

48
 49 MR. O'HARA: Should we, as a Council, go ahead and make
 50

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1 a motion to accept this report then?

2

3 MS. EAKON: Ratify, yeah.

4

5 MR. O'HARA: All right. Any other comment? Okay,
6 let's have a motion to either accept or reject the Annual
7 Report. Yeah.

8

9 MR. HEYANO: Mr. Chairman, I guess I got a couple of
10 corrections I'd like to put before the Council, what I consider
11 corrections.

12

13 MR. O'HARA: Okay.

14

15 MR. HEYANO: On the background information and

16

17 MR. O'HARA: Starting at Page 8, huh?

18

19 MR. HEYANO: Let's see where I'm at here. I guess I'm
20 on the second page.

21

22 MR. O'HARA: What page you on there?

23

24 MR. HEYANO: On the second page, Part 2.

25

26 MR. SAMUELSEN: Second page, third paragraph down.

27

28 MR. O'HARA: The letter?

29

30 MR. SAMUELSEN: Um-hum. (Affirmative)

31

32 MR. HEYANO: No, no.

33

34 MR. O'HARA: I'm sorry, okay. All right.

35

36 MS. EAKON: So he's not included within this region?

37

38 MR. HEYANO: Well, I don't think it is.

39

40 MR. O'HARA: I don't know. Why wouldn't it be?

41

42 MS. EAKON: That was my fault. I was looking --
43 practically typing and trying to include communities so.

44

45 MR. O'HARA: Well, does it involve Ivanof? Is Ivanof
46 on here?

47

48 MR. HEYANO: Ivanof and Perryville are.

49

50

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1 MS. EAKON: Yeah.
2
3 MR. O'HARA: Well, right across from Ivanof is
4
5 MR. STEPANOFF: Stepovak.
6
7 MR. O'HARA: No, you go all the way across the Pacific
8 side, the Bering Sea, you got Port Moller.
9
10 MR. STEPANOFF: Oh, Port Moller, yeah.
11
12 MR. O'HARA: Now that Port Moller is a calving area for
13 caribou big time. You got the walrus haul out at Cape
14 Seniavin..
15
16 MS. EAKON: I don't know.
17
18 MR. O'HARA: I think it should be in there.
19
20 MS. EAKON: Okay. I don't know, of course, Ron is,
21 again, our point man. I think that -- all that drainage is
22 kind of the same, isn't it Ron? Actually the Bristol Bay
23 drainage goes all the way to Moller and you got your haul out
24 for walrus and a massive, massive amount of calving grounds
25 into Black Lake all the way down to, you know, Wildman Lake and
26 all those areas and that's right within 20 miles of Moller.
27
28 MR. HOOD: All the way down to Bear Creek -- Bear
29 River.
30
31 MR. O'HARA: Bear River, yeah.
32
33 MR. HOOD: Bear River or Bear Lake.
34
35 MR. O'HARA: I think it should be in there since we've
36 taken Ivanof which is right straight across it.
37
38 MR. SAMUELSEN: I feel it should be in there, they
39 catch our fish.
40
41 MR. O'HARA: Put that in the minutes. Any other
42 questions on the Annual Report?
43
44 MR. HEYANO: Just two more, Mr. Chairman, on the same
45 page under wildlife and furbearing wildlife. These animals are
46 source of red meat and the skins are used for clothing and
47 art work. I think we should include in that is the commercial
48 value and the use of trading and however you want term it on
49 both of those. And that's a pretty important subsistence
50

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activity.

2

3 MR. SAMUELSEN: As well as a source of income?

4

5 MR. HEYANO: Right.

6

7 MR. O'HARA: Okay. No objections for Council Members?
8 What else you have, Robert?

9

10 MR. HEYANO: That's all I have, I think, Mr. Chairman.

11

12 MR. O'HARA: Any other thoughts on the Annual Report
13 that we're going to ratify here now? Okay, what's the wishes
14 of the Council?

15

16 MR. HEYANO: Mr. Chairman, I move we accept the Annual
17 Report with the noted corrections.

18

19 MR. O'HARA: Okay. Second?

20

21 MR. SAMUELSEN: Second.

22

23 MR. O'HARA: Any further discussion on the Annual
24 Report?

25

26 MR. ABRAHAM: Question.

27

28 MR. O'HARA: Pardon.

29

30 MR. ABRAHAM: Question.

31

32 MR. O'HARA: Question. All those in favor say aye.

33

34 (Ayes respond)

35

36 MR. O'HARA: Opposed.

37

38 (No opposing votes)

39

40 MR. O'HARA: Next item is the regional issues. Annual
41 Report to focus on regional issues -- new regional issues.
42 Helga, would you help us?

43

44 MS. EAKON: Mr. Chair, Vince just said that the
45 gentleman from Nondalton wishes to testify at this time.

46

47 MR. O'HARA: Okay, how do we work that?

48

49 MR. MATHEWS: Do you want to do that now, then?

50

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1
2 MR. O'HARA: Yeah. We have a guy calling in from
Nondalton who would like to address the Council today because
He can't be here, so if there's no objection from the Council
Members we'll go ahead and take that now.
6
7 MR. LaPORTE: Which proposal number is that?
8
9 MR. O'HARA: I don't know, he's going to tell us. Did
he say, Helga?
11
12 MS. EAKON: Ted knows.
13
14 MR. O'HARA: Ted, what proposal is he going to be
addressing.
16
17 MR. KRIEG: He'll talk about the two Nondalton
proposals, the fall brown bear season and

19
20 MR. O'HARA: Number?
21
22 MR. NELSON: Thirty-four.
23
24 MR. O'HARA: What?
25
26 MR. NELSON: Number 34 is the Nondalton brown bear
proposal.
28
29 MR. KRIEG: And then 37 for the potlatch moose. I also
mentioned to him that the Council may have some questions, so
He probably will expect it if anybody has any.
32
33 COURT REPORTER: Ted, what's your last name, please?
34
35 MR. KRIEG: Krieg.
36
37 MR. MATHEWS: Yes, is Melvin there? This is Vince,
we'll be putting you on conference call for the Council
meeting. Hold on.
40
41 MR. O'HARA: Melvin?
42
43 MR. TREFON: Yes, sir.
44
45 MR. O'HARA: Is this Melvin Trefon?
46
47 MR. TREFON: Yes, this is Melvin Trefon speaking.
48
49 MR. O'HARA: This is Dan O'Hara, how are you doing,
50

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Melvin?

2

3 MR. TREFON: Oh hi, Dan, pretty good. Sure glad to be
4 able to join you guys in your meeting there.

5

6 MR. O'HARA: We appreciate your taking time to call in.
7 And I understand you're interested in addressing Number 34 and
8 on the proposals, one pertaining to brown bear.

9

10 MR. TREFON: Yes.

11

12 MR. O'HARA: The other pertaining to potlatch.

13

14 MR. TREFON: Um-hum. (Affirmative)

15

16 MR. O'HARA: Okay, you've got the floor.

17

18 MR. TREFON: Okay. We, up here in Nondalton, of
19 course, really appreciate support for this Proposal 34
20 particularly. We would like for the Board to really give this
21 consideration and pass it. Way up there in Kijik, basically,
22 October and we like to get our brown bears in that of the
23 year and there's -- it's just a time when we really use them
24 rather than, you know, the other times. This is when -- during
25 the time a tradition for us and we would be real -- we wouldn't
26 be at odds with the regulation or whatever if you could do it
27 with this date.

28

29 Also there's a couple other ones, there's another month
30 two when we get those brown bears. On that Proposal 34
31 Nondalton Traditional Council would really like to stand behind
32 this resolution and hoping that you guys do to and it just
33 makes real sense and it gives us a comfort level, you know, in
34 that.

35

36 Also we would appreciate having the Council also pass
37 that potluck proposal, that's also -- we, in our customs, have
38 always gone through -- you know, there's some things we do and
39 there's a lot of discussion that happens about who gets it,
40 what -- and so it -- to nail it down though to sex and that
41 kind of thing is -- I don't know, it's a little bit out of
42 line, of course, with our customs, so I don't know how that'll
43 go over with everybody. But we would definitely like to see
44 that in place also.

45

46 Our ceremonies in the past have really included some
47 other activities, I mean, there's not only potluck moose for
48 a feast. I don't know. you know, how today with how we share all
49 our game with everybody in the world is seems like, I guess

50

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We're going to have to try to be realistic or try to understand what the rest of the world is going to share our game too. But, yeah, we used to have ceremonies for even child birth, so that -- I don't know, some of the -- a lot of our customs are fading away so

6

7 But you know we are in a period of transition where we're trying to reactivate our customs and we're running against these regulations most of time, all the time. So if we could get, at least, one in here for our -- I mean, for our -- for when we have a death that would really be something we could -- we know that we're not going against the rules because in the past we've -- the false imagine have had standing behind our hunters whenever we gave them -- our hunters were supposed to get this moose for potlatch for burial purposes.

17

18 I did run into a couple of times when we had -- our people got caught when they were doing it, but they were let off because it was true, I guess, that they were out there for traditional -- for potlatch. And we were discussing and we really want to be able to carry on what our customs are and this proposal here will -- well, it talks about taking up to six moose and, you know, we just can't guarantee you six deaths on that one.

26

27 But that is a good cushion, but I would not limit it. I mean, how you do that, I don't know, but that's a thing, like, you know, it's up in the air kind of thing. We take those moose for a specific purpose, so having a limit or a number in there, kind of a restriction is kind of a -- it doesn't complement our tradition any way.

33

34 Anyway, I really appreciate that if you guys will give real consideration to 37 and also I know that -- we know that our customs are not going to go away in a few years and so that will give it back to our people a lot of recognition for who they are too, so I would really like to see that Proposal 37 passed. People here are really conservationist, there's no wanton take (ph). They kind of practice conservatism, you know, these places depend on these animals, so there's not going to be any wanton waste in this kind of situation.

43

44 To us it just gives us a little peace of mind that we can do this. I think our Council is willing to take responsibility for, you know, if we have to come into a reporting situation, whatever, I'm sure I can with the help of others to devise such a thing to keep track. That's what it's like over there in Yakatat.

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1
2 To say that it will be this or to say it will be a bull
3 or whatever is kind of -- it's not in our, it's not considered
4 custom (ph). Anyway, we sure would appreciate you guys passing
5 this also for us. I not prepared, I guess, I started to talk
6 about the other proposals, but I certainly haven't found
7 anything objectionable in any of them and these really
8 complement us. And I think we'll have a really way to account
9 for these animals if we work together and this kind of does
10 that for our village.

11
12 So thank you, that's about all I can say.
13

14 MR. O'HARA: Okay, thank you, Melvin, for those
15 comments. And if you can still hear us and I think the
16 Advisory Board here, the Council Members can hear you fairly
17 well. Dealing with Number 34 and 37 and the brown bear hunt,
18 they prefer, I think, an October time for taking brown bear for
19 subsistence.

20
21 The other one was the potlatch moose and Melvin made a
22 pretty important point here. Six has been slated in the
23 proposal, but there's no guarantee that if it's going to be for
24 custom and traditional use that six would be satisfactory.
25 That's an important point to remember.

26
27 Melvin, if it's okay I'd like to open it up here to the
28 Council Members in case they have any questions for you, okay.

29
30 MR. TREFON: Very good, okay.

31
32 MR. O'HARA: Anybody have any questions of Melvin or
33 comments today? Melvin, I have a question.

34
35 MR. TREFON: Okay.

36
37 MR. O'HARA: This is Dan again. You guys -- you know,
38 growing up Pile Bay area we always took brown bear in the
39 spring time for eating and you mentioned October.

40
41 MR. TREFON: Yes, they are definitely -- yes, that's
42 another time that they're sought after 'cause -- yeah, that's a
43 change of diet for sure and that's -- and they are in prime
44 condition too.

45
46 MR. O'HARA: Yeah, okay. We'll just make sure that
47 that comment gets into the written part of your testimony
48 today. I don't have any other questions. Yeah, Robert Heyano
49 has a question for you, Melvin.

50

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1
2 MR. HEYANO: Couple of questions. How many bears do
you estimate you'll be taking on a yearly basis?

4
5 MR. TREFON: Well, it's really kind of -- nowadays we
have, you know, so many extended hunters that one bear really
maybe goes to, you know, to three or four families. So -- boy
it's really a tough one, but you know, there could be, you
know, could be anywhere up to 10. I don't know if there would
be that many because it so commonly shared that -- in the fall
time we -- I mean, we go up to Kijik and wait for the bear. We
set up a thing where we sit in the creeks for them and usually
it gets dark by the time we actually get them, but I wouldn't
really know the amount right now, I mean, without further
study, I guess, on this.

16
17 I know one year we got up to 10 -- no, there wasn't
that many, there was, like, there was about 5 taken in one fall
that I know of. I was just thinking 10 because that's only
half that was, but there was a pretty big -- I mean, we had the
whole village covered with who was there. (indiscernible) but
I really couldn't answer that for now.

23
24 MR. O'HARA: Okay, Melvin, that's fine. Those were
some numbers there and apparently you can hear Robert all
right. He has another questions also.

27
28 MR. HEYANO: The other question has to do with Proposal
29. Where do the people of Nondalton usually take their moose
from?

31
32 MR. TREFON: Where do the people of Nondalton, what?

33
34 MR. O'HARA: Where do they usually take their moose
from?

36
37 MR. TREFON: Oh.

38
39 MR. O'HARA: You're in Unit 9.

40
41 MR. TREFON: In the -- there's so many different areas,
42 mean, down where they call COMINCO that's a real -- you know
where the -- at COMINCO Mining operation, that's a real high
44 area, Chuitna River. Basically all our -- basically our
45 corporation selected lands are real traditional use lands. We
46 basically selected all our corporation lands are based on our
47 game and how we hunt and where we go, so it's usually on our
48 corporation lands, but for sure we used to use up in the Lake
49 Park National Park up that way and, you know, across the lake
50

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Over here toward Tazimina, that's kind of going into the park
also between Pedro Bay and Nondalton.

3

4

5 And south, like I said, down toward what they call
6 COMINCO Mining -- that area. And around the mouth there the
7 Chuitna River Basin, of course, toward Ground Hogs, that's that
8 COMINCO Mine area. Mulchatna is another -- it's really a --
9 Well, it's been a long time since we had a lot of travel
10 between Stony River and Nondalton, but when they used to go
11 back and forth and that trail was just reopened up years ago,
12 but when they go back and forth there has been a few trips back
13 and forth. When they do that they, of course, get their moose
14 up there by Mulchatna area.

15

16 So, I don't know, it's really a -- it's really hard to
17 say exactly where, but basically it's, you know, in the park
18 and our Native corporation lands. Back down there I guess
19 that's State land, down toward Ground Hog.

20

21 MR. O'HARA: Melvin, it sounds like you take moose
22 pretty much throughout the whole region. It's Unit 9, I don't
23 know what section of Unit 9 it is, but it sounds like pretty
24 region wide, huh?

25

26 MR. TREFON: Yeah, we have a real healthy population of
27 moose as far as what we could see, especially when that heavy
28 snow we had earlier this winter came and they were all forced
29 to the lake. They were down on the lake like cattle, I guess,
30 but there seems to be a really healthy population everywhere.

31

32 MR. O'HARA: Okay, thank you very much. Any other
33 questions from the Council Members? We don't have any other
34 questions. Anything else, Melvin?

35

36 MR. TREFON: No, no. I really thank you guys.

37

38 MR. O'HARA: Yeah, we appreciate you taking time this
39 morning to call in and we've written down notes and it's on the
40 record that you testified, so appreciate you calling in today.
41 We have nothing more here.

42

43 MR. TREFON: Okay, thank you, have a good day now.

44

45 MR. O'HARA: You bet, goodbye.

46

47 MR. TREFON: Okay, goodbye.

48

49 MR. O'HARA: Okay. Thank you for helping us out on

50

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that, Vince. Under new business we're down to the Annual Report, what to focus on, it includes the new regional issues. Helga, would you like to help us out on that?

4

5

6 MS. EAKON: Sure. Again in 1994 the deadline for this Annual Report is going to be November 15. May I suggest that between now and November 15 be thinking about important regional issues that you would like to focus on in terms of formulating recommendations. Your real critical issues that you would like fast action on and this is going to go directly to the Federal Subsistence Board. I think in general councils throughout the state are getting this snapshot picture of the fact that the Secretaries of the Interior and Agriculture have delegated responsibility of the management of subsistence activities on Federal public lands in Alaska to the Federal Subsistence Board, it's a delegation.

18

19 And to help me focus this snapshot for you and especially for the audience I would like to ask Bill Knauer of the Office of Subsistence Management to highlight the key provisions in the regulations. And I do have up here a blown copy of Subpart A, the General Provisions, Subpart B, Program Structure, Subpart C, Board Determinations. It is in your meeting binder, May 29, 1992 Federal Register notice. All of these provisions are in this thin little booklet, there's some real good information, but for right now if Bill could highlight the key distinctions. In case you don't have your meeting binder here are extra copies of that.

30

31 MR. KNAUER: Thank you, Helga. Mr. Chairman, Council Members, the final regulations which establish the structure were published on May 29th after a rather lengthy environmental impact statement process which also entailed close to a 100 public meetings around the state. And the regulations are laid out into three main parts. We call them Subpart A, B, and C, very simple.

38

39 Subpart A generally is some of the Secretary's definitions, a listing of who's eligible to participate in the program. The eligibility, we know, is rural Alaska residents. And in the definitions it talks about the public lands, this applies only to public lands and in that definition that excludes state selected lands, it excludes private lands, it excludes Native selected and conveyed lands, so corporation lands are not part of the program. Subpart A also has in it the requirements that certain licenses are required. Reporting requirements, harvest reports and permits as maybe established are required.

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1
2 And then in Subpart B, the first thing in Subpart B is
3 a statement the Secretary of the Interior and the Secretary of
4 the Agriculture establish and delegate the authorities for
5 administering the subsistence taking and uses of fish and
6 wildlife on public lands to the Federal Subsistence Board.
7 That's the very first thing in Subpart B.

8
9 Then Subpart B lays out the authorities of that Federal
10 Subsistence Board, the membership of it. And it also, then,
11 one of the primary things it provides for the establishment of
12 the Regional Councils. Following the section regarding the
13 authorities of the Board, it lays out the authorities and
14 duties of the Regional Councils. And it goes on in Subpart B
15 delineated some of the processes that the Board will
16 undertake. The world determination process, in other words,
17 the procedure for determining what parts of the state are rural
18 and non-rural.

19
20 There is a customary and traditional use determination
21 process which you heard Taylor Brelsford speak a little bit
22 about last night and then there is the process described in
23 which the Board has to make an allocation between rural
24 subsistence users. And then there also lays out the procedures
25 for the development of regulations.

26
27 Subpart C are the actual Board determinations. In it
28 defines what the 10 regions are, it lays out just exactly
29 what are the rural and non-rural areas. And it lays out the
30 customary and traditional use determinations as they were
31 adopted from the State process and will be modified in forth
32 coming years as Taylor and the folks that he's associated with
33 provide the information to the Board.

34
35 Then the forth part, which are not actually in this May
36 20th, is Subpart D. And Subpart D is the annual regulations,
37 what we also call methods and means, seasons and bag limits.
38 And those are the regulations that are republished every year
39 and that the public has a chance to make recommendations for
40 proposals on, as do the Regional Councils. And then the
41 Regional Councils review those proposals and make
42 recommendations to the Federal Subsistence Board.

43
44 MR. O'HARA: Okay. Any questions from the Council
45 Members? Pretty straightforward report on what we supposed to
46, A, B, and C. D coming up.

47
48 MR. KNAUER: D coming and it's D that's up for review
49 each year and that's one of the reason why many proposals that
50

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were submitted will not appear before the Council because they actually are on Subparts A, B or C, which are not up for review on an annual basis.

4

5 MR. O'HARA: Okay, thank you, Bill. Helga, anything else?

7

8 MS. EAKON: Yes, also I passed out a while ago a sheet of paper called Guidelines to Help Regional Councils Make Effective Recommendations, this is for your meeting binder. Kind of to remind you what the Federal Subsistence Board looks for on any kind of recommendation is do you have enough evidence to back it up; is it contrary to principles of fish and wildlife conservation; is it detrimental to subsistence needs? Always kind of keep those three in mind as you think of any kind of recommendation, okay?

17

18 And at our fall meeting what I would propose for this Annual Report is a subcommittee to help the coordinator work on this report.

21

22 MR. O'HARA: Excuse me, you want a subcommittee of this organization?

24

25 MS. EAKON: Yeah. You can appoint that in the fall, you'll have sufficient time, I hope to work on the Annual Report.

28

29 MR. O'HARA: All right, anything else?

30

31 MS. EAKON: That is all I have on Annual Report, Mr. Chair.

33

34 MR. O'HARA: Okay. I don't think there's any action required on this, it's just an informational thing for us.

36

37 MS. EAKON: Um-hum. (Affirmative)

38

39 MR. O'HARA: Okay. Well, thank you very much. Any questions from the Council Members for Helga? All right. You know, along that same line I think, Council Members, we have a former Fish Board, State of Alaska Board Member here with Robin and you know proposals. I think we need to deal with really hard core issues that we can see some results on without a lot of proposals.

46

47 I like the size of the proposal book and we might be able to get something done if we stick to that. Dealing with state issues, what is navigable, what is non-navigable. We

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have no say so over Native land selections, so we might be able to get some things done if we can keep it that simple.

3

4 Okay, another agenda item that we need to deal with this morning is the Subsistence Resource Commission in Aniakchak/Lake Clark. Helga, would you help us on that?

7

8 MS. EAKON: I don't believe any of these commissions had a meeting between last September and now. Correct me if I'm wrong, Susan?

11

12 MS. SAVAGE: That's correct for Aniakchak.

13

14 MR. O'HARA: Okay, so Lake Clark -- Tim, you guys haven't had a meeting since we've had one; and Sam, it would be you down in Chignik, you haven't had an Advisory Board meeting or anything like that since we met so you don't have any other appointments or new business to come before this body today?

19

20 MR. LaPORTE: No. Lee Fink might know if -- our meeting was kind of cancelled at the last minute there, I guess not enough Board members could make it or something. Has it been rescheduled, do you know, Lee?

24

25 MR. FINK: We haven't rescheduled it yet, no. Most likely in May.

27

28 MR. O'HARA: Boy, lots of luck in May.

29

30 MR. FINK: Yeah.

31

32 MR. O'HARA: No possibility for that in March or April?

33

34 MR. FINK: Well, traditionally that's been in May, we may try to push it to April this year because we have one issue that we'd like to discuss with the SRC.

37

38 MR. O'HARA: SRC is what?

39

40 MR. FINK: Subsistence Resource Commission, Lake Clark Regulatory Commission.

42

43 MR. O'HARA: I don't know, maybe everyone in the audience understands what initials are, but if we could use what they represent then we might better understand what we're talking about.

47

48 Okay, that's good. The next item I think if of importance to us is a letter from Western Interior Subsistence

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Regional for discussion and action. And I believe, Helga, you have a letter from Harold Huntington on whether the Lake Clark System might be married into the Stony, or something like that, and I think Tim LaPorte is probably -- and Lee Fink probably could help us out on this. I think this is a pretty important issue.

7

8 Helga, would you like to address that, if you would?

9

10 MS. EAKON: In your light blue folder you do have a copy of the Western Interior Council dated November 15, 1993. Basically, they're asking for this Council's support in changing the charter of Lake Clark Subsistence Resource Commission. And to assure that one of the Regional Council appointments to the Lake Clark Subsistence Resource Commission be allocated to the Western Interior Council.

17

18 They're saying that residents of Lime Village are automatically excluded from being one of the three appointees to Lake Clark Subsistence Resource Commission. So they would like this Council to develop a mutual agreement between Lake Clark Subsistence Resource Commission, the Western Interior Council and this Council. So that's basically it.

24

25 MR. O'HARA: Okay. What we need to do here is probably hear from Tim and Lee Fink and it sounds like the Ugashik/Pilot Point wanting to come into Aniakchak type thing that we're dealing with here. I guess one of the questions that Lee is going to have to answer for us, if you wouldn't mind coming up here, Lee, and giving us your name, is Tim and I talked about this a little bit last night. Sounds to me like the park extends up near the Lime Village area, is that right?

33

34 MR. LaPORTE: Yeah, Lee could probably answer it better, but I think the northern border of it is real close to some Village area and to my knowledge I don't have a letter or anything to that effect, but to my knowledge Nikiski on the Cook Inlet side is also requesting a seat on the Council as well -- or the Lake Clark Subsistence Resource Commission. I think that's correct, isn't it?

41

42 MR. FINK: Yeah. My name is Lee Fink, Mr. Chairman, from Lake Clark. Yeah, basically, we were interested in finding out the Board's -- getting some input from the Board because right now Helga does have the letter from the Western Region and we also have one, which will be addressed at a latter time, from the Region 2, Southcentral Region over where Nikiski is, they would both like seat on the Subsistence Resource Commission which Tim is a member, appointed by this

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Council. Also Dave Wilder and Mike Delkittie are the other two members appointed to the Lake Clark Council from this Council.

3

4 And the Western Interior Region would like to make one
5 of those appointments, as eventually I believe we'll find, that
6 the Southcentral Region would like to make one of those
7 appointments. We would like your opinion if this region would
8 like to give up, you know, some of that appointing authority
9 that they now have.

10

11 MR. O'HARA: Excuse me, give up what?

12

13 MR. FINK: Well, I mean, you would have to relinquish
14 some appointing authority. Presently this Council appoints
15 three members and then you would down to appointing just one
16 member.

17

18 We feel that the majority of our subsistence use comes
19 from the Lake Clark area, Nondalton, Port Alsworth, Illiamna,
20 Nehalena area. Lime Village is a resident zone community, but
21 we have very little documented use, they're actually quite a
22 ways down river from the park boundary. And we have, like I
23 said, very little documented use of up into the park from Lime
24 Village, itself.

25

26 And one of the criteria for being a member appointed to
27 the Lake Clark Subsistence Resource Commission is that the
28 individual is a subsistence user in the park. There are also
29 six other members appointed to the Resource Commission, three
30 by the Governor and three by the Secretary. Presently, we feel
31 it would more appropriate if the individuals from either Lime
32 Village or the Nikiski are were appointed by one of the other
33 appointing authorities because they don't need to fit that
34 criteria of being a subsistence user in the park.

35

36 MR. O'HARA: They don't fit that

37

38 MR. FINK: They don't have that criteria on the
39 appointees that either the Governor or the Secretary would
40 make.

41

42 MR. O'HARA: In other words, all three, Tim, of our
43 appointees are legal subsistence user within the park and these
44 people -- I want to ask you a question, if I could, and then
45 these Councilmen may have questions, too. Lime Village -- is
46 Kakhonak a part of the

47

48 MR. FINK: Kakhonak is not.

49

50

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1 MR. O'HARA: Okay, so they're far enough away from the
Boundary where they did not include. What's the difference
Between Kakhonak being there and Lime Village being there? It
May not be a fair questions but you've flown up in there a lot.

5

6

7 MR. FINK: Well, it goes back to ANILCA, they were not,
for what ever reason documentation at that time or support,
Local support, there was not interest or enough use shown that
people from Kakhonak came all the way into, you know, Lake
Clark area to -- you know, that would mean crossing the lake
and it would be, you know, quite a distance for them to get
into the Federal lands controlled by Lake Clark.

14

15 MR. O'HARA: Stony River is farther away than Lime?
That's still farther yet toward the Kuskokwim, yeah.

17

18 MR. FINK: Stony River, yeah. Basically, they travel
up the Stony into that northwest portion of the park area.

20

21 MR. O'HARA: All right. Well, that enlightens us a lot
on the issue. I guess another question I'd like to ask before
we open it up here to the Council Members in case they have any
questions for you is, what's the time frame of doing this; do
they want this done in this meeting or can we put this on the
agenda for the fall meeting or what?

27

28 MR. FINK: Well, as far I know, no time frame has been
set. I'm gathering information, I'm planning on attending the
Western Interior meeting in Galena, which starts March 2nd and
I'm sure they'll have input, you know, that they want to be
considered and then, hopefully, we'll take all of this to the
Lake Clark Subsistence Conference meeting in either April or
May. We have not time frame, though, basically right now.

35

36 MR. O'HARA: Any questions from the Council Members?

37

38 MR. ABRAHAM: Mr. Chairman.

39

40 MR. O'HARA: Yeah, Pete.

41

42 MR. ABRAHAM: What's the population of Lime Village,
it's a very small

44

45 MR. FINK: Very small population, yeah. Forty to 60 I
would say.

47

48 MR. ABRAHAM: Thank you.

49

50

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1 MS. EAKON: Mr. Chair.

2

3 MR. O'HARA: Yes.

4

5 MS. EAKON: As regard Nikiski, on the Southcentral
6 agenda, the Southcentral Subsistence Council has invited the
7 Superintendent of Lake Clark to their March meeting, they're
8 going to be meeting March 2 and 3 in Anchorage. And the
9 Representative Ninilchik said, historically they have used
10 portions of Lake Clark. And that is why they want to discuss
11 it. It's just a discussion item on the Southcentral agenda at
12 this stage. This is for your information, Mr. Chair.

13

14 MR. O'HARA: Okay. All right. I think it's a good
15 one, but I don't know if I would want to say, let's take a
16 member of ours and sacrifice them for Lime Village because we
17 know that our people are using that area right now. But I
18 don't necessarily want to exclude Lime Village if they've been
19 a user and Nikiski if there's some interest there on what would
20 be the east side there. West side of Cook Inlet, east side of
21 the park.

22

23 So unless there's some real emotional feelings from the
24 Council today I certainly wouldn't mind seeing this surface in
25 the September meeting. Is that okay? All right. Thank you,
26

27

28 MR. SAMUELSEN: Mr. Chairman.

29

30 MR. O'HARA: Yes.

31

32 MR. SAMUELSEN: The purpose in the September meeting is
33 to get the staff reports on the use, what species they're using
34 and what percent they're taking?

35

36 MR. O'HARA: Of who?

37

38 MR. SAMUELSEN: That Lime Village is using in this
39 area?

40

41 MR. O'HARA: Yeah. Also, I think, probably we should
42 discuss whether we want to give up one member, if we decide to
43 that or let the Governor give up one member or who's the
44 third people that make the appointments; is that the Interior?

45

46 MR. ABRAHAM: Dan.

47

48 MR. O'HARA: Yeah.

49

50

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1 MR. ABRAHAM: Lime Village, you know, they're strictly
2 relying on subsistence because actually there's nothing over
3 there.

4

5 MR. O'HARA: Yeah. Is that okay then? Thank you,
6 Helga. Let's go on down here to administrative matters.

7

8 MS. EAKON: Yes, I am please to report that management
9 has approved a calling card for each of the Regional Chairs and
10 Vance Mathews this morning was the first one who made use of
11 your calling card, Mr. Chair.

12

13 MR. O'HARA: Okay, good.

14

15 MS. EAKON: And the second administrative matter, those
16 of you who travel please remember to sign item 13 of your
17 travel voucher and fill out your itinerary and also give me
18 your hotel lodging receipt because that is mandatory for
19 reimbursement. Okay, those of you who travelled before you
20 leave?

21

22 MR. O'HARA: We get reimbursed for our hotel?

23

24 MS. EAKON: That comes out of your per diem, but in
25 order for you to get another check -- the check you got was 80
26 percent of your per diem entitlement. In order for the
27 government to reimburse you for total amount, we do need the
28 lodging receipt.

29

30 MR. O'HARA: Okay.

31

32 MS. EAKON: That is all I have for administrative
33 matter.

34

35 MR. O'HARA: Okay. Charter renewal, you're on again.
36 Wait a minute before we do this let's take a 10 minute break
37 here, Helga, and then we'll get to that.

38

39 (Off record)

40

41 (On record)

42

43 MR. O'HARA: Okay, we're down to member recruitment,
44 all the meeting back to order.

45

46 MS. EAKON: I hope you don't have any objections to
47 Vance taking a snapshot of us.

48

49 MR. O'HARA: Who?

50

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1
2 MS. EAKON: Vince Mathews.
3
4 MR. O'HARA: Take the good side, okay?
5
6 MR. MATHEWS: This if for probably a brochure or some
7 other uses just so you know.
8
9 MR. O'HARA: Yeah. Helga, the next item is member
10 recruitment, do you want to address that?
11
12 MS. EAKON: I believe, Mr. Chair, next item is charter
13 renewal review.
14
15 MR. O'HARA: Oh, excuse me, I'm sorry.
16
17 MS. EAKON: Remember at the last meeting we went over
18 your charter. The reason this item is on our agenda is because
19 this year we are required under the Federal Advisory Committee
20 Act to renew our charter, okay? Because it has a two year
21 limit and the charter is renewed every even numbered year. So
22 nine months before your charter expires you need to review the
23 existing charter.
24
25 If you want to make any changes, the areas where you
26 can make changes are name change, boundary change, the size of
27 your Council, specific Resource Commission appointments, and
28 criteria for removing a member. So if you have any paragraphs
29 or items in your charter that are within your power to change,
30 you should bring them out at this time.
31
32 MR. O'HARA: Okay, any comments from the Council
33 members on what Helga has brought to us regarding our charter.
34
35 MR. ABRAHAM: Mr. Chairman.
36
37 MR. O'HARA: Yeah.
38
39 MR. ABRAHAM: Helga, when one of us expires his terms,
40 how do we go about it; the Secretary of Interior selects a
41 different person again?
42
43 MS. EAKON: I will cover that in the next agenda item,
44 that very briefly, we do have applications. If your term is up,
45 going to expire, you have the option to reapply again
46 through an application process. We do have applications ready,
47 okay? And I will cover that a little bit more in the next
48 agenda item.
49
50

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1 MR. O'HARA: Okay, thank you.

2

3 MS. EAKON: Um-hum.

4

5 MR. O'HARA: You say that we have nine months to
6 address this issue, did I understand you correctly?

7

8 MS. EAKON: Yeah, it is going to expire this year. We
9 want to make sure that we're working on this well ahead of
10 time. In other words, if you, as a Council, want any items
11 that are within your power to change in your charter, you
12 should bring them up now, okay?

13

14 MR. O'HARA: Now seems to me like, you know, we not
15 really prepared to bring them up now.

16

17 MS. EAKON: Well, between now and -- Bill, what's our
18 time frame?

19

20 MR. KNAUER: All of the Councils are reviewing their
21 charters now. Some of them have made some recommendations for
22 change already, but it takes approximately nine months to get
23 the process through because essentially what happens is the
24 Councils make the recommendations for change now, they go to
25 the Federal Subsistence Board who then has to make their
26 recommendations, based upon yours, to the Secretary.

27

28 And the last time it took almost a year to get the
29 charters signed. It won't take quite that long this year
30 because it is a renewal rather than a total new establishment.
31 But the one area that the other Councils have had the most
32 discussion on relates to the removal of members. In the
33 charters right now it says that if a Council Member appointed
34 misses three consecutive regularly scheduled meeting the Chair
35 of the Federal Subsistence Board may recommend, and some of the
36 Councils have felt that missing three meetings is too long
37 since the term of a member is three years and that would be,
38 essentially, half of the meetings within that time. Some of
39 the other Councils have recommended that that be reduced
40 to missing two consecutive meetings, essentially unexcused.

41

42 MR. O'HARA: Helga, what are the terms of -- what are
43 our terms right now; do you have

44

45 MR. SAMUELSEN: One, two and three.

46

47 MR. O'HARA: What?

48

49 MR. SAMUELSEN: I think it's one, two and three.

50

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1
2 MS. EAKON: Sam Stepanoff's term expires in 1996, so
3 does Tim Laporte's and Robert Heyano's. Peter Abraham's and
4 Dan O'Hara's terms expire in 1995 and this year Roy Matsuno and
5 Robin Samuelson's terms are expiring.

6
7 MR. O'HARA: Okay. When do we address -- do they have
8 a form to fill out to remain on the Council and do we make a
9 recommendation or is that not within our powers?

10
11 MS. EAKON: That is within your power and we do have a
12 form, with an application.

13
14 MR. O'HARA: Do we need to address that issue now then?

15
16 MS. EAKON: It is -- it's going to be on the next
17 agenda item.

18
19 MR. O'HARA: All right, fine. Any other questions by
20 the Council Members? All right. We're now talking about
21 member recruitment.

22
23 MR. SAMUELSEN: No.

24
25 MS. EAKON: We're still on charter renewal.

26
27 MR. O'HARA: Okay, charter renewal. Any other thoughts
28 or concerns from the Council Members?

29
30 MR. SAMUELSEN: Mr. Chairman.

31
32 MR. O'HARA: Yeah.

33
34 MR. SAMUELSEN: I guess, Helga, we're looking for a
35 motion to renew our charter.

36
37 MS. EAKON: Does that take a motion, Bill?

38
39 MR. KNAUER: It would be very appropriate to indicate
40 that you either recommend that your charter be renewed as it or
41 with certain modification, whatever your pleasure.

42
43 MR. O'HARA: Okay. What's the wish of the Council? I
44 mean, this is an action item.

45
46 MR. MATSUNO: Mr. Chairman.

47
48 MR. O'HARA: Yeah.

49
50

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1 MR. MATSUNO: I'd like to see where they have that
 2 removal of members change that to two consecutive meetings
 3 missed.

4

5 MR. O'HARA: Without being excused?

6

7 MR. MATSUNO: Yes.

8

9 MR. O'HARA: Okay, you can miss two and then you're
 10 saying if you call up the Chair or Helga and say, hey, I can't
 11 make it, I'd like to ask to be excused the next meeting and
 12 that would be fine? Okay. We have a suggestion on the floor,
 13 then, that when we deal with our charter that we go from a
 14 three meetings to two. Any other thoughts before we ask for a
 15 motion on the exception to our charter?

16

17 Okay, what's the wish of this Council?

18

19 MR. HEYANO: Mr. Chairman, I move we renew our charter
 20 with the amendment to change three to two consecutive unexcused
 21 regular scheduled meetings.

22

23 MR. O'HARA: And could you also add in that, providing
 24 they have, you know, with excused.

25

26 MR. HEYANO: Yeah. I guess my wording would be, a
 27 Council Member appointed under Paragraph 9 misses two
 28 consecutive unexcused.

29

30 MR. O'HARA: Oh, unexcused, okay. There's a motion on
 31 the floor, second to the motion?

32

33 MR. SAMUELSEN: Second.

34

35 MR. O'HARA: Okay, second by Robin, any further
 36 discussion by the Council Members?

37

38 MR. ABRAHAM: Question.

39

40 MR. O'HARA: Question has been called for, all those in
 41 favor say aye.

42

43 (Ayes respond)

44

45 MR. O'HARA: All those opposed.

46

47 (No opposing votes)

48

49 MR. O'HARA: Okay, next agenda item, Helga.

50

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1
 2 MS. EAKON: Okay, the next agenda item is the member
 3 recruitment. Somewhere in your papers you do have this light
 4 blue color paper in front of you, talking about -- it has a
 5 picture of the caribou and moose. And if you turn to the other
 6 side there is a listing of all of the 10 Councils with the
 7 names of members and in italics the six that are going to be
 8 expiring this year. And Page 3 of that is the application.

9
 10 We do require -- if your term is running out this year,
 11 you do need to fill this out again and give it to me. And what
 12 is going to happen, we have an April 1st deadline, okay? I
 13 will -- as these applications come in I will verify their
 14 references and et cetera and the way I understand it there is
 15 going to be a panel sitting who will review these applications.
 16 And as I understand it, the Council does have authority to
 17 nominate individuals as well.

18
 19 We do have a bunch of these, if you will please kindly
 20 take these back to your villages and when I go back to
 21 Anchorage I will try to mail out to key organizations in the
 22 regions. Robin did send me an updated mailing list for the
 23 region and I will make use of that. Because we want to make
 24 certain that this is distributed.

25
 26 MR. O'HARA: All right, we have an agenda item before
 27 us, charter renewal and we have two members that are up for
 28 reappointment, Roy Matsuno and Robin -- Harold R. Samuelsen,
 29 et al. What do we do in this matter, Helga; can we make comment
 30 on it as a Council; do we ask them if they want to continue on;
 31 they need our support; or what do you think?

32
 33 MS. EAKON: It's up to the individual members. But if
 34 you want to go on record as supporting them, there's nothing to
 35 stop you.

36
 37 MR. O'HARA: I guess what we need to find out is if
 38 they're interested in being appointed to another term and
 39 serving with us again. And if you don't mind making a comment
 40 to that effect, we can take that into consideration as a
 41 Council. You've only been with us a year and just barely got
 42 warmed up, also. Yeah, Robin.

43
 44 MR. SAMUELSEN: Yeah, Mr. Chairman, with fair play in
 45 mind, I think that it would be my advice to the Council to --
 46 whether I seek reappointment or not, that the Council not come
 47 out in support of both Roy and myself. It'll appear to the
 48 public that we're possibly a closed group and what weight does
 49 the Council give to the people that are making the selections.

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1 I'd rather all our names go in a hat and those people that are
 2 picked are picked in Anchorage or whatever.

3

4 MR. O'HARA: Okay. Roy, you have any thoughts on that?

5

6 MR. MATSUNO: Yeah, that's fine.

7

8 MR. O'HARA: Okay. There's nothing, however,
 9 preventing us as individual Council Members to support you or
 10 otherwise, you know, on an individual basis. That's a good
 11 point and we appreciate. You thinking that we don't have any
 12 say so between now and when the appointment takes place,
 13 however, Helga. Because they will be reappointed or not be
 14 reappointed before the next meeting, which apparently is going
 15 to be in September.

16

17 MS. EAKON: Sometime in the fall.

18

19 MR. O'HARA: So when do these people get reappointed or
 20 when do the new appointments take place; what's the date?

21

22 MS. EAKON: In the fall.

23

24 MR. O'HARA: Oh, in the fall.

25

26 MS. EAKON: Um-hum. (Affirmative)

27

28 MR. O'HARA: Okay, well, we may have an opportunity to
 29 have some comments then. Okay, that's fine. Everybody
 30 satisfied with that agenda item?

31

32 MR. HEYANO: One question, Mr. Chairman.

33

34 MR. O'HARA: Yes.

35

36 MR. HEYANO: Would it be possible, Helga, for us to get
 37 a copy of the interested members of the public who are
 38 interested in sitting on this Council?

39

40 MS. EAKON: Certainly, I'll be happy to provide you
 41 with a list of applicants by the deadline or a little bit after
 42 the deadline, which will be April 1st.

43

44 MR. HEYANO: Thank you.

45

46 MS. EAKON: Your welcome.

47

48 MR. O'HARA: We come to the proposal change of part D
 49 regulations and apparently -- is this the point where we would

50

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like to do the biologist, anthropologist, Moses item? Is that right?

3

4 MS. EAKON: (Nod head affirmatively)

5

6 MR. O'HARA: Okay. Let me just -- so all of you understand what we're going to be doing here. It looks to me like we'll probably finish this meeting today and be out of here by this evening. So if we can take the reports this afternoon, start public hearings right after lunch and then we have some items under new business which are not going to take very long, establish the time of the next meeting, public comments, if there's any public left to comment, in the afternoon. It looks to me like we should be able to finish up our business today. Yes.

16

17 MS. EAKON: So long as we don't run into 7:00 o'clock, there is going to be a special meeting of the City Council at 7:00, that I was told last night. So long as we don't run into their time.

21

22 MR. O'HARA: Okay. We'll not be a problem. If we're not finished, we'll adjourn by evening time and then have to come back tomorrow if we don't get done with our business today. We're not going to hurry through the meeting just for the sake of getting done. We'll do all of our work and -- but there's no sense -- I guess everyone in the audience read that book, "The 30 Second Planner", you don't have to repeat yourself. And so that's good, everybody is nodding their head.

30

31 All right, we have a biologist who's going to give us resource information. And, Helga, who is that going to be?

33

34 MS. EAKON: Our biologist is David Fisher.

35

36 MR. O'HARA: David Fisher, come on up here.

37

38 (Off record comments -- imitations of Bob Barker)

39

40 MR. O'HARA: Known as the sacrificial lamb.

41

42 MR. FISHER: Thank you, Mr. Chairman. It's kind of nice to be back here in Dillingham and see that the area hasn't really changed too much. Kind of wish I could spend some more time here and see some of the friends that I knew and my wife has a long list of people that she wanted me to look up, too, but I don't think I'll have that time.

48

49 I'm not quite sure how you want to handle this. Do you

50

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Want to go through one proposal at time or do you want -- as far as the biology and that information goes and then -- you didn't want me to address all the -- okay.

4

5 Well, we'll start out with Proposal Number 30. It was submitted by the Bristol Bay Native Association and actually what that proposal would do, it would close Federal public lands, the Becharof Alaska Peninsula Wildlife Refuges, the Aniakchak National Monument and Preserve to caribou and moose hunting by non-qualified eligible hunters. Hunting would only be allowed by qualified rural residents.

12

13 The proponents of this proposal specifically mentioned Unit 9 for their proposed regulation, however, in the description of the area that are to be affected most of those public lands are in Game Management Unit 9(E), so most of my information here this morning will address Game Management Unit 9(E).

19

20 There is a map up there on the wall behind you, Mr. Chairman, and it's a real good land status map, it's provided by Refuge Manager, Ron Hood, and I may have to call upon him to specifically point out some areas if we do get into some detail questions regarding land ownership there in Unit 9(E).

26

27 What I'd like to do first here, is start out with moose and then address caribou and then have a short conclusion. Currently the overall moose population in 9(E) is relatively stable. And moose are not really know to be a migratory animal to the extent that the caribou are. Moose do move somewhat during the fall, primarily bulls in search of cows, and additional movement occurs when moose will move from higher elevations to areas of lower elevations related to snow fall and/or specific habitat requirements during the year.

36

37 Hunting pressure has not been shown to affect moose movement patterns. However, some displacement of moose have been observed in the King Salmon Creek drainage and this has been attributed to the increase in ATV and snowmachine activity during December.

42

43 Overall in Unit Game Management 9(E) there really isn't too much movement off and on refuge lands or Federal lands here in 9(E). The closure of Federal lands to the harvest of moose by non-qualified rural residents is not anticipated to have a significant impact of moose movement on and off the refuge.

49

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1 Some other items that the staff considered worth
 2 mentioning are subsistence use of moose in 9(E) is currently
 3 provided a rural priority through a season that begins 10 days
 4 earlier than the State's season. In other words, the Federal
 5 Season starts on September 1st and runs through September 20th
 6 and then there's a winter season that starts December 1st and
 7 runs through December 31st. And the harvest limit there is one
 8 bull.

9

10 In contrary the State season starts on December 10th
 11 and runs through December 20th. And then the State also has a
 12 winter season. The State is a little more restrictive in their
 13 harvest limit. They have one bull, except during the September
 14 season when you have to have a 50 plus antler spread.

15

16 And competition over the years in December hasn't
 17 really -- what I mean competition, I mean competition between
 18 the rural users that are qualified and the non-rural users. In
 19 December hasn't really been too much, it's been sort of
 20 negligible.

21

22 Okay, I'd like to go, then, and talk a little bit about
 23 caribou. The Alaska Peninsula, there are two herds of caribou
 24 on the Alaska Peninsula, the Alaskan Peninsula herd and the
 25 Southern Alaskan Peninsula herd. The Southern herd is mainly
 26 limited to Unit 9(D).

27

28 The Northern herd ranges from Port Moller northward to
 29 the Naknek River drainage. And movement of this Northern herd
 30 has been concentrated between calving grounds south of Port
 31 Heiden and the wintering grounds south of the Alagnak River.
 32 Much of this habitat and movement of the herd is outside the
 33 Alaska Peninsula National Wildlife Refuge. However, part of
 34 this herd does use the Becharof Lake area or the Seversen
 35 Peninsula.

36

37 However, the majority of this work remains further to
 38 the west along the Bristol Bay side of the Peninsula and it's
 39 estimated that 90 percent of this movement occurs off of refuge
 40 lands. Very little is known about the caribou east of the
 41 Aleutian Mountains and along the Pacific coast of the refuge
 42 and down along the Aniakchak Monument.

43

44 Historically the size of this Northern herd has
 45 fluctuated widely. Fish and Game Management objectives for
 46 this herd has been to maintain the herd between 15 and 20,000
 47 animals. The current population is estimated to be around
 48 48,000 plus, so they're right in the middle of their management
 49 objectives. The herd has expanded over the last 10 to 12

50

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years, bull/cow ratios are good and so is calf production and survival.

3

4 However, the movement patterns have changed since the
5 '70's which is nothing new for caribou if we would reference
6 the Mulchatna herd and the Porcupine herd and the Arctic
7 Caribou herd, some of the movements that those herds have made.
8 The Northern herd now appears to be using migration routes
9 that they didn't use in the '60's and '70's.

10

11 In the King Salmon/Naknek areas caribou have been
12 easily accessed during the last 10 years from August through
13 January. And caribou have been easy to obtain this year for
14 local resident for probably the last month and a half. Overall
15 caribou migrations appear to be unaffected by the activities of
16 non-subsistence hunters.

17

18 And I have some other items there that are worth
19 mentioning related to the caribou. Surveys over the past five
20 years have shown that the northward migration gets underway in
21 July, over a month before the hunting season begins. And there
22 are approximately 30 percent more caribou now than there were
23 in 1970. And a hunting season that runs from August through
24 April, so there seems to be ample opportunity for the
25 subsistence needs to be met.

26

27 The State season in 1970 was August 10th through March
28 31st and the Federal season for a portion of Unit 9(E) south of
29 Seal Cape on the Pacific side was changed here, I think, last
30 year to July 1 through April 30. So overall the biological
31 status of this Northern herd seems to be healthy in all
32 respects.

33

34 In summing up the biological report for Proposal Number
35 30 the staff felt that there's no biological evidence that
36 non-subsistence hunting has hindered the migration of moose and
37 caribou from the north side of Bristol Bay to the south or
38 Pacific coast side of Peninsula. Now, there are some factors
39 that may be affecting this movement and I touched upon those
40 earlier. Resource managers probably need to examine measures
41 to control non-subsistence hunters if this resource petition
42 becomes more of a problem.

43

44 Another thing that possibly that the Council may
45 consider would be, say, an earlier season, an August season for
46 moose if the Council feels that competition is really impacting
47 the subsistence opportunity. That's all I have for the
48 biological report on Number 30.

49

50

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1 MR. O'HARA: Okay, let's take an opportunity, then, for
the Council Members to ask you questions, if we could, Dave.

3

4 MR. FISHER: Sure.

5

6 MR. O'HARA: Any questions from the Council Members on
the Proposal Number 30 by BBNA to close down all subsistence
use, other than those who are qualified users on Federal lands?
Yeah.

10

11 MR. NELSON: I'm here representing BBNA and my name is
Russell Nelson. I'd like to speak on Proposal 30 just a
second. We put in all of our proposals that were put in by
BBNA weren't really just put in by BBNA, they were put in by
villages that we represent, so I want you guys to understand
that, that we didn't sit here in Dillingham and make proposals
for everyone. These are proposals that we actually got from
the villages in various parts of our region.

19

20 Proposal 30 was actually three different proposals that
were shipped in and Mike Lockhart sent me back all three
proposals rolled into what we call Proposal 30. And we weren't
really happy with it, but he kind of left -- gave me a half of
a day to make comments on these things and so we kind of
skipped through and tried to make comments on them without
splitting it apart.

27

28 So what I did, after much discussion on this matter,
was we made -- we pulled them back apart and made 30A, 30B and
30C, which I'd like to hand out to the Council. And then we
got a map here and a mylar go over it to show you what we're
talking about. And we're actually pulling back a lot of the
area that we've asked for has been actually pulled back under
these three separate proposals.

35

36 So if you don't mind I'll hand you guys these.

37

38 MR. O'HARA: Is that okay with the Council? Okay.

39

40 (Pause -- passing out Proposals 30A, 30B and 30C)

41

42 MR. NELSON: And on 30A we pulled the Seversen
Peninsula out so it could stand on it's own. The people from
the Egigik area told us that the Seversen Peninsula is a
migration path and it's a very long narrow peninsula. And that
has been traditionally been hunted by the subsistence hunters.
And right now there is -- sports hunters have been bringing in
flying people in with float planes and just lining these
float planes on both sides of the Seversen Peninsula where the

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moose and caribou migrate down and they swim across. And they feel they're effectively blocking off the migration path, you know, that route of the migration.

4

5 And it was also recommended in the public use -- in the Draft of Public Use Management Plan for Becharof and Alaska Peninsula National Wildlife Refuges as one of the alternatives in there. It recommended, actually, shutting that off from the hunting, also, because of the migration path, so I believe that Fish and Wildlife Service had put together that must have some type of information. But that actually is used as a migration path or otherwise they wouldn't have put it in that Public Use Management Draft.

14

15 I'm going to go ahead and put up the map right now.

16

17 (Off record comments -- discussing where map should go)

18

19 MR. NELSON: Okay, on A the Seversen Peninsula that we're talking about, you can just see it sticking off the map here, but it is a long narrow piece of land and it attaches to the mainland right back here. And the caribou, from our understanding migrate down here and they swim across the portage over to the mainland and continue the migration.

25

26 MR. O'HARA: What time of the year?

27

28 MR. NELSON: In the fall.

29

30 MR. O'HARA: Fall time?

31

32 MR. NELSON: Yeah. I'm not really sure of the dates on that. Ted may have a little more information on that than I do.

35

36 MR. O'HARA: Ron might know, too, Ron Hood.

37

38 MR. NELSON: Proposal 30B was actually made by the people from Ivanof Bay area, I believe. And they were concerned with the caribou migrating from the north side of the peninsula for all the caribou normally around here. They talk about the caribou herd, the large caribou herd and it's got 17,000.

44

45 MR. O'HARA: Got 17,000, you say?

46

47 MR. NELSON: Yeah, that's this herd up here and some of them migrate back and forth through this pass right here from going up the Sandy River from Sandy Lake. There's a couple of

50

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passes through here and then they come down into the Stepanoff Flats and this is where the people hunt them from Ivanof Bay and Perryville.

4

5 And so what they wanted to do was make -- they're real concern with the amount of sports hunting pressure that are coming in for the few amount of caribou that do come through there and they're afraid that they're shooting them all -- killing them off before, you know, before they can reach up and get through these passes. It's a real bottleneck, so what they would like to do is stop that from, you know, to make that so that subsistence users is the only type of hunting that can be done in this area.

14

15 And we were asking for all of the Alaska Peninsula National Wildlife Refuge which is a big piece of land, it comes all the way to Aniakchak and then it extends on up here also. So we're pulling our proposal back to just saying that we just want this one small area here because that's the area -- that's the point where the impact is really being felt by the villages from Ivanof to Perryville.

22

23 And then Proposal Number 30C is for the Chigniks and the Chignik people say that that they hunt this coastline and the caribou are getting really scarce in this area on the southern part of the peninsula also. And the monument that's in here is just -- and that's subsistence only for those area villages. But the caribou aren't really up in there. In other words, they come up in some of these drainages up in here and through these passes and down into this area and then they traverse up and down the south side of the Alaska Peninsula or the Pacific Ocean side.

33

34 What we're asking under Proposal 30C is that the National Preserve, itself, and this is the Alaska -- the Alaska Peninsula Preserve is here and down there. And we're just saying to take out the rest of the Aniakchak -- just take out the Aniakchak Preserve which is a relatively small area compared to what we were asking for under our original proposal to be taken out for -- and remain for qualified subsistence users on Proposal C.

42

43 MR. O'HARA: Okay, Ronald, need to ask you a question up here on this National Preserve. Do guides work that area?

45

46 MR. HOOD: I'd have to ask the Park Service.

47

48 MR. O'HARA: Park Service, oh, okay. Sorry, wrong department.

50

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1
2 MS. SAVAGE: Susan Savage again, Katmai and Aniakchak
and it's Aniakchak Monument and Preserve. We do have a sport
Hunting program at Aniakchak right now, it's in a temporary
Situation after the State handed over control of that program
60 us and we're in the middle of developing a draft sport
Hunting guide prospectus which should be issued sometime this
8 Spring. But the short answer is, yes, that is open to sport
Hunting.

10

11 MR. O'HARA: A guide can go in there and hunt and fish.
12 Robin.

13

14 MR. SAMUELSEN: How many guides do you have operating
15 in that area?

16

17 MS. SAVAGE: I believe there's two in the Aniakchak
Preserve right now, there was five previously, but I think it's
been cut back to two.

20

21 MR. O'HARA: Why did they leave?

22

23 MS. SAVAGE: We limited the number of permits, there
used to be five permits and now there's only two permits.

25

26 MR. O'HARA: How did you select the two?

27

28 MS. SAVAGE: It was a competitive process. Like I
said, we're in a temporary program right now and that program
is actually handled by a concession person in the park.

31

32 MR. O'HARA: Any other questions before we take a look
at this proposal? Yes, Robert.

34

35 MR. HEYANO: How many animals were these guide
accounting for?

37

38 MS. SAVAGE: I have that data at home, but I'm sorry
because I didn't know there were going to be three separate
proposals. I don't have it with me. Guide hunters, as I
recall, caribou, I'm sure it's less than 50, it may be less
than 30, I can't remember off the top of my head. They're not
targeting caribou as much as they're targeting moose and bear
at that particular area.

45

46 MR. O'HARA: Any other questions from the Council
Members?

48

49 MR. STEPANOFF: Yes. Was it residential people that

50

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guiding in that area?

2

3 MS. SAVAGE: I'm sorry, I didn't

4

5 MR. STEPANOFF: Was it people that's, like, residents
6 from this -- around this area here?

7

8 MS. SAVAGE: I believe -- I'm not real familiar with
9 this program because it's not my program, but -- and because
10 it's been in a transitory state. I think it's Gary King and
11 Joe Clutch that have the two permits right now. They are local
12 Alaskans and Joe Klutsch lives in the King Salmon area. But
13 also there are non-guided sport hunters that can go in that
14 area also.

15

16 MR. O'HARA: People just in general. Do non-residents
17 need a guide? They don't need a guide to hunt caribou, they
18 need a guide to hunt moose?

19

20 MS. SAVAGE: Not moose, bear, only bear.

21

22 MR. O'HARA: No, no, I'm sorry, bear, yeah. You had a
23 question, Robin?

24

25 MR. SAMUELSEN: Yeah. How many non-local caribou
26 hunters do you have in that area; quite a few?

27

28 MS. SAVAGE: That data I would have to extract from the
29 State records which is kind of difficult to do because they
30 have their data by drainage and not by conservation unit. So
31 we would have to go in and extract it through the drainage.

32

33 MR. SAMUELSEN: One more.

34

35 MR. O'HARA: Okay.

36

37 MR. SAMUELSEN: Since we have Proposal 30A, B, and C,
38 have you had time to review them?

39

40 MS. SAVAGE: Not the separate proposals, I only saw the
41 one proposal all lumped together.

42

43 MR. O'HARA: This was handed to us just as we started
44 the meeting, I mean, it's like he walked up and gave it to us
45 Aw. Okay, any other questions from the Council Members? Yes,
46 By.

47

48 MR. MATSUNO: Mr. Chairman, I just have a statement to
49 make. You know, they said the caribou migrations appear to be

50

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unaffected by human activities and I disagree with that because we used to have a guide operating out of Ugashik and the caribou totally quit traveling right next to Ugashik. They used to come within a mile of Ugashik and when that guide was down there, all the caribou went about six miles behind Ugashik.

7

8 Then after the guide left and now the caribou are traveling right behind the village again, there's no guide down there any more. And up in Ugashik's Lakes there's a guide up there and the caribou usually cross right there by the first rapids and after he started hunting the caribou started crossing down below, so if the pressure is there the caribou will move.

15

16 MR. O'HARA: Okay, any other comments from the Council members on -- we have an addendum actually to Number 30, which is A, B, and C, handed to us here as we began the discussion. And what's the wishes of the Council Members on Number 30?

20

21 MR. STEPANOFF: Yeah, there's another think here. Like now herds of caribou -- you know, like, there is always a leader in a caribou herd and they start shooting off the leaders and then the younger fellow they don't know where to go. Like, now in the areas there, they don't -- a lot of them don't return because the leaders are all shot off by the sports hunters.

28

29 MR. O'HARA: Robin.

30

31 MR. SAMUELSEN: Mr. Chairman, I'd like to offer a substitute proposal for 30, it would be 30A, 30B and 30C.

33

34 MR. O'HARA: So you want 30 to become A, B and C?

35

36 MR. SAMUELSEN: A, B and C.

37

38 MR. O'HARA: Okay. Helga, where do we stand, can we just go ahead and put in here under these proposals that we're going to make it A, B, and C or what?

41

42 MS. EAKON: I would like the biologist and anthropologist if they would like a little bit time today to further look at the focus of these three separate proposals?

45

46 MR. O'HARA: Before you comment on that, Robin here, I think, would like to help us out on that very area.

48

49 MR. SAMUELSEN: Mr. Chairman, Since we have only

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Proposal 30 in front of us and that's the only thing that's in front of us right now. If I get a second, and it passes, on my substitute motion, we'll have A, B and C and follow up to that. I was going to make another motion, based on Susan's comment, that she hasn't had time to review these proposals. I think that's indicative -- or other staff hasn't had time and I was going to make a motion that we propose action on Proposal -- or amended language 30A, B and C until the last proposal.

9
10 MR. O'HARA: Okay, I'm sorry, I didn't realize you had a motion on the floor.

12
13 MR. SAMUELSEN: Yeah.

14
15 MR. O'HARA: All discussion stops until there's a second and so we'll disregard everything that's been said. Robin has made a motion that we include in Proposal Number 30, A, B, and C, is there a second to that?

19
20 MR. MATSUNO: Second.

21
22 MR. O'HARA: Second. Any further discussion on this matter on the floor? All those in favor say aye.

24
25 (Ayes respond)

26
27 MR. O'HARA: Opposed.

28
29 (No opposing votes)

30
31 MR. O'HARA: Okay. Now, did you want to continue on.

32
33 MR. SAMUELSEN: Mr. Chairman, I move that we take up Proposal amended language 30A, 30B and 30C as the last proposal.

36
37 MR. O'HARA: Today?

38
39 MR. SAMUELSEN: Today or whenever to give the staff time to review it.

41
42 MR. O'HARA: Is there a second to that motion?

43
44 MR. MATSUNO: Second.

45
46 MR. O'HARA: Roy seconded that motion. Under discussion if you'd like to speak to your motion you can.

48
49 MR. SAMUELSEN: Yeah, just my prior comments here that

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Susan hasn't had time to review it and

2

3 MR. O'HARA: Larry is here too, isn't he? From the
Alaska Department of Fish and Game.

5

6 MR. SAMUELSEN: Yeah.

7

8 MR. O'HARA: You going to have

9

10 MR. NELSON: I have an extra copy if Susan would like.

11

12 MR. VAN DAELE: I don't have any specific comments on
13, I don't have any intimate knowledge of that.

14

15 MR. O'HARA: You have no data, nothing to add numbers
and hunters?

17

18 MR. VAN DAELE: As far as our caribou numbers and tags
are concerned that's going to be tough information to pull out
for each one of these units. Because, as you probably know,
our caribou reporting is all voluntary with the harvest tickets
and I wouldn't put a lot of store in what you get out of it to
tell you the truth.

24

25 MR. O'HARA: Russell.

26

27 MR. NELSON: Yes, Mr. Chairman, when I looked at the
State information that I could find and the Federal information
and all I've been able to find about their knowledge of the
moose and caribou on the southern side of the range, the Alaska
range down through there is that they feel that the numbers are
low and they don't really know anything about the migration
paths of them back and forth, they don't really have any
studies that have gone on.

35

36 Their information is when someone hunts in Unit 9(E),
they say they shot a caribou in Unit 9(E), they could have shot
that down by the Chigniks or they could have shot that up by
Egigik, it doesn't really matter. And so the information is
total bad. What we felt that we had to go on was the local
knowledge of the local people that live there who see what's
going on year after year. And we decided that if there's
nothing to go on then it's pretty important that you listen to
the local people that live within the areas that are being
affected.

46

47 MR. O'HARA: Okay, thank you. All right, that's fine.
Have we voted on it?

49

50

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1 MR. SAMUELSEN: No, we have a motion and seconded.

2

3 MR. O'HARA: Okay. That's to postpone this until the
4 end of the day or the end of the proposal time. Any further
5 discussion? All those in favor say aye.

6

7 (Ayes respond)

8

9 MR. O'HARA: Opposed.

10

11 (No opposing votes)

12

13 MR. O'HARA: Okay, the next -- go ahead.

14

15 MR. HEYANO: I have a question, Mr. Chairman, then if
16 we have questions to ask of Dave Fisher on the proposal that is
17 now 30A, B, and C, do we wait till the end of the meeting to
18 ask those questions?

19

20 MR. O'HARA: I would guess so.

21

22 MR. FISHER: Yeah, I would like to have you wait till
23 the end, so I have a chance to look at these and I haven't seen
24 them, other than just what's been handed to me here a couple of
25 minutes ago. And I get a chance to talk to some of the other
26 biologists in the audience.

27

28 MR. O'HARA: Okay. What else do you have?

29

30 MR. FISHER: That's all I have.

31

32 MR. O'HARA: That's all you're going to address in the
33 proposal period?

34

35 MR. FISHER: Proposal 30.

36

37 MR. O'HARA: Okay, what else, other than what you have
38 on 30? Continue on.

39

40 MR. FISHER: Mr. Chairman, Proposal 32 deals with
41 beaver in Game Management Unit 9(B). The issues here are to
42 extend the current January 1 to March 31 season by two months.
43 In other words, the new season or the proposal proposes to
44 extend the season from January 1 to May 31st. Allow firearms
45 a means of take from April 1 to May 31 and increase the
46 current 40 per season harvest limit by 10 to 50 beaver per
47 season.

48

49 There's not a lot of biological data available for

50

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beaver in Game Management Unit 9(B). The information we did get was from Dick Sellers, Fish and Game biologist in King Salmon. And the beaver catch surveys have not been conducted since 1987 and most of the information that I did get from Mr. Sellers was based on general observations while they were out doing survey flights, comments from trappers, complaints from some of the public that indicated the beaver population has remained high north of Subunit 9(D). Overall on a subunit level, the population in 9(B) is estimated to be stable to slightly increasing.

11

12

13

The proposal's anticipated impact to that resource here on a subunit level the population in 9(B) will probably not be negatively impacted. However, near the villages a significant decrease might result depending on what local residents do. There is some concern expressed by the staff that allowing the use of firearms and extending the season until May 31st will not risk the conservation of healthy beaver populations in 9(B), but provided that the beavers are used for food.

22

23

However, beavers are taken for other reasons, such as to remove possible fish barrier, for fish migration or simply for target practice and the flesh is not salvaged. These practices should not be allowed.

27

28

The other concern that the staff had was increasing season bag limits to 50 beavers seems to exceed the subsistence need, even taking into account extensive sharing. And could possibly lead to depletion of beaver populations in the local area. That's all I have on that one.

33

34

MR. O'HARA: Okay. Any questions from the -- Tim.

35

36

MR. LaPORTE: There is no requirement at this time for somebody trapping beaver to use the beaver meat as such.

38

39

MR. O'HARA: Any other comments or questions? Robin.

40

41

MR. SAMUELSEN: Yeah. Dave, under conclusions there, such as to remove possible barriers to fish migration or simply target practice and the rest is not salvaged. How many documented cases do you have of this? Do you have documented cases on this?

46

47

MR. FISHER: We have comments that we received for impact to fish migration, there's been some public comments that have been sent in and I think, maybe, Moses will address

50

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those when he talks about the public comments.

2

3 MR. O'HARA: All right.

4

5 MR. HEYANO: Mr. Chairman.

6

7 MR. O'HARA: Yeah.

8

9 MR. HEYANO: Dave, do you have an opinion on the
~~condition~~ condition of the pelt in, what is it, April or May? April 1st
~~to~~ to May 31st?

12

13 MR. FISHER: I think the pelts are probably going past
~~their~~ their prime starting about mid April on down. The pelts
~~probably~~ probably aren't prime by the -- in May.

16

17 MR. HEYANO: Okay, thanks.

18

19 MR. SAMUELSEN: One more.

20

21 MR. O'HARA: Um-hum. (Affirmative)

22

23 MR. SAMUELSEN: Under discussion, the last sentence
~~there~~ there, although not legal in Unit 9(B) and (C), beavers have
~~been~~ been reported as taken by firearm. A total of 13 from 1984 to
~~1993~~ 1993. How did you come up with the 13 figure?

27

28 MR. FISHER: Could you repeat?

29

30 MR. SAMUELSEN: It says here under the discussion,
~~under~~ under staff analysis it says, although not legal in Unit 9(B)
~~and~~ and (C), beavers have been reported as taken by firearm. A
~~total~~ total of 13 from 1984 to 1993. How accurate is that number and
~~how~~ how did you arrive at that number?

35

36 MR. FISHER: I'd have to research that further out,
~~that~~ that was probably some information that was provided by one of
~~the~~ the other staff members and I can look that up and get back to
~~you~~ you on that.

40

41 MR. SAMUELSEN: Okay.

42

43 MR. O'HARA: Got a questions? All right, want to go on
~~to~~ to the next proposal.

45

46 MR. FISHER: Mr. Chairman, I have one comment on that
~~Mr.~~ Mr. Samuelsen. It's probably from ceiling records, but I will
~~research~~ research that out and get back to you on it.

49

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1 MR. SAMUELSEN: Question, Chair. Are we going to take
 2 staff comments and then we'll take public testimony and then
 3 we'll deliberate on the proposal and make amendments and vote
 4 it up or down?

5

6 MR. O'HARA: What we're getting into is kind of a bad
 7 situation here, but actually is okay with Russell, we need to
 8 be careful that we don't get off track here. We get our
 9 biologist report, we get our anthropologist report, Moses is
 10 going to give us a report and if you guys want to make comment
 11 after that you have time to do that.

12

13 But just to open it up to the general public right now
 14 is going to create a lot of confusion, we won't get our work
 15 done. If that's okay with the Council Members. So if you do
 16 have comment we'll give you plenty of time to have you comment,
 17 but we do need to have the biologist report and, Dave, you need
 18 to speed right along.

19

20 MR. SAMUELSEN: Mr. Chairman.

21

22 MR. O'HARA: Yeah.

23

24 MR. SAMUELSEN: And we'll do that per proposal, for
 25 each proposal?

26

27 MR. O'HARA: Yeah, in other words, we're going to get a
 28 biologist report, then we have to get the anthropologist report
 29 and then Moses needs to address us on these issues of the
 30 proposal or any that he feels we need to be addressed on. Then
 31 we're going to open it up to public opinion at that time. And
 32 that'll be a good way because there'll be a lot of information
 33 given that'll help us. Okay, Dave.

34

35 MR. FISHER: Yes, Mr. Chairman, moving right along
 36 here. Proposal Number 33, moose and caribou, Game Management
 37 Units 9 and 17. The issues here is to adjust all moose and
 38 caribou hunting season in Game Management Unit 9 and 17 so that
 39 hunting does not occur during the rut.

40

41 On this one I'd like to address caribou first.

42

43 MR. O'HARA: Okay. Do you have a question?

44

45 MR. FISHER: The caribou herds that would be affected
 46 by this proposal are the Southern Alaska Peninsula caribou
 47 herd, the Northern Alaska Peninsula caribou herd, the Mulchatna
 48 caribou herd and the Nushagak Peninsula caribou herd.

49

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1 The Southern Alaska Peninsula caribou herd has been on
 2 a general decline since 1985. The Northern Peninsula caribou
 3 has remained relatively stable since 1984 and the estimated
 4 herd size is 17,000 plus. The Mulchatna caribou herd has been
 5 increasing and it's been increasing at an annual rate of around
 6 67 percent from 1981 to 1992. The Nushagak Peninsula caribou
 7 herd has also been increasing.

8

9 MR. O'HARA: To how much?

10

11 MR. FISHER: I think we're talking about a little over
 12 12,000 animals and I think one of the fellows from the refuge
 13 will address that when we get to one of the later proposals.

14

15 MR. O'HARA: Okay.

16

17 MR. FISHER: Some of the impacts, as far as caribou go.
 18 Currently caribou hunting does not occur during the rut on
 19 Federal lands in Units 9 and 17. In 1992 an estimated 13
 20 percent of the caribou hunting took place during October. We
 21 don't have the exact numbers here, but a large percent of the
 22 caribou hunt occurs off of Federal lands in Unit 9 and even
 23 less in Unit 17.

24

25 Closing the caribou hunting during the rut will have
 26 little impact on the Alaska Peninsula, Becharof Refuges and
 27 also the Togiak Refuge. As far as caribou go, if this proposal
 28 is implemented there would be no real significant effects on
 29 refuge lands for caribou.

30

31 I'd like to go on back and cover moose. The overall
 32 population for moose in Unit 9 is estimated to be stable. In
 33 Unit 17, Subunits 17(B) and 17(C), the numbers there have
 34 increased over last years and also the range has increased.
 35 And 17(A) I understand from talking with refuge biologist here
 36 the Togiak Refuge and also Pete Abraham that the population
 37 in 17(A) it looks like it's starting to increase which is very
 38 encouraging.

39

40 The proposal's impact to moose -- the proposal did not
 41 specify any closure dates, so it makes it quite difficult to
 42 really analyze the anticipated changes. Currently there is no
 43 moose hunting permitted during the month of October in Units 9
 44 and 17. So no impacts are anticipated for the harvest of moose
 45 on Federal lands.

46

47 MR. O'HARA: When is it closed in 9 and 17?

48

49 MR. FISHER: There's a September hunt and there's also

50

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1 a winter hunt.

2

3 MR. HOOD: September hunt it closes on 20th in 9(E) and
4 on the 15th in 9(C).

5

6 MR. O'HARA: Okay, that covers the rut?

7

8 MR. HOOD: Yeah.

9

10 MR. O'HARA: Okay, thank you.

11

12 MR. FISHER: That's about all I have on that one.

13

14 MR. O'HARA: Okay, thank you. Robin suggested that we
15 change the procedure that we're going to follow here. It would
16 be contrary to what I mentioned just a few minutes ago before
17 you took on Number 33.

18

19 We have postponed 30 until the last proposal of the
20 public hearing and additional staff information. Robin
21 suggested that we have the biologist make a presentation, the
22 anthropologist make his presentation, Moses talk to the
23 proposal, if he should so desire and then vote the proposal up
24 or down.

25

26 MR. SAMUELSEN: Public comment.

27

28 MR. O'HARA: Public comment, excuse me. And then vote
29 the proposal up or down. And that way we would be completely
30 done with it instead of going three or four steps, so if there
31 is no objection to the Council, we'll go back to 32 and have
32 the anthropologist address it, then Moses, have public hearing
33 on that particular proposal and then go on to 33. Is that
34 agreeable with everybody? Yeah, Robin.

35

36 MR. SAMUELSEN: Is that how the other Regional Councils
37 did it?

38

39 MR. FISHER: (Nods affirmatively)

40

41 MR. O'HARA: Okay. That way we don't spread them out
42 too far and always have to be referring back to our notes to
43 bring a question to mind, okay. If that's okay with the rest
44 of the Council then we'll ask the anthropologist, that's going
45 to be Taylor.

46

47 Don't go too far away, Dave, because we'll be back for
48 the situation.

49

50

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1 MR. BRELSFORD: Thank you very much, it's Taylor
 2 Brelsford with the Fish and Wildlife Service. I think there
 3 are, basically, three points that we would like to make in
 4 terms of the social science information on Proposal Number 32.
 5 This has, again, to do with the use of firearms for taking a
 6 beaver.

7
 8 The first point, I think, comes in the third paragraph
 9 down the page and we understand from the communities, in the
 10 community basis subsistence studies that beaver have been
 11 customarily and traditionally taken by small caliber firearms,
 12 therefore, we're talking about consistency where customary and
 13 traditional practice. This proposal would seem to square with
 14 cultural traditions.

15
 16 Second point is in the next paragraph. That extension
 17 of the season would more accurately align the seasonal path
 18 with customary and traditional seasons. Again, it appears that
 19 the proposal would move in the direction of squaring with
 20 custom and tradition.

21
 22 And finally, I think, in relation to the final section,
 23 the proposed conclusions here, I think we feel it's necessary
 24 to be extremely cautious about concerns regarding wastes and
 25 the potential that other motives have entered into harvest
 26 practices. I'm not sure that we have firm evidence about those
 27 matters. I think it's part of the art of resource management
 28 that biologists and others would raise concerns they consider
 29 appropriate.

30
 31 But I think from our side of the table we have some
 32 real concerns about the foundation. I don't think that we have
 33 compelling evidence that there is a widespread practice of
 34 abusive harvest. I think on the contrary, what emerges in the
 35 subsistence literature is more the matter of the traditional
 36 harvest for the purposes of need, as well, for the furs.

37
 38 So those are the three points I'd like to offer in
 39 relation to Proposal Number 32.

40
 41 MR. O'HARA: Any questions from the Council? Okay,
 42 Moses.

43
 44 MR. DIRKS: Moses Dirks with the Fish and Wildlife
 45 Service. Our office received these public comments on each
 46 proposal, so these are the public comments of the proposals
 47 that we received at our office.

48
 49 And on Proposal 32, we had one in support of the
 50

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proposal and then we had six in objection to the proposal. The support for the proposal came from BBNA and they stated that there's evidence of beaver in the area and beaver are becoming a problem due to the fact that they are damming up salmon spawning streams. And also in support of the proposal would be the communities of Nondalton and Pedro Bay.

7

8 And in objection to the proposal were agencies and they noted that although they're presently ample number of beaver to support present harvest season lengths and bag limit, a 25 percent increase in bag limit a two month long spring season with firearms would result in waste of resources through tripping and non-retrieval pelts that are commercially worthless and over harvest around villages.

15

16 And also, then, organization believes that allowing each individual to take 40 beaver per season, the current regulation is more than reasonable. And, in addition, given the current explosion in the use of snowmachines for subsistence hunting, the current season length already provides reasonable opportunity and extend the season by two months is not necessary.

23

24 And then there were also two associations that were opposed to it. Stated that in an area where beaver have traditionally been safeguarded in times of poor fishing, liberalizing it would be wasteful and should not be allowed.

28

29 And another agency was opposed in part and neutral in part. They thought the proposed regulation that would extend the season and increase the harvest limits and would subject beavers to potential trapping during late spring and early summer when pelts are in less than prime condition and preempts the opportunity for subsistence taker the same animal when the pelts are prime. And they wanted further analysis on the subsistence harvest and population status as needed to insure natural and healthy populations are maintained.

38

39 And they were neutral in the use of firearm allowance for public lands other than NPS lands. As a point of clarification any authorization of the use of firearms to take in this area would not apply to NPS lands due to NPS regulatory restrictions on the use of firearms.

44

45 MR. O'HARA: What's NPS?

46

47 MR. DIRKS: National Park Service. Okay, that concludes -- and there is another individual who put in his thoughtful suggestions and thought that shooting of beavers can

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be effective if the person doing the shooting is taught the right way to hunt beaver. And thought that the limit of 50 beaver was way over the limit that each individual should get. And that concludes the public comments.

5

6 MR. O'HARA: Any questions from the Council Members for Moses today? Yeah, Robin.

8

9 MR. SAMUELSEN: Is there any chance, Moses, that on future deliberations on proposals that we could get a copy of the comments that came in and who made the comments? You know, you've listed agencies, organization, associations and individuals that made comments.

14

15 MR. DIRKS: I've included a packet for each Council Member of all the regional comments that were made, the written comments, are included with your packet.

18

19 MR. O'HARA: Oh, it's in that packet that we got last night?

21

22 MR. DIRKS: Yeah. With a clip on it. So that in case you wanted to do further analysis on your time you could do that. And the document numbers are

25

26 MR. BRELSFORD: And you've included the summary as well, right?

28

29 MR. O'HARA: Any other questions?

30

31 MR. DIRKS: Yeah, and then you also have the summary as well. This one, this is a summary of each document.

33

34 MR. O'HARA: Lost in a sea of paperwork, I'll tell you. Okay, thank you, Moses. If there are no further questions, we like to open it at this time for public comments. Yeah.

37

38 MR. KRIEG: My name is Ted Krieg, Bristol Bay Native Association, Natural Resources Department. First of all, I need to say that we've traveled to all of the villages in that area, in the Illiamna area, and we had no evidence of beaver being wasted in any way. It's used as a food source.

43

44 People in that area expressed a need for a firearm season as it was a customary and traditional practice. And I'd like to note that Unit 18 has a firearm beaver season that would be similar to the proposed season. Additionally, if the Council sees fit, on further discussion of this proposal and with consultation with a few of the villages, we decided that

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it would be okay if we left the 40 beaver limit. Left it at a
 20 beaver limit and then extend the season April to May 31 and
 during that time allow 20 of those, the 40 limit to be taken by
 firearm.

5

6 MR. O'HARA: April, what?

7

8 MR. KRIEG: April 1st through May 31st. That would be
 the extended part of the season. You know, and as far pelt
 conditions during that time, I think, you know, the beaver is
 mainly as food source, so, you know, I don't know if that's
 really a consideration whether pelts are prime at that time or
 not.

14

15 MR. O'HARA: Okay.

16

17 MR. KRIEG: Any questions?

18

19 MR. O'HARA: Any questions from the Council Members?
 Okay, thank you, Ted, appreciate it. Any other public comment
 on Number 32? All right, hearing no other comment on 32, what
 is the wishes of the Council?

23

24 MR. SAMUELSEN: Mr. Chairman.

25

26 MR. O'HARA: Yes.

27

28 MR. SAMUELSEN: I'd like to offer an amendment to
 Proposal 32.

30

31 MR. O'HARA: All right.

32

33 MR. SAMUELSEN: And the firearm may be used to take
 beaver under the trapping license from April 1st to May 31st.
 And I'd like to amend that no more than 20 beaver may be taken
 and the bag limit reduced from 50 to 40, so they can get --
 well, maybe I'll get a second here.

38

39 MR. HEYANO: Second.

40

41 MR. O'HARA: We have a second. Discussion?

42

43 MR. SAMUELSEN: Justification here.

44

45 MR. O'HARA: Sure.

46

47 MR. SAMUELSEN: Mr. Chairman, what my amendment will do
 will allow the use of firearm between April 1st and May
 31st, however, they can only harvest 20 beaver in that time

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With a firearm. They will still be allowed in the January season, beaver trapping season, to take 40 total beaver, not 60.

4

5 They can take 20 in the January trapping season and if they so opted between April 1st and May 31st they could take 20, for a total of 40. I don't have the exact wording down here. I think you get the gist of my reasoning here.

9

10 MR. O'HARA: Any questions? Any discussion by the Council Members? Call for the question.

12

13 MR. SAMUELSEN: Mr. Chairman.

14

15 MR. O'HARA: Yeah.

16

17 MR. SAMUELSEN: Based on staff comments and public comments 50 beaver does sound excessive. I think we have a real problem in that beaver are blocking up salmon streams, I think the abundance of beaver not only in this area but throughout Bristol Bay is because trapping has been down, trapping prices have been down. The beaver population have been coming up.

24

25 I support, basically, all of staff's comments. One I want to point out is that the possible wasting of the resource for target practice, as Ted as pointed out, we at BBNA have not been able to document any of this. And surely we don't support it. I think that the use of firearms has been allowed in 18, 20(E), 22, 23, and staff reports have pointed out that, although not legal, in 9(B) and (C) beavers have been reported taken by firearms,

33

34 So I think that if the proposal is adopted that will allow the residents a greater opportunity. And, yes, I agree that being a former trapper myself that the pelts at that time are diminishing in value, so it would be, basically, a subsistence food that they would be after.

39

40 MR. O'HARA: Okay. All right. Joe, you want to make a comment?

42

43 MR. CHYTHLOOK: Yeah, just one comment.

44

45 MR. O'HARA: Could you come up and give us your name here, so the other Joe can get you on record. You have to sit in front of the microphone because he can't pick up your words. Are you going to talk in Yupik or English?

49

50

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1 MR. CHYTHLOOK: Your choice, Mr. Chair.

2

3 COURT REPORTER: I would prefer English.

4

5 MR. SAMUELSEN: Well, if he speaks Yupik I'll translate
6 in Russian.

7

8 MR. CHYTHLOOK: Yeah, Mr. Chairman, I was just
9 wondering about the amendment. You're amending your proposal,
10 guess, down back to 40, but it seems like you could only take
20 during the regular beaver trapping season. And then you're
12 talking about allowing 20 to be shot, but I guess my concern
13 was that if somebody up in the area would like to legally trap
14 beaver to sell, you know, it seems like you're kind of taking
15 the opportunity away from someone who may want to trap and get
40 beaver to sell. That's just the only point I wanted to
17 bring out and see if the Council may want to address that
18 because it seems like your proposal -- one point is addressing
19 the subsistence needs, you know, subsistence preference by
20 taking it by shooting, but on the other hand you're also taking
21 away from someone that may want to trap and get 40 beaver to
22 sell. So I just want to make that point, sir.

23

24 MR. O'HARA: Yeah, Robin.

25

26 MR. SAMUELSEN: Mr. Chairman, it'll be 40 beaver per
27 season, January 1st through May 31st, however, between April
28 1st and May 31st no more than 20 may be taken. So they can get
40 during trapping season and that's their limit, they cannot
29 hunt between April 1 and May 31st, it's 40 total. They decide
30 when they want to take the 40.

31

32 MR. O'HARA: Okay. How do you (indiscernible -
33 simultaneous speech)

34

35 MR. CHYTHLOOK: I guess it's just a matter

36

37 MR. SAMUELSEN: We have Board regulation, the State has
38 regulation, I believe. That caribou, for example, you can take
40 many in the fall and so many in the winter.

39

40 MR. O'HARA: After January.

41

42 MR. SAMUELSEN: Yeah.

43

44 MR. O'HARA: Thank you, Joe. Robert.

45

46 MR. HEYANO: I guess just a comment from myself, Mr.
47 Chairman. I think partly to answer your question is that a

48

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limit on beaver is very hard to enforce. I think standard practice in 17 and I assume so in 9 also is that limit is very little. If an individual is out trapping and he has an extended family and he's successful enough to fill his limit, he fills his wife's limit and he fills his children's limit or his neighbor's limit.

7

8 I think the gist of this proposal here is to provide an opportunity for those people to take beaver with a firearm for primarily food purposes. And I think this accomplishes that.

11

12 MR. O'HARA: All right.

13

14 MR. HEYANO: But, you know, as far as limits goes, an aggressive trapper probably can provide limits for half of the village.

17

18 MR. O'HARA: Okay, any other questions or comments?
Yeah.

20

21 MR. STEPANOFF: Yeah, I'm from an area where beaver is over populated and we do have trappers that's tried to kill some off because of damming of our streams for salmon. Or they're trying their best because beavers do a lot damage in our area there, you know, damming up all the streams where the salmon have gone up, there isn't any more.

27

28 MR. O'HARA: Okay, I guess I have a question, Helga. What procedure do you take if the beaver population starts declining? Who answers for that? Dave, do you have an answer for that? In five years, if the beaver populations due to hunting -- I remember when I was growing up on Lake Illiamna, when I was very young during the Federal days is when they stopped shooting beaver. And the reason they stopped shooting beaver is because they killed too many. They really went away, big time they went away. And it was a big issue, but I remember it was something we did. I didn't do because I was too young. But they stopped it because it was endangering the beaver, they were just -- they were slaughtering them to the place where they were gone.

41

42 So before I vote yes on this proposal, I want some kind of a guarantee from somebody's department that there's going to be an emergency order put in place if the population starts going away.

46

47 MR. FISHER: I guess, Mr. Chairman, both the Federal Subsistence Management regulations would allow for an emergency closure and also the Fish and Game -- Department of Fish and

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Game, they have emergency closures that they can enact.

2

3 MR. O'HARA: The Alaska Department of Fish and Game?

4

5 MR. FISHER: Yes, sir.

6

7 MR. O'HARA: Okay. I know that they can move quickly.
8 How quickly can you move as a Federal person?

9

10 MR. FISHER: Well, I can move pretty quick, but

11

12 MR. O'HARA: You're a former wrestler, that's why.

13

14 MR. FISHER: No, we can act pretty quick. I think
15 we're talking probably

16

17 MR. O'HARA: Thirty days?

18

19 MR. FISHER: Oh, at least that, yes.

20

21 MR. O'HARA: Okay.

22

23 MR. FISHER: Yeah, quicker than that.

24

25 MR. O'HARA: Yeah.

26

27 MR. VAN DAELE: Mr. Chairman, Larry Van Daele, Fish and
28 Game. A quick comment. If beaver are harvested for meat only
29 there is no system for reporting those beaver, we don't know
30 how many are taken. If the beaver are taken for fur then they
31 need to be sealed through the State system. But if you're
32 worried about over harvest we won't know how many are being
33 taken in the spring, so just keep that in mind.

34

35 MR. O'HARA: Well, the mechanism is there if they start
36 going away.

37

38 MR. VAN DAELE: Well, you can see it after the fact
39 that's true.

40

41 MR. O'HARA: That's bad. Yeah, go ahead.

42

43 MR. NELSON: Mr. Chairman, with the amount of people
44 that are living up there that will be taking beaver in the
45 spring, I don't think we're really talking about a real large
46 number of beaver being taken for subsistence compared to how
47 many they've been trapping, so I think you're looking at a real
48 small amount of numbers. You know, it's not like everybody in
49 the village is going to run out there and grab 20 beaver.

50

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1
 2 The people that go out there and get 20 will probably
 3 share much of those beaver with the rest of the villagers, so
 4 you'll have -- I really believe you'll have a very few number
 5 of people. But the people that really want them and really
 6 need them will be out there getting them. And that's what
 7 they're trying to satisfy, the limited amount of subsistence
 8 users that really depend on the resource.

9
 10 MR. O'HARA: Any other comments?

11
 12 MR. VAN DAELE: One other quick one. Sue asked me to
 13 mention that if we're looking at this primarily as essentially
 14 a depravation problem where the salmon streams are being dammed
 15 up by beavers, we do have a mechanism to get rid of those too.
 16 I think this should be primarily used as a subsistence issue
 17 rather than as a way to clear our salmon streams of beavers.

18
 19 MR. O'HARA: Yeah, I don't think we ought to deplete
 20 the beaver population because of the salmon stream, that's not
 21 the issues.

22
 23 MR. NELSON: Mr. Chairman, we at BBNA also feel the
 24 same way and that we should not be taking beaver just because
 25 they're damming up the salmon streams. That got put in there
 26 and, you know, we discussed it later and decided that and
 27 talked to some of the people involved in the Nondalton area
 28 where this proposal came out of and that is not any reason at
 29 all to be shooting beaver because they're damming up salmon
 30 streams. I think there should be some other control measure if
 31 that's going to be done. But this is just strictly a
 32 subsistence food proposal.

33
 34 MR. O'HARA: Steve, did you have a comment? You need
 35 come up here and sit down and give us your name. That
 36 microphone will pick up your recording and we'll have it on
 37 record that way.

38
 39 MR. PERKINS: I just got a question. A beaver is taken
 40 primarily for salable fur, is that a subsistence take, you
 41 know, with an extended trapping season and methods and means,
 42 firearms and increased bag limit, is that a subsistence beaver?

43
 44 MR. O'HARA: The one that's trapped?

45
 46 MR. PERKINS: Trapped or shot for salable fur.

47
 48 MR. O'HARA: Trapped or shot, as far as I'm concerned,
 49 when ever we eat them in March -- trapped an animal for his fur
 50

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and we eat him because the meat is there. I don't know.

2

3 MR. PERKINS: How about if it's done just for salable
 fur and it's not eaten or used as clothing or something like
 that, is that a subsistence beaver? Can someone answer that
 for me?

7

8 MR. O'HARA: I don't know what the answer to that is
 really. Yeah, thank you, Steve.

10

11 COURT REPORTER: Steve, your last name, please?

12

13 MR. PERKINS: Perkins.

14

15 COURT REPORTER: Thank you.

16

17 MR. HEYANO: Mr. Chairman, I think if I understood his
 question correctly, he's asking is trapping a subsistence
 activity.

20

21 MR. O'HARA: What's the answer? I guess it is. Yes.

22

23 MR. KNAUER: Mr. Chairman, the Federal Subsistence
 Board and in the Federal subsistence program trapping is
 considered a legitimate subsistence activity whether for the
 use of the carcass or the sale of the fur.

27

28 MR. O'HARA: All right. Okay. If there's no more
 discussion on this, let's

30

31 MR. HEYANO: Couple of comments, Mr. Chairman, please.

32

33 MR. O'HARA: Yeah.

34

35 MR. HEYANO: A couple of things. As far as this
 proposal has a negative impact on the resource or detrimental
 impact on the resource, it was my understanding that this
 subsection D we'll be looking at on a yearly basis, so I don't
 think we will even have, as a Council, time to react.

40

41 The other thing is that in addressing some of your
 concerns, I think in the time period that you're referring to
 the price of the pelt for beaver was extremely more valuable
 than it is today. I think we've seen a steady decline. In
 fact, in Unit 17 a tremendous decline in the amount of beaver
 that are harvested through trapping and I'm sure it's the same
 way in Unit 9. Just for the simple fact that the economics of
 it.

49

50

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1 MR. O'HARA: That's a good point. I don't think
2 there's a great deal of interest in the sale of furs and it may
3 get worse so that is -- that's an important point. Any other
4 comments from the Council Members?

5

6 MR. STEPANOFF: Mr. Chairman.

7

8 MR. O'HARA: Sam.

9

10 MR. STEPANOFF: Yeah, you know, like speaking of furs,
11 you know, like, there's different areas, like, down where I'm
12 at there the furs are -- the price is always different compared
13 to here. I don't know what the deal is.

14

15 MR. O'HARA: And they're different from here and to the
16 Interior by a long way. Any other questions by the Council?
17 Maybe we can call for the question.

18

19 MR. HEYANO: Question.

20

21 MR. O'HARA: All those in favor say aye.

22

23 (Ayes respond)

24

25 MR. O'HARA: Opposed.

26

27 (No opposing votes)

28

29 MR. O'HARA: Okay, let the minutes show that it's
30 unanimous. We have about seven minutes to have an
31 anthropologist come up here and talk about the next proposal,
32 which is 33. Taylor.

33

34 MR. SAMUELSEN: Never do it, never do it.

35

36 MR. O'HARA: You don't think so.

37

38 MR. SAMUELSEN: We could beat the lunch crowd.

39

40 MR. O'HARA: Want to do that?

41

42 MR. SAMUELSEN: Yeah.

43

44 MR. O'HARA: Sorry, change of plans.

45

46 MR. SAMUELSEN: I think so.

47

48 MR. O'HARA: How long do we need for lunch?

49

50

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1 MR. SAMUELSEN: About an hour.

2

3 MR. O'HARA: An hour, okay. Taylor, I'm sorry, but the
 Council would just like to go ahead and go to lunch maybe beat
 the crowd a little bit over to the luncheon place, so can we
 come back at 1:00 o'clock and start right at 1:00 o'clock at
 that time? Okay, we'll recess until 1:00 o'clock then.

8

9 MS. EAKON: Excuse me, point of clarification. What
 did you just vote on? You're passing this amended proposal?

11

12 MR. O'HARA: Robin's amendment.

13

14 MS. EAKON: This amendment here.

15

16 MR. O'HARA: Actually it's a BBNA proposal, wasn't it,
 Russell?

18

19 MR. SAMUELSEN: Then we got to pass the main motion,
 right?

21

22 MS. EAKON: Right, pass the main motion.

23

24 MR. SAMUELSEN: Yeah, now you go back to the main
 motion and pass it.

26

27 MR. O'HARA: Do that right after lunch or do you want
 to do it right now.

29

30 MR. SAMUELSEN: We can do it after lunch.

31

32 (Off record)

33

34 (On record)

35

36 MR. O'HARA: Okay, we'll call the meeting back to
 order.

38

39 MS. BAKER: Can I just make an announcement here?
 Yesterday we had these blue books with all the proposals and
 the analysis and we about ran out of them last night, so
 they've been recopied and today they look like this. So if you
 didn't get one or you came in today and didn't get one, these
 are the same thing. There's a stack of these with this green
 writing over here if you didn't get one.

46

47 MR. O'HARA: We have 32 that we need to act on on the
 overall basis. So we'd like to have a motion to accept 32 with
 the amendment.

50

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1
2 MR. HEYANO: Mr. Chairman, I move we adopt amended
3 Proposal 32.

4
5 MR. O'HARA: Okay, second?

6
7 MR. SAMUELSEN: Second.

8
9 MR. O'HARA: Anyone feel a need for any more
10 discussion? All those in favor say aye.

11
12 (Ayes respond)

13
14 MR. O'HARA: Opposed.

15
16 (No opposing votes)

17
18 MR. O'HARA: Okay, 32 is done. Thirty-three, we've had
19 the report from the biologist, now we need the anthropologist
20 and Moses. This is a moose and caribou.

21
22 MR. BRELSFORD: Yes, thank you very much, Mr. Chairman,
23 I believe that Dave has already reviewed some of the biological
24 populations statistics. I think from the standpoint of the
25 human use patterns or the social science information there are
26 really only a couple of simple points.

27
28 I think at the heart of this is a problem about
29 customary values regarding harvest, particularly, of caribou.
30 There are seasons for the taking of caribou that go right on
31 through the period of the rut, while moose seasons actually end
32 before the rut and recommence afterwards. So I think our
33 focus, in terms of eliminating harvest during rut, is really
34 primarily in reference to caribou.

35
36 Again, the traditional value that many people have
37 documented and expressed is that they take exception, they find
38 objectionable that caribou are being taken during the period
39 when the meat is not in its best condition. I think,
40 essentially, it's not a biological problem, we seen an
41 abundance of species. It's really a matter of two different
42 value systems.

43
44 And I think there are some potential downside to
45 closure of caribou hunting during the rut and that has to do
46 with the opportunity for subsistence users to take other than
47 bulls, to take cows or calves. That would be a loss if there
48 were a closure during the rut period and I think the concluding
49 point that's made in the final paragraph is that the Federal
50

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program does not want to lightly close off other opportunities.
 That if there are significant problems that that may rise to
 the level of excluding other uses.

4

5 But generally speaking the staff end up feeling that,
 you know, biologically there is an adequate resource base
 available. There's ultimately the Board ought not to judge
 between two value systems, we ought to see if there's not a way
 to work out an accommodation where both value systems can
 continue to utilize the resource so long as it's readily
 available.

12

13 And I think the bottom line is, we're not wholly
 convinced that the only answer to a problem with the potential
 for waste during the rut season that the only way to address
 that would be with a full closure. Perhaps there's some other
 ways to approach it, heightened information and education on
 the appropriate use of the meat and not wasting it. And that
 there might be some other ways to address the problem, short of
 complete closure. So that concludes my comments on Number
 33.

22

23 MR. O'HARA: Do you have any questions for Taylor?
 Okay, Moses. Thank you, Taylor.

25

26 MR. DIRKS: On the public comment summary on Proposal
 Number 33 in support there were two in support of the proposal
 and then four was in objection and then one in neutral
 position.

30

31 And in support was Bristol Bay Native Association
 thought that the meat should not be wasted and resource should
 be protected for future generations. And thought that there
 was wanton waste going on for non-residents, mainly the
 military base, I guess. The problem was kind of visible, but
 sometimes overlooked. And no hunting of moose during rut
 should be allowed, no hunting of caribou should be allowed
 during rut. The horns stay on for some time after rut.

39

40 And also in support of this proposal were communities
 of Pilot Point, Egigik, King Salmon, Levelock and Nondalton.

42

43 MR. O'HARA: Those are the ones who supported the
 proposal?

45

46 MR. DIRKS: Yeah.

47

48 MR. O'HARA: To do away with the rut? Of moose and
 caribou?

50

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1
2 MR. DIRKS: Yeah, no hunting of caribou during rut.

3
4 MR. O'HARA: How many was that for?

5
6 MR. DIRKS: Five, Pilot Point, Egigik, King Salmon,
7 Levelock and Nondalton.

8
9 MR. O'HARA: Okay.

10
11 MR. DIRKS: And also in support was the Alaska Wildlife
12 Alliance and they thought the Federal regulations state that no
13 meat shall be wasted and then allow subsistence hunting at the
14 time that the meat is inedible. And they want to commend
15 Bristol Bay Native Association for pointing that out.

16
17 And in objection to the Proposal 33 the Department of
18 Fish and Game thought that any changes in the present season to
19 allow hunting before August 20 would cause problems with meat
20 spoilage during warm weather. A season opened after December
21 21st is unacceptable because moose are then too vulnerable due
22 to access by snowmachine.

23
24 And the Alaska Bowhunters Association was opposed also
25 to the proposal. According to the information presented with
26 Proposal 35 the quantity and scattered nature of public lands
27 in the area is such that it would be very difficult for a
28 person to tell if they were on Federal or State lands.

29
30 And an individual from King Salmon thought that the
31 proposal would close all hunting of moose and caribou during
32 rut. Making that determination on Subunit basis would require
33 many season changes. It would also mean that the hunter would
34 not be able to take cows or younger bulls which are not
35 affected in anyway by rut. And thought that the proposal
36 seemed to be aimed in eliminating what is referred to as
37 non-subsistence hunting without having any biological
38 justification.

39
40 And also in neutral position was the National Park
41 Service. And their reason was they couldn't support the
42 proposal without additional information. The proposal directs
43 the Board to adjust all moose and caribou seasons within Unit 9
44 and 17 without evidence showing that the subsistence priority
45 not being met or that the caribou and moose population are
46 being jeopardized. There's no justification to close public
47 lands to subsistence uses authorized under State regulations.
48 And that concludes the public comment summary.

49
50

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1 MR. O'HARA: Do you have any questions of Moses,
2 Council Members? Okay, thank you. What are the wishes of the
3 Council at this time?

4

5 MR. SAMUELSEN: Public testimony.

6

7 MR. O'HARA: Oh, we should have public testimony.
8 Anybody here this afternoon who would like to testify on this.
9 You want to state your name.

10

11 MR. KRIEG: Ted Krieg, Bristol Bay Native Association,
12 Natural Resources. I guess in addition to the other villages
13 that Moses pointed out there, you know, this was -- well, 18
14 other villages that we traveled to from Ivanof Bay up through
15 the Alaska Peninsula to Nondalton, you know, Levelock,
16 basically that -- you know, that territory. It was, you know,
17 something that everybody expressed as a concern, hunting during
18 that and then, you know, the potential waste of meat during that
19 time by sports hunters.

20

21 And I guess I should back up a little bit and, you
22 know, I won't name every village, but, you know, this was a
23 proposal that came about because of, you know, things that we
24 felt the village were telling us. You know, and I think Taylor
25 made a good point when it's, you know, the two different --
26 it's two different value systems.

27

28 And I think the proposal pretty much -- you know, and
29 one of the things we included in the proposal we stated that
30 the two regulations concerning this matter are ambiguous and,
31 you know, the first the Federal subsistence regulation state
32 the meat of an animal must not be wasted. Secondly, open
33 seasons for moose and caribou allow for hunting during the rut
34 for each species. A time when subsistence users find the meat
35 edible. And that, you know, seems to be the essence of the
36 problem or the concern.

37

38 MR. O'HARA: Okay, is that it? Thank you. Do you have
39 any questions for Ted? Okay, thank you, Ted. Are there any
40 other members who would like to testify. Go ahead. Are you
41 BBNA also?

42

43 MR. NELSON: Yes, I'm BBNA also, Russell Nelson.

44

45 MR. O'HARA: Does it take both of you to testify on the
46 same issue?

47

48 MR. NELSON: Yeah, because sometimes he leaves things
49 out and sometimes I'll leave things out, it's -- you know,

50

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these proposals take a lot of thought.

2

3 MR. O'HARA: Have at it.

4

5 MR. NELSON: Let me see. What I think should happen
with this proposal is that it doesn't really tell -- say any
dates on here, but through talking to numerous people from the
villages the months of October and November are the real months
when caribou meat is not eatable. And also the female caribou,
according to some of the people in the villages, is also not
eatable, you know, they don't like to eat the females neither,
you know, while they're in rut because they say that also
changes.

14

15

16 MR. O'HARA: Okay. Thank you, Russell. Did anybody
have any questions of Russell? What's the wishes of the
Council on this issue? Want to have a discussion or would you
like to vote it up or down?

20

21 MR. SAMUELSEN: Mr. Chair.

22

23 MR. O'HARA: Yeah.

24

25 MR. SAMUELSEN: I'd like to offer an amendment and that
is to delete adjustments of all moose seasons.

27

28 MR. O'HARA: Where's that at?

29

30 MR. SAMUELSEN: Under -- it says adjust moose and
caribou seasons in Unit 9 and 17 so that hunting does not occur
during rut. I'd like to delete the word moose.

33

34 MR. O'HARA: And that's the only changes you have?

35

36 MR. SAMUELSEN: Yeah, and I'll address it if I get a
second.

38

39 MR. O'HARA: Is there a second to his motion?

40

41 MR. HEYANO: Second.

42

43 MR. SAMUELSEN: Mr. Chairman.

44

45 MR. O'HARA: Go ahead.

46

47 MR. SAMUELSEN: Based on staff analysis currently in
the discussion, third paragraph down, it says: currently there
are no moose seasons in Units 9 and 17 that's occurring during

50

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rut. The moose seasons in Unit 9 and 17 are open before and after the rut. That's why I deleted moose.

3
4 MR. O'HARA: Okay. Do we have a time here, then, Robin, when we are having rut for the caribou?

6
7 MR. SAMUELSEN: Yeah, that's the second part I'll deal with. I just focused in on moose right now.

9
10 MR. O'HARA: So what you're saying right now -- you got a motion on the floor saying that moose is not affected by the rut on the land we're dealing with right now.

13
14 MR. SAMUELSEN: Based on staff analysis, yes.

15
16 MR. O'HARA: All right. Any other questions on this motion? Any discussion? All those in favor say aye.

18
19 (Ayes respond)

20
21 MR. O'HARA: Opposed.

22
23 (No opposing votes)

24
25 MR. O'HARA: Okay, you still have the floor, Robin, if you wanted to do other amendments.

27
28 MR. SAMUELSEN: Okay, Mr. Chairman, I'd like Dave or somebody to come up and possibly explain to us when caribou are in rut and how long that rut takes place.

31
32 MR. O'HARA: Dave or Larry?

33
34 MR. FISHER: Go ahead, Larry.

35
36 MR. VAN DAELE: The Mulchatna herd, of course, rut -- Barry Van Daele, Alaska Fish and Game. Caribou go into rut at varying times, but by the 15th of September roughly 50 percent of the Mulchatna herd is in rut.

40
41 MR. O'HARA: For caribou?

42
43 MR. VAN DAELE: For caribou, we're just talking about caribou now. By the end of October most animals are out of the rut. You'll still have some rutting activity after that and some before, but that's the bulk of it. I'd say the 15th of September to 31 October or 30 October, how many ever days it has.

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1 MR. O'HARA: That satisfy your question, Robin?
2
3 MR. SAMUELSEN: Yeah.
4
5 MR. O'HARA: All right. Yes.
6
7 MR. LaPORTE: According to your harvest tickets and
8 what, that are turned in, what percentage would you think were
9 bulls as to cows taken during that time frame?
10
11 MR. VAN DAELE: Overall in the Mulchatna herd we take
12 about 93 percent bulls, reported harvest. And I would suspect
13 during that time it comparable. What do you see from the
14 hunters you bring back? Mostly bulls?
15
16 MR. LaPORTE: Especially from the non-residents.
17
18 MR. VAN DAELE: Yeah.
19
20 MR. LaPORTE: Residents probably tend more to take cows
21 I would say.
22
23 MR. VAN DAELE: And local residents are not reported
24 accurately in our data, so we wouldn't have a good feel for
25 that.
26
27 MR. O'HARA: Robert.
28
29 MR. HEYANO: Would the dates apply similar to the North
30 Peninsula caribou herd?
31
32 MR. VAN DAELE: I suspect so. And remember, too, that
33 the Mulchatna herd does not spend very much time on Federal
34 lands, so this proposal would not effect most of the sport
35 hunters in the Mulchatna area. And not very many on the North
36 Peninsula either, I don't think, during that time of year.
37
38 MR. O'HARA: The caribou are really good up until about
39 the 10th of October on the Naknek side there, I don't see where
40 they go into rut on September 15th.
41
42 MR. VAN DAELE: Yeah, when I speak of rut, I mean the
43 rutting activities, the shedding of velvet and so forth. I'm
44 not talking about the palatability of the meat, you know, it's
45 individual preference at that point. And some people eat
46 caribou right through the rut.
47
48 MR. O'HARA: Who are they?
49
50

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1 MR. VAN DAELE: I wouldn't, but some people do. Again,
2 it's individual preference and that's -- the Board of Game
3 discussed this a little bit about a year ago and they really
4 didn't want to get into the idea of individual preference of
5 meat. We already have a rule that says you cannot waste the
6 meat. And if someone goes in caribou hunting with knowledge of
7 the meat is not going to be good, that's their choice of
8 whether or not to break the law when they take that meat. And,
9 again, they didn't want to get into this quagmire of
10 palatability versus antlers and so forth.

11

12 MR. O'HARA: Okay. Any other thoughts from the Council
13 Members on the issue of caribou during rutting season? Yes,
14 did you want to do public testimony here, Orville?

15

16 MR. LIND: Orville Lind, Port Heiden. Just some
17 information from the biologist down in King Salmon. Mr. Dick
18 Sellers has informed me that the rutting season in the Northern
19 Alaska Peninsula herd is usually about two weeks before the
20 Mulchatna herd.

21

22 MR. O'HARA: Interesting. Okay. Yeah.

23

24 MR. KNAUER: Mr. Chairman, just to point out that the
25 regulations that you are considering or the proposals apply to
26 the subsistence user on Federal public lands, it does not apply
27 to the sport user. So that's something to keep in mind with
28 this.

29

30 MR. O'HARA: How do you separate those two?

31

32 MR. KNAUER: The Federally qualified subsistence user
33 is the rural Alaska resident. And since these regulation apply
34 only on Federal lands, it doesn't apply to corporation lands,
35 State lands, things like that. On those lands and for the
36 non-subsistence users on Federal lands, they're hunting under
37 Alaska Department of Fish and Game regulations, which in many
38 cases, especially here, could be different.

39

40 MR. O'HARA: What you're saying is -- we might say that
41 our -- those that qualify under Federal lands can't go out and
42 get a caribou during rut, but a non-resident under the Alaska
43 Department of Fish and Game can go out and get a caribou during
44 that?

45

46 MR. KNAUER: That is correct.

47

48 MR. O'HARA: Yeah, that's pretty ridiculous.

49

50

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1 MR. NELSON: Mr. Chairman, I really don't think that's
2 correct that they're having separate hunts on Federal lands,
3 one for sports hunters and one for the subsistence hunter. I
4 believe there's only one hunt on the Federal lands. He's
5 talking about State lands, you know, we can't control the State
6 lands, we all know that.

7
8 MR. KNAUER: (Shakes his negatively)

9
10 MR. O'HARA: He says no.

11
12 MR. NELSON: You're telling me we're having a separate
13 subsistence hunt than the sport's hunt?

14
15 MR. KNAUER: In many, many cases that is the case and
16 the subsistence season will frequently be of longer duration or
17 will open earlier or will have a more liberal bag limit --
18 harvest limit, excuse me. Only where there has been a specific
19 prohibition of non-qualified users is there the
20 differentiation.

21
22 MR. O'HARA: Robert.

23
24 MR. HEYANO: I guess a follow up question. Is what
25 you're telling us, is that this body here can't make a
26 regulation -- or can't support a regulation that would curtail
27 prohibit non-subsistence activity on Federal land?

28
29 MR. KNAUER: They can if there is the impact to
30 resource or impact on the subsistence user. Again, with good
31 justification you can, but what I'm saying is that there are --
32 with specific curtailment by the Board of the non-subsistence
33 user there is a non-subsistence season that will occur in
34 accordance with State regulations. So when you're looking --
35 we always need to compare what's in the State regulation book,
36 what's in the Federal regulation book and be aware of both
37 situations.

38
39 MR. O'HARA: Russell.

40
41 MR. NELSON: Mr. Chairman, Russell Nelson, again. I
42 called Anchorage and I talked to -- Helga had me talk to
43 someone in Anchorage, it may have been Mike Lockhart, and I
44 asked him this specific questions because I had heard these
45 rumors that any law that you make on, you know, just affects
46 the subsistence user.

47
48 And he said that is absolutely wrong. He said, you can
49 make laws that make it so that there is no non-subsistence

50

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Hunting on Federal lands. He said, it's very simple, there's been precedence set down and that was a complete untruth. That you're only regulating the subsistence user because you are -- you can also make it so that the non-subsistence user can hunt and only the subsistence user can hunt. So what I'm hearing is something that I called Anchorage and asked about and they gave me a completely different answer. So I guess what we need to do is have a piece of paper when this is coming up.

9

10 MR. KNAUER: He is correct, this proposal does not request that the non-subsistence user be prohibited from using the Federal public lands. It is possible that the Federal Subsistence Board, based upon a recommendation could close or restrict non-subsistence users. That is absolutely correct.

15

16 MR. O'HARA: But this proposal doesn't address that issue?

18

19 MR. KNAUER: This proposal does not address that issue.

20

21 MR. O'HARA: So it only addresses us non-residents -- I mean, us residents are -- the users within our area, which is us, we restrict ourselves from going out and getting a caribou rut?

25

26 MR. KNAUER: The way it is currently worded that is correct.

28

29 MS. SAVAGE: And you could still go out under a State support season and do it during rut if you chose to.

31

32 MR. SAMUELSEN: Mr. Chairman.

33

34 MR. O'HARA: Yeah, Robin.

35

36 MR. SAMUELSEN: I'd like to offer another amendment or additional language, I guess, to include non-subsistence users. Would that address that problem?

39

40 MR. KNAUER: That would clarify it and you would, again, if you make that recommendation to the Board, if the Council passes that, you would need adequate justification that, you know, that there was adequate justification, that there is a biological concern and that it is adversely affecting the subsistence user.

46

47 MR. O'HARA: Okay. You put that in the form of a motion, Robin?

49

50

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1 MR. SAMUELSEN: Um-hum. (Affirmative)
2
3 MR. O'HARA: Is there a second to that?
4
5 MR. ABRAHAM: Second.
6
7 MR. O'HARA: Okay, seconded by Peter. Discussion?
8 Now, we have a little bit of a different twist to this
9 proposal. It says that user groups are the people that live in
10 the area, the rural people, is that right?
11
12 MR. HEYANO: Yeah.
13
14 MR. SAMUELSEN: Subsistence user.
15
16 MR. O'HARA: It includes subsistence user and non-
17 subsistence users, both groups, okay. So any discussion on
18 this?
19
20 MR. STEPANOFF: Yeah, there's one problem. What
21 happens to the meat now, like, during rut? That's hard to
22 understand.
23
24 MR. O'HARA: Well, the proposal says there will be no
25 hunting during rut for -- that's subsistence user and the
26 non-subsistence user. In other words, there will be no hunting
27 of caribou from a designated time to a designated time. Yeah.
28
29 MR. HINKES: I'd like to make a comment.
30
31 MR. O'HARA: Want to come up here and give us your name
32 and who you are?
33
34 MR. HINKES: Yeah, Mike Hinkes with Fish and Wildlife.
35 Just make one comment on that -- you know, the Mulchatna herd
36 has been growing in leaps and bounds and because of that the
37 State Board has liberalized the seasons. To try and help keep
38 that in check because of the potential over utilization out
39 there and here on the other hand we're going to restrict --
40 this proposal would restrict hunting and be doing just that
41 opposite of that. So I just wanted to point that out, there's
42 no conflicts going on here.
43
44 MR. O'HARA: Are there any other -- yeah, Russ.
45
46 MR. NELSON: Yes, Russell Nelson, again, from BBNA. As
47 far as the Mulchatna herd goes there's very little of the
48 Mulchatna herd ever on Federal lands, so this proposal won't
49 hardly touch the Mulchatna herd.
50

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1
2 MR. O'HARA: Okay. Any other comments? Is there a
motion on the floor? Yeah.

4
5 MR. VAN DAELE: If you start restricting all the
hunting

7
8 MR. O'HARA: Name.

9
10 MR. VAN DAELE: Larry Van Daele, sorry. When you start
restricting all hunting, including sport hunting, on Federal
lands, I ask that this Board consider of squeezing a balloon.
In other words, the hunting pressure will increase in adjacent
private and State lands if you restrict it on Federal lands.

15
16 And it won't be a concern on the Mulchatna, as Russell
said, but perhaps on the North Peninsula or the South Peninsula
herds. That's something to keep in the back of your minds.

19
20 MR. O'HARA: We're going to take this now from the
audience to the Board here and ask them to make a decision on
this. And we're under discussion section of it, I'm not going
to support this motion because in the Naknek area and other
parts of Alaska, too, and I'm not sure that BBNA represents,
you know, the amount of area you've covered. When you come to
us you sound like you've got a blanket of 90 percent of the
people on the Alaska Peninsula up to Lake Illiamna saying we
want this and I don't think that's necessarily -- I question
whether or not that that really is true.

30
31 I'm not going to support this proposal, this motion
because in the Naknek area during the rut season there's a lot
of people go out and up into Big Creek area and get cows and
small bulls during the rut season. And I don't think the
population of the caribou herd is in trouble right now, in
fact, it's probably the other way around. It's probably over
populating, so for that reason I'm not going to support this
proposal.

39
40 Any other comments from the Council Members before we
vote?

42
43 MR. HEYANO: Mr. Chairman, do we have to vote on the
amendment and then vote on the proposal?

45
46 MR. O'HARA: Robin's amendment is do to away with
it

48
49 MR. HEYANO: Robin's amendment is to include non-
50

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subsistence users in the proposal.

2

3 MR. O'HARA: Oh, okay. So your amendment is on

4

5 MR. SAMUELSEN: Mr. Chairman.

6

7 MR. O'HARA: Go ahead.

8

9 MR. SAMUELSEN: Yeah, the amendment is to include the
~~non~~non-subsistence hunters and there will be a third amendment
~~that~~that we got to decide on the dates that we're going to shut
~~down~~down, if this passes, then we vote it up or down.

13

14 MR. O'HARA: Okay.

15

16 MR. SAMUELSEN: I think the dates are imperative
~~because~~because that's focusing in on the rut.

18

19 MR. O'HARA: Well, okay, so we've taken care of moose.
~~Now~~Now, we have subsistence and non-subsistence users on Federal
~~lands~~lands, not to use the rut, that's the motion before us right
~~now~~now. Is that right, Robin?

23

24 MR. SAMUELSEN: Yes.

25

26 MR. O'HARA: Any other discussion on that?

27

28 MR. HEYANO: Question.

29

30 MR. O'HARA: Question. All those in favor say aye.

31

32 (Ayes respond)

33

34 MR. O'HARA: Opposed. And I oppose that. Okay, the
~~next~~next item then that you want to put down as an amendment

36

37

38 MR. SAMUELSEN: Yeah, I need some help on the dates.
~~Barry~~Barry said September 15, 50 percent are in rut, the end of
~~October~~October -- by October 31st coming out of rut. And then Orville
~~got~~got up and said some are two weeks earlier, I believe it was.
~~I~~I'm not exactly sure on which date that we need here. Maybe
~~Staff~~Staff could -- maybe we need to identify the Federal land that
~~we~~we're taking about and then set the dates based on what the
~~biologists~~biologists said.

46

47 MR. O'HARA: Okay, who of the audience that works for
~~the~~the Federal Government knows what lands we're talking about
~~when~~when were talking about subsistence use?

50

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1
2 MR. FISHER: I know, I know some of them.
3
4 MR. O'HARA: Okay, Dave, you want to come up. And then
we'll need someone to give us possible dates on geographical
areas that the rut represents.
7
8 MR. FISHER: Yes, Mr. Chairman, Proposal Number 33, the
Federal lands involved include the following or parts of the
following. Alaska Peninsula National Wildlife Refuge, Becharof
National Wildlife Refuge, Izembek National Wildlife Refuge,
Togiak National Wildlife Refuge, Aniakchak National Park and
Preserve, Katmai National Park and Preserve, Lake Clark
National Park and Preserve and some BLM lands.
15
16 MR. O'HARA: Some BLM lands such as where?
17
18 MR. FISHER: The BLM lands, to my understanding, are --
there are not very many BLM lands and some of those are in 9(B)
and 17(C), I believe, but there aren't very many, they've been
reduced.
22
23 MR. O'HARA: How about the rut season; who would like
to tackle that?
25
26 MS. SAVAGE: Can I make an amendment to that?
27
28 MR. O'HARA: Oh, you mean you want to add to it?
29
30 MS. SAVAGE: No, I want to subtract from it. Susan
Savage, National Park Service. Katmai National Preserve only,
not the park. And Aniakchak Monument and Preserve. And also
the Alagnak Wild River.
34
35 MR. O'HARA: Excuse me, the last one?
36
37 MS. SAVAGE: The Alagnak Wild River (indiscernible -
simultaneous speech)
39
40 MR. SAMUELSEN: Alagnak.
41
42 MR. O'HARA: Branch?
43
44 MS. SAVAGE: Yes.
45
46 MR. O'HARA: That is a non-hunting area?
47
48 MS. SAVAGE: It's part of the -- it's a Park Service
unit it is open, it just under the regular
50

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1
2 MR. O'HARA: So we would add that?
3
4 MS. SAVAGE: Yes.
5
6 MR. O'HARA: Okay, that's good.
7
8 MS. SAVAGE: It's not very wide, but
9
10 MR. O'HARA: Yeah, but it's -- there's a lot of game in
that area. Okay, who do we call upon to do dates for a
possible amendment to this 33?
13
14 MR. VAN DAELE: We've discussed it here briefly and I
think September 15th to the end of October would be a good time
period, if that's what you want.
17
18 MR. O'HARA: Okay, does that satisfy the Advisory
Council on the dates that you'd like to address?
20
21 MR. MATSUNO: I talked a little before about this in
opening up allowing hunting of the cows and calves and young
bulls. And just leave it closed during that period for the
mature bulls.
25
26 MR. O'HARA: That's why I voted against it. That's an
impossible situation to deal with. I mean, you just -- that's
just impossible to do, as far as I'm concerned. But if you
want to put it in the form of a motion see if you can separate
it out, go for it, you know. It's going to cut out a lot of
subsistence user of our own people who use those animals during
that time.
33
34 MR. MATSUNO: No, it still allows the subsistence use
of the cows and the young bulls and the calves, but you
wouldn't be able to get the mature bulls, you know, that's
usually the ones that have the bad meat.
38
39 MR. O'HARA: Go for it.
40
41 MR. MATSUNO: Okay, I make a motion to add an amendment
to leave it open for cows and calves and young bulls.
43
44 MR. O'HARA: During what dates?
45
46 MR. MATSUNO: During that September 15th to October 30
date.
48
49 MR. O'HARA: Okay, is there a second to that motion?
50

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We have a motion on the floor to leave the rut season for cows and young bulls and what else?

3

4 MR. MATSUNO: Calves.

5

6 MR. O'HARA: Year old calves? Okay about 30 seconds expired, there's no second, the motion dies for lack of a second.

9

10 MR. ABRAHAM: Second.

11

12 MR. O'HARA: Oh, you seconded it?

13

14 MR. ABRAHAM: Um-hum. (Affirmative)

15

16 MR. O'HARA: Okay. Now we got it on the floor. And the motion is to include cows, calves and young bulls from September 15th through October 31st. Any discussion from the Council Members? Everybody understand -- yeah you got a comment, Robin?

21

22 MR. SAMUELSEN: Besides the horns, how do I distinguish between a young bull and medium age bull when I'm out there.

24

25 MR. MATSUNO: How horny is it?

26

27 MR. SAMUELSEN: I just shoot and tell a good bull story. That's the problem I'm having with the amendment. And I think that -- not only speaking to the amendment, but to the main proposal, you know, we've been to Perryville, Pilot Point, Bigik, King Salmon, Naknek, South Naknek, Ugashik and all them villages on the east side that this area is mostly going to affect. Damn near 100 percent have come out and been in opposition of hunting during rut.

35

36 They see a lot of wanton waste during the rutting season, they see a lot of horns going out, plane load after plane load. I've witnessed it myself in King Salmon, going through King Salmon to Anchorage and very little meat. And it's a tradition of these people not to waste the wild resource and it just drives the people crazy when they see plane loads of horns coming through and very little meat. When they know that that meat is in rut, they know their own dogs won't even eat that meat, it's so damn bad. And I'm sure you touched it, you got to wash your hands about six times just to get the smell off your hands.

47

48 I don't think we have a biological problem, I think that the herds are healthy, but we're dealing with a

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subsistence proposal which is a customary and traditional practice of the villages not to hunt during rut and it kind of equates like the Togiak people on catch and release of fish, you know, they don't believe in that. We made special amends to it to accommodate the people in Togiak.

6

7 It's a hard call, but I think something needs to be done, you know, the great hope for the State is tourism and we're seeing the expanding of sport fishing industry, we're seeing probably a 200 percent growth in the Bristol Bay region, we're seeing more guides move in to places that we've never seen them before. And things are going to change over the next 10 to 20 years out here in Bristol Bay. And some of us not to the good, because we remember how it was 20 years ago, you know.

16

17 I think we need, at some point, to stop. I don't know if it's through proposals like this, but I'm also, being a life long resident of the Bristol Bay area, and do extensive hunting in the area, I'm quite dismayed at the turn that we seem to be taking as far as managing our resources, not only on Federal land, but on State land.

23

24 And we seem to be putting subsistence users -- subsistence users have to prove beyond a reasonable doubt, like they're on trial, whether they're a customary and traditional means. A classic example is rod and reel, you know, rod and reel is a sport fishing tool. People will fall on their sword a little bit. But our people have been using it for hundreds of thousands of years and it's been an evolution process.

31

32 ORV's is another example, it started off with dog teams and using reindeer to pull themselves around. Then we went to snow goes and ORV's, the Japanese came out with a 3-wheeler, 4-wheeler and we've adapted to using them tools.

36

37 I don't know, I'm just rambling here, but I think that this problem needs to be taken care of and we're getting up in the order of magnitude of 50,000 visitors into Katmai a year. I have nothing against the Germans, but, you know, them people abuse our resources up here like no other ethnic group of people. And most of them are foreigners and I think we've got a real problem and we got a state that has dwindling dollars so our protection out in the field is very limited.

45

46 And we've had cases in Mulchatna where Nushagak was shut down because the conservation of cohos and we had sport lodges flying airplanes of people in and loading their floats with cohos and flying them back to their lodges on the east

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side. We didn't have the protection dollars to go up there and make some big busts. I think there was one bust in King Salmon with that happening.

4

5 I think if we really knew what was happening out there on a larger scale, and I'm not trying to paint the guiding industry and the sport industry a black picture 'cause there's a lot of good sport fisherman and a lot of good hunters out there, but I think we have a hell of a lot users that we're unaware of that's out there.

11

12 I've traveled in Mulchatna extensively, it's my back yard, I've talked the people in up river villages. You ought to see the reaction when them people see a moose down and just the head cut off. It's like one of their family that's been shot. And they go to great lengths -- word of a dead moose with a head cut off or a good size moose that they know it was full with a nice big horns, them people go absolutely nuts up there. It the talk in the mupaha's (ph), it's the talk in the houses and I think we need to get a handle on it, we need to start somewhere.

22

23 Whether it's, like I said, here and now remains to be seen on this vote, but I think we need to do something.

25

26 MR. O'HARA: Any other comments on this?

27

28 MR. LaPORTE: A lot of things have been brought up here, but I can't speak for too much what's happening on the Southern Peninsula. As far as Illiamna goes we're the agents for Northern Air Cargo, we ship out lots of horns without meat, but that doesn't have anything to do with if that meat has come in or not. It just happens to be that the guides or whoever is shipping the horns happens to bring them together and compile them and ship them at one time.

36

37 To my knowledge Fish and Game coverage up there and enforcement is -- he's out there everyday that it's flyable, he's checking camps. All of our hunters getting check on on a regular basis. I don't see the wanton waste up there that I hear about, I just don't see it. As far as I'm concerned the piles of horns have already had the meat haul out that matches that.

44

45 The other comment is last year, I believe that our records showed that we killed 661 caribou. To my knowledge I didn't smell one ruddy caribou out of 661 caribou that we personally haul. And I think we somewhat confused the proposal to death. This is -- the way I understand it for subsistence

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use on Federal lands and I would really hate to see -- I mean, September 15th through the 30th shot down for the subsistence user that wants to go out and get some last minute meat before freeze up.

5

6 MR. O'HARA: Yeah.

7

8 MR. HINKES: Yeah, Mike Hinkes, Fish and Wildlife. Robin has identified a real problem. The only thing, talking with Larry that the majority of non-resident type hunters -- a lot of the harvest takes place prior to September 15th, so in the big picture it probably would not address the problem that Robin is talking about, that there may need to be some other solution.

15

16 And another comment, you know, just -- it's kind of tough having these dual regulations and that, you have State regulations and the Federal Regulations and there's a proposal before the Board that's trying to pull them into line. If this proposal, you know, would go through that would be further confusing the issue as far, at least, Unit 17 where you have the State and the Federal land.

23

24 So that's another consideration, it's just making things a bit more confusing. But I'm not sure that this proposal would really get at the problem that Robin has identified. There may be better solutions for that.

28

29 MR. O'HARA: I think it's a real difficult issue and I don't think it's going to be solved here today by this Council, but I don't think that as a Council we're going to avoid this issue until we do come up with a solution to solve it.

33

34 And I want you to understand that if I had my way there would be no taking of bull caribous in the last week of September through the first week of November. Because I have a piece of property at Naknek and guide has a building on it and he brings me meat and he wants me to dispose of it and I've given it to Sonny Bouten (ph) and his dogs won't eat it. They will not eat it, you cannot touch it, you can't get near it, you can't put it in your building, to me it's not usable.

42

43 Our former Governor Hammond said that you can eat a mouse through a rut, which I question, but he said you can't eat a caribou and I don't think you can put enough spices in it to do it. But I can't figure out how we're going to stop this one section of people from killing rut caribou and rest of our subsistence people who are going to have a time in October when the steams are still open to go up into Big Creek and get

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caribou for their subsistence use.

2

3 And that's the problem I wrestle with. And until we
4 can solve both of those, you know, my answer is no. So that's
5 where I stand, so if you got something better than that to put
6 on the table. We do have a motion, an amendment on the floor
7 right now. So what's the wishes of the Board?

8

9 MR. SAMUELSEN: Mr. Chairman.

10

11 MR. O'HARA: Yeah.

12

13 MR. SAMUELSEN: Maybe it would better to table Proposal
14 and have the proposers go back to the villages and do it by
15 same unit.

16

17 MR. O'HARA: Well, what I'd like Russell and Ted to do
18 find out, you know, what areas would be affected, yeah,
19 along the same line, Robin. I say you go back there -- and I
20 said, you know, maybe I'm not correct and maybe you got a 90
21 percent pile of people at BBNA that says no rut caribou during
22 these times and find out who's going to be affected by that.

23

24 If they can't take the cows and little bulls during
25 that time it's a privilege taken away from a subsistence user
26 that they might be able to go out and get it at that time and
27 that's the issue with me. There may be some other good things
28 that we can latch onto and if we can stop the taking of bull
29 caribou during rut I'm with you 100 percent, I have no use for
30 whatsoever, because it is a waste of meat. I wouldn't kill
31 rut caribou in October. So what do you think?

32

33 MR. NELSON: Yeah, Dan, -- Mr. Chairman, we haven't
34 heard of any one person that supported taking a bull caribou or
35 any caribou during the rut, as far as my knowledge goes. So,
36 you know, we're batting 100 percent on people that have come
37 and testified and told us that we don't -- you know, we don't
38 like to see caribou during the rut. And moose.

39

40 MR. O'HARA: I think we covered the moose issue.

41

42 MR. NELSON: And the areas we're talking about are very
43 simple, it's the areas that any of these proposals that are
44 passed in here are affecting up there -- up there in 9(E) in
45 the preserves and the monuments that are in 9(E). If they're
46 17, I think a little bit of 17 goes up into Lake Clark, but
47 just a very little bit of it, you know.

48

49 You can just look on the map and see where the Federal

50

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lines are and those are the areas that are being affected by these proposals. And we look at them everyday when we're working on these proposals. You know, we don't do these proposals without looking at a map. When we talk to the villagers, we talk to the villagers people with maps, so that they can point out the areas they're talking about. So there's no confusion in our minds of mistaking rivers for different rivers or drainages.

9

10 MR. O'HARA: Thank you. What's the wishes of the Council? Got an amendment on the floor from September 15th to October 31st it was, Roy, for small bulls and -- you had them, Roy.

14

15 MR. MATSUNO: That was Robin. Mine was just small bulls or cows and calves.

17

18 MR. O'HARA: What was your motion, Robin?

19

20 MR. SAMUELSEN: I haven't made it yet. I'll make it to September 15th

22

23 MR. O'HARA: Wait a minute. We had a motion on the floor to amend the rut season.

25

26 MR. MATSUNO: Yeah, to allow the taking of cows and calves and young bulls and Peter seconded it.

28

29 MR. O'HARA: And then Peter seconded it, so that's the issue we're dealing with. Do you have any dates to attach to it?

32

33 MR. MATSUNO: Robin had the dates already from September 15th to October 30th.

35

36 MR. O'HARA: Okay. Is that okay, Robin? It's okay September 15th through October 31st?

38

39 MR. SAMUELSEN: What happened to your motion; we voted down your motion or is it still on?

41

42 MR. O'HARA: No, we haven't.

43

44 MR. SAMUELSEN: I don't want the dates include with his motion.

46

47 MR. O'HARA: Okay, then lets vote up or down -- we can't even -- you know, somebody want's to table this thing for further, we can do that, but that's not the way to answer the

50

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problem. And we either at this time need to vote up or down
~~vote~~ on your motion, so any other further discussion on this
~~motion~~? All those in favor say aye.

4

5 (Two ayes respond)

6

7 MR. O'HARA: Two. Opposed.

8

9 (Five opposing votes)

10

11 MR. O'HARA: And so there's five for and two against,
 12 that right? All right. We're not taking away the issue, we
 13 just got find a better solution, okay?

14

15 Now, back to an open floor on rut issue with dates or
 16 what do we want to do about rut? What's the wish of the
 17 Council?

18

19 MR. SAMUELSEN: Mr. Chairman.

20

21 MR. O'HARA: Robin.

22

23 MR. SAMUELSEN: I move to close caribou season in Unit
 24 and 17, September 15th through October 31st, during the rut.

25

26 MR. O'HARA: What areas?

27

28 MR. SAMUELSEN: Nine and 17.

29

30 MR. O'HARA: Okay, is there a second to the motion?

31

32 MR. HEYANO: Second.

33

34 MR. O'HARA: Okay, second by Robert. Any discussion to
 35 close caribou hunting season from September 15th to October
 36 31st, area 9 and 17, Unit 9 and Unit 17. Having no more
 37 discussion, all those in favor say aye.

38

39 (Ayes respond)

40

41 MR. O'HARA: Opposed. Okay, let's have a roll call
 42 vote, Helga.

43

44 MR. HEYANO: Voting on the amendment?

45

46 MR. O'HARA: Yeah. The amendment reads closing caribou
 47 season September 15th to October 31st in Unit 9 and Unit 17.
 48 You want to do a roll call.

49

50

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1 MS. EAKON: Peter Abraham.
2
3 MR. ABRAHAM: Yes.
4
5 MS. EAKON: Sam Stepanoff.
6
7 MR. STEPANOFF: Yes.
8
9 MS. EAKON: Robin Samuelson.
10
11 MR. SAMUELSEN: Yes.
12
13 MS. EAKON: Dan O'Hara.
14
15 MR. O'HARA: No.
16
17 MS. EAKON: Robert Heyano.
18
19 MR. HEYANO: Yes.
20
21 MS. EAKON: Roy Matsuno.
22
23 MR. MATSUNO: No.
24
25 MS. EAKON: Tim LaPorte
26
27 MR. LaPORTE: No.
28
29 MR. O'HARA: Okay, it's four to three the motion
30 carries. Any other further amendments on this 33? Okay, what
31 we're going to do is accept 33 with it's total amendments at
32 this time, okay? And I don't think that can be too complicated
33 because -- Helga, we have the moose season was unanimous. What
34 was the second one up there?
35
36 MR. MATHEWS: To include non-subsistence users.
37
38 MR. O'HARA: Okay, that passed. Number 3, what's that
39 one say?
40
41 MR. MATHEWS: Close the caribou season September 15th
42 to October 31st in Units 9 and 17.
43
44 MR. O'HARA: Okay, and that was a four to three. And
45 what do you have down there fourth?
46
47 MR. MATHEWS: Leave open for cows, calves and young
48 bulls and that failed.
49
50

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1 MR. O'HARA: That failed, okay. Any more discussion on
the overall Proposal 33?

3

4 MR. SAMUELSEN: Question.

5

6 MR. O'HARA: Question. All in -- excuse me, Robert, go
ahead.

8

9 MR. HEYANO: Yeah, Mr. Chairman, thank you. I guess at
this time I would be able to support Proposal Number 33 as it
is written. I think there's a couple of questions in my mind
that I need answered. One is if you could direct staff to get
back with in writing as to -- in order for us to put an impact
on non-subsistence users, does the subsistence users have to be
impacted and does it have to be a resource concern.

16

17 MR. O'HARA: The first one was, what?

18

19 MR. HEYANO: The way I understood the explanation was
the only two ways we can regulate non-subsistence use on
Federal land was, one, it has to have a negative impact on
subsistence use. The other one is it's a resource concern.

23

24 And, although, I don't support the idea of taking
caribou or moose during the rut because I think the meat is not
edible, I think part of the problem is the way the wanton waste
law is written. The wanton waste law says you have to salvage
edible meat and it defines what edible meat is. It does not
define what parts of the animal are edible, it does not define
what edible meat is at the time you reach your home with it.

31

32 The way I read the law it's a big loop hole to allow a
person -- he can have meat that spoiled due to rain or warm
weather or rut or due to dirt. He can take it home and turn
around two days later and be perfectly legal because he brought
all the pieces in with him. So I think that's one of the
problems. I guess this proposal is fairly wide spread and I
think if there was areas or communities or subsistence users
within part of our jurisdiction that were not meeting their
subsistence needs then I think I'd feel more comfortable in
support this.

42

43 MR. O'HARA: Helga, what Robert wants is a negative
impact on subsistence use, number one. And number two, a
concern for the resource, what's happening to the resource;
numbers of animals, et cetera.

47

48 You would like to have that come back to us, when,
September? It's not going to come back to us today or

50

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tomorrow.

2

3 MR. HEYANO: Mr. Chairman.

4

5 MR. O'HARA: Yes.

6

7 MR. HEYANO: I think my question was -- I need a
 clarification if that is, in fact, the only two reasons we can
 submit proposals or support proposals that will impact
 non-subsistence users. There seems to be some discrepancy

11

12 MR. O'HARA: Who, then, in the Federal program can
 answer those two questions?

14

15 MR. KNAUER: Mr. Chairman, I'll answer these by reading
 quotations from the Alaska National Interest Lands Conservation
 Act. In Section 1815 it states: nothing in this title shall
 be construed as; and Number 3; authorizing a restriction on the
 taking of fish and wildlife for non-subsistence uses on the
 public lands other than national parks and park monuments
 unless necessary for the conservation of healthy populations of
 fish and wildlife for the reasons set forth in Section 1816.
 To continue subsistence uses of such populations or pursuant to
 other applicable law. So that's one thing.

25

26 MR. O'HARA: Now, give us a layman's one sentence on
 that, what that means.

28

29 MR. KNAUER: That says, unless it's necessary to
 protect the population or unless it's necessary to provide for
 the continuation of subsistence uses or other applicable laws
 that you, being the part of the entire process, won't restrict
 the non-subsistence user.

34

35 MR. O'HARA: Okay, good.

36

37 MR. KNAUER: And then the other thing was on the
 Secretary. In this case, the Board would not follow a
 recommendation which is determined is not supported by
 substantial evidence, violates recognized principles of fish
 and wildlife conservation or would be detrimental to the
 satisfaction of subsistence needs.

43

44 MR. O'HARA: And? Give us your interpretation on that.

45

46 MR. KNAUER: If in fact -- my personal thing is that
 it's been brought out that some subsistence users utilize cows
 and young bulls during this time and, in fact, a restriction on
 them might be violating the third part there where it would be

50

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detrimental to the satisfaction of subsistence needs. That would be my personal interpretation.

3

4 MR. O'HARA: If that is the case then all the other user groups are going to stop until those people have an opportunity to use those cows and young calves.

7

8 MR. KNAUER: My interpretation would be, if the other user groups are not impacting those folks then there's no justification, if the herd is healthy, to restrict those other user groups.

12

13 MR. O'HARA: Fine. Okay, Robert, you satisfied?

14

15 MR. HEYANO: (Nods head affirmatively)

16

17 MR. O'HARA: Okay, thank you, Bill, for that information. Okay, we do have before us the over all Proposal Number 33. Any other questions? Okay, I think we have a pretty close vote on this, you want to just do a voice vote? All those in favor say aye

22

23 (No audible responses)

24

25 MR. O'HARA: All those opposed say no.

26

27 (No votes and confusing laughter)

28

29 MR. O'HARA: Wait a minute. You're voting on the overall proposal of the 33 as we have amended it.

31

32 MR. SAMUELSEN: Mr. Chairman.

33

34 MR. O'HARA: Yes.

35

36 MR. SAMUELSEN: I support Proposal 33.

37

38 MR. O'HARA: Okay, let's do a roll call vote.

39

40 MS. EAKON: Peter.

41

42 MR. ABRAHAM: Yes.

43

44 MS. EAKON: Sam.

45

46 MR. STEPANOFF: Yes.

47

48 MS. EAKON: Robin.

49

50

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1 MR. SAMUELSEN: Yes.

2

3 MS. EAKON: Dan.

4

5 MR. O'HARA: No.

6

7 MS. EAKON: Robert.

8

9 MR. HEYANO: No.

10

11 MS. EAKON: Roy.

12

13 MR. MATSUNO: No.

14

15 MS. EAKON: Tim.

16

17 MR. LaPORTE: No.

18

19 MR. O'HARA: It failed four to three. There is a
~~minority~~ minority report that can go in with that, okay? I mean, you
~~know~~ know, if it's a very close vote the minority people have just
~~as~~ as much to say as -- to the full subsistence organization as --
~~three~~ three votes have a right to a minority report also.

24

25 Okay, David, you want to come back up here and do the
~~next~~ next one. Brown bear.

27

28 MR. FISHER: Yes, Mr. Chairman, Proposal Number 34,
~~down~~ down bear, Game Management Unit 9(B). The issue here is to
~~allow~~ allow residents -- only residents of Nondalton one brown bear
~~every~~ every regulatory year during the October 1st through the 21st
~~season~~ season, instead of one brown bear every four years.

33

34 The Federal lands involved here include Lake Clark
~~National~~ National Park and Preserve and some BLM lands in 9(B), there
~~aren't~~ aren't very many BLM lands left. I don't know exactly how
~~many~~ many, but the overall number of acres has shrunk quite a bit.

38

39 Mr. Chairman, there's very little biological data
~~available~~ available from brown bears in Unit 9(B) and also within the
~~Lake~~ Lake Clark National Park and Preserve. However, this proposal
~~would~~ would increase the harvest rate on brown bears within the park
~~and~~ and preserve. The estimated population for bears in this area
~~is~~ is somewhere between 800 and 900 and we would not like to see,
~~from~~ from a biological standpoint, we would not like to see any
~~harvest~~ harvest that would exceed around five percent of the
~~population~~ population.

48

49 The staff has three concerns here. One, we need better

50

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6 subsistence harvest data. And we are somewhat concerned that
7 if there was a high number of female bears taken it would upset
8 the population parameters. The last concern we have is if this
9 proposal is adopted we would like to see a Federal registration
10 permit implemented so we could monitor the harvest. That's all
11 we have right now.

12
13 MR. O'HARA: Any questions for Dave. Okay,
14 anthropologist.

15
16 MR. BRELSFORD: Thank you, Mr. Chairman, Taylor
17 Brelsford, gain, for Fish and Wildlife Service. The social
18 science information, it's been documented that the community
19 has a long standing practice of relying on brown bear harvests,
20 primarily in the fall time. To be very brief I think our
21 information is that traditionally brown bear would have
22 occurred on an annual basis. Some groups of hunters would have
23 been active every single year, rather than a once every four
24 year rotation. So in that respect the annual harvest proposal
25 would square with the traditional practices.

26
27 Taking into account some of the management concerns
28 that were raised by Dave. In other portions of the State where
29 the boards have recognized a need to be more flexible in the
30 management of brown bear harvest activities there's been a
31 little give and take and the user groups have come to
32 participate in some alternative harvest reporting systems.

33
34 So to adopt some of the proposals that are recommended
35 here, including a permit of some system for careful monitoring
36 of the harvest activity would actually correspond to what was
37 done in several other areas of the State when the State Board
38 of Game and the Federal Subsistence Board tried to accommodate
39 more of the traditional harvest practice, so I think the
40 proposals, with these modifications are a good faith effort to
41 provide for the traditional practice without risking the health
42 of the population. Thank you.

43
44 MR. O'HARA: Any questions of Taylor? Any objection to
45 taking a 10 minute break and coming back and doing public
46 testimony on this? Okay, let's take a break for 10 minutes.

47
48 (Off record)

49
50 (On record)

51
52 MR. O'HARA: Call the meeting back to order. And now
53 we're looking for Moses.

54
55

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1 MR. SAMUELSEN: The one who built the ark?

2

3 MR. O'HARA: Yeah. We want to know how much draft that
Ark has, Moses. How many animals in the ark? Any for
Subsistence? Who are the subsistence users? Okay, now we're
Under 34 and we had the biologist talk to us, we had the
Anthropologist talk to us. Moses is going to talk to us,
Everybody listen.

9

10 MR. DIRKS: This is the summaries of the public
Comments for Proposal Number 34. And in support of Proposal 34
We had one in support and three objections, one other and one
of them was neutral.

14

15 MR. O'HARA: How many opposed, excuse me?

16

17 MR. DIRKS: Three was in objection.

18

19 MR. O'HARA: Three opposed?

20

21 MR. DIRKS: Yeah. Bristol Bay Native Association
Thought that the Nondalton residents have a need for a fall
Brown bear hunt every year when the bears are fat.
Traditionally the fall is when brown bear were hunted and they
Would especially like to hunt in the area of their ancestral
Village of Kijik. For the residents of Nondalton brown bear
Meat is not good to eat in the spring.

28

29 And then in objection was the Alaska Wildlife Alliance
and although the Alliance respects the traditional activities
of the residents of Nondalton, their priority always lies with
the long term health of wildlife populations. The Alliance
also does not support this proposal for these two reasons.

34

35 Number one, changing the limit from one bear every four
years to one bear every year is a dramatic increase. Hunting
pressure on brown bear in this area is already increasing due
to a drastic increase in non-resident hunters in establishment
of new guide services. And number two, granting special
privileges to single village sets a dangerous precedent.

41

42 Also opposed was the Alaskan Bowhunters Association and
the Golden North Archery Association. And their reasoning was
the State's limit of one bear every four years indicates to
them that the population would not sustain a one bear per year
take. A one bear each year take is a bad conservation
precedent and the subsistence opportunity needs can be met in
other ways.

49

50

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1 MR. O'HARA: What other ways?
2
3 MR. DIRKS: In what other ways?
4
5 MR. O'HARA: It didn't say, huh?
6
7 MR. DIRKS: It didn't say.
8
9 MR. O'HARA: Okay. Bowhunters, huh?
10
11 MR. DIRKS: Bowhunters and archery. And the other kind
of in between is the National Park Service was it was unclear
whether the proponents of Proposal 34 realize the potential
limited benefit of subsistence users which adoption of the
proposal would have given the limited amount of Federal public
lands in proximity to Nondalton.
17
18 And they were concerned about how a liberalized
regulation for the subsistence taking of brown bear could
potentially affect the brown bear population in Lake Clark
National Park and Preserves.
22
23 And the Alaska Department of Fish and Game took a
neutral standing, stating that this proposed regulation should
include a permit system to insure bears are not over harvested.
And that concludes the public comments.
27
28 MR. O'HARA: Okay. Do you have any questions for
Moses? Okay, thank you, Moses.
30
31 MR. DIRKS: Thanks.
32
33 MR. O'HARA: At this time we'd like to ask if there's
anyone in the audience who would like to have public comment to
the brown bear request in Unit 9(B); anybody? Okay, BBNA, Ted.
36
37 MR. KRIEG: Yes, Ted Krieg, Bristol Bay Native
Association, Natural Resource Department. You heard Melvin
Trefon speak this morning and he's a member of the Nondalton
Additional Council and the BBNA representative. And, you
know, I don't know that there's much that I can add to what he
said already, but I know when I met with the Nondalton
Additional Council they were very specific in the needs and,
you know, what they felt was important to, you know, the
continuation of their culture and just keeping that on track.
And I think Melvin mention some things about, you know, they've
kind of had a renewed effort to promote, you know, their
culture and their belief, so, you know, I don't have much to
add other than that.
50

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1
2 MR. O'HARA: Okay, anyone else? Want to fill in the
3 cracks, Russell?

4
5 MR. NELSON: Just one comment on subsistence. One bear
6 ever four years or one of anything every four years, to me, is
7 not really subsistence. It's kind of hard to stretch out any
8 kind of animal that you take for subsistence for -- in your
9 freezer for four years until you get another one, so you might
10 think in mind, that subsistence should be an annual taking of
11 whatever you're taking. You know, it would be like saying, you
12 know, that you can only take fish every four years, that
13 wouldn't really do a lot for subsistence.

14
15 MR. O'HARA: Thank you. Any other? Yes, come up and
16 give your name and identify yourself there.

17
18 MR. KNUTSEN: John Knutsen representing myself and
19 being a resident of Naknek and a member of the village
20 corporation of Naknek. I would like this proposal to be
21 amended to include 9(C). I had submitted a proposal several
22 years ago requesting a subsistence bear hunt in 9(C) for
23 residents of Naknek and it was put into the category of needed
24 to be -- need to have a c&t determination before a proposal
25 like that could be past. I don't know, is there a difference
26 between 9(B) and 9(C) that you don't need to have a c&t
27 determination to pass a proposal like this, Dan?

28
29 MR. O'HARA: I don't know, I wouldn't think so. I
30 don't see why B and C would be any different in customary and
31 traditional use.

32
33 MR. KNUTSEN: From what I understand the take of brown
34 bear by subsistence users from our area wouldn't be a
35 significant amount. I believe that at the time that I submitted
36 the proposal I have submitted a figure of approximately four
37 bear per year, at the most, which wouldn't be much of an impact
38 on the total population of the bear in the area.

39
40 So speaking for myself as a resident of Naknek, I would
41 like this Board amend the proposal to include area 9(C). And
42 if you'll look at the map there really isn't that big of an
43 area of Federal property in 9(C), a small portion of the upper
44 end of Big Creek.

45
46 MR. O'HARA: Smiley, on Page 45 here, Robert point out
47 what it is

48
49 MR. HEYANO: Forty-four.

50

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1
2 MR. O'HARA: Forty-four, all right, you have it on both
3 then. Any questions for Smiley on him desiring in his public
4 testimony that 9(C) be also customary and traditional use of
5 subsistence of brown bear?

6
7 MR. HEYANO: Mr. Chairman, the way I read the book is
8 that 9(A), C and D there is not c&t findings for those units on
9 brown bear. And 9(B) does have a c&t finding.

10
11 MR. O'HARA: Oh, it does have, so it is excluded.

12
13 MR. HEYANO: That's the way I read it, unless I'm
14 reading it wrong. Or does it?

15
16 MR. SAMUELSEN: A, C and D no subsistence c&t finding.

17
18 MR. O'HARA: Oh, yeah, no subsistence. Smiley

19
20 MR. KNUTSEN: There was a c&t determination there.

21
22 MR. O'HARA: Only in B. Unless I read it wrong on the
23 bottom page, I misled you there. It says, customary and
24 additional use determination Unit 9(A) C and D, no
25 subsistence. Left hand bottom corner, Page 44. Is that right?

26
27 MR. KNUTSEN: Yeah, I knew that. That's why I'm here.

28
29 MR. O'HARA: I misunderstood, okay. Russell.

30
31 MR. NELSON: Yeah, Mr. Chairman, while -- I was
32 thinking of bringing this up also. This is a report on
33 subsistence uses of brown bears in communities in Unit 9(E) and
34 since Smiley brought up 9(C), I thought I would bring up 9(E)
35 and I'll just read you just a one paragraph summary. And it's
36 a real in depth report on how many bears are killed in 9(E) by
37 Chignik Lake, Chignik, in fact, all the names of the villages,
38 Perryville, they're all listed in here, all the names.

39
40 And it says: in summary, most households in the
41 Chignik Lake, Perryville and Ivanof Bay continue to use brown
42 bear meat or fat for subsistence purposes. These subsistence
43 foods are also widely shared with these villages, especially
44 with elders. The hunting takes place in areas relatively close
45 to each community. These areas are accessed by ATV and skiffs.
46 Hunting parties are for the most part men who are related by
47 kinship. For many hunters of these villages the hunting of
48 brown bears is governed by a system of traditional beliefs
49 which emphasizes respect, treatment of bear and protection of
50

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the hunters and people learn about these tradition when they are accompanying their relatives and elders on the hunts.

3

4 But it's quite a real interesting document that James Fall and Lisa Scarborough from the Division of Subsistence of the Alaska Department of Fish and Game has put together, documenting by village the areas that they hunt in and also the numbers, you know, percents of households and how many pounds of meat that they eat of brown bear. So they do pretty well have a documented history of eating brown bear. And I don't know what the rules say in the book, but they're at one bear every four years, I would like to see them at one a year also.

13

14 MR. O'HARA: Okay. Smiley, are you finished?

15

16 MR. KNUTSEN: Yes, unless you have some questions.

17

18 MR. O'HARA: Any questions? Okay, thank you. The floor is still open for public comment and, Orville, will you come up and give us your name.

21

22 MR. LIND: Yeah, Orville Lind from Port Heiden.

23

24 MR. O'HARA: Susan, we'll get you in a minute.

25

26 MR. LIND: A comment on Russell. I am presently working with James Fall and the villages of Ivanof, Perryville and Chignik Lake and Port Heiden to get a subsistence use traditionally which was used on corporation/State land. Right now Federal subsistence for bear is allowed only in Ivanof, Perryville and Chignik Lake, which is one bear every year. And in the last two years I've tagged one bear working with the State Fish and Game, Mr. Sellers.

34

35 So, presently, just to update, we are working on a new proposal to go before the State Board of Game to allow traditional and customary bear hunting -- subsistence hunting on State and corporation land.

39

40 MR. O'HARA: Thank you. Any questions? Susan, did you have a comment as a biologist?

42

43 MS. SAVAGE: I don't have a comment as a biologist, but the particular study that Russell quoted by Fall and Scarborough is specific to Perryville, Ivanof Bay and Chignik Lake, that is where the study was done. It did not apply to Wanknek.

48

49 MR. O'HARA: No, we understand that and I think he

50

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brought that up only to reflect

2

3 MR. LIND: 9(E).

4

5 MR. O'HARA: Yeah, 9(E).

6

7 MS. SAVAGE: And there is a subsistence season open for
one bear per year for those three communities.

9

10 MR. O'HARA: One bear per person?

11

12 MS. SAVAGE: One bear per person, per year, yes.

13

14 MR. O'HARA: Okay, thank you.

15

16 MS. SAVAGE: And -- were you going to point out about
the c&t for 9(C).

18

19 MR. BRELSFORD: Right. Mr. Chairman, just to make real
clear how this c&t process works. There are really three
categories, positive c&t determinations where the Board has
agreed that there are traditional and customary uses and
they've extended eligibility. Negative c&t findings, and
that's what we have here, where they looked at it, reasoned it
out, looked at the background information and said there are no
such uses.

27

28 And then finally this left over category called no
determination. So in some part of State where they haven't got
around to it yet and there's no record, the Board made no
decision and that means that every rural resident is eligible,
is qualified to go into that area for subsistence uses. So in
this case, in Units 9(A) C and D a decision was made by the
State Board of Game, brought into the Federal program.

35

36 That formal decision was that there were no customary
and traditional use determinations. That could be reversed if
evidence were brought to bear. It's not cast in concrete or
permanent forever. But there was a decision made and we would
have to bring new information to the Board's attention to
reverse that.

42

43 MR. O'HARA: Yeah. Smiley's presentation, I really
appreciate him bringing that to our attention today, because we
have every year a spring hunt in the Bristol Bay drainage in
which you can go out as a resident or a non-resident and the
guides bring their people in to get bear because of the bear
problem in the Naknek area. And that includes Big Creek, too,
doesn't it, Ron?

50

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1
2 MR. HOOD: Yes.
3
4 MR. KNUTSEN: Dan, can I correct you on that? I think
5 there's an alternating spring/fall.
6
7 MR. O'HARA: Oh, alternating.
8
9 MR. KNUTSEN: Depending on even or odd year.
10
11 MR. O'HARA: But it's more than just a regular State
12 regulation, isn't it?
13
14 MS. SAVAGE: I think it's every year.
15
16 MR. O'HARA: I think it's every year, I think it's
17 every spring.
18
19 (Indiscernible -- many talking at same time)
20
21 MR. KNUTSEN: There's a bear hunting season every year,
22 but it's alternating spring and fall.
23
24 MR. O'HARA: I don't think so, I think it's every
25 spring.
26
27 MS. SAVAGE: Yeah, it's over a month, maybe two months.
28
29 MR. O'HARA: Anyway, the point being, you know,
30 regardless, Smiley, the point being if they think enough bears
31 have floated down the Naknek River by the residents, who get
32 tired of them, you know, chasing their kids and dogs around,
33 that they decided to make it a commercial effort. And yet the
34 are not taking into consideration a subsistence issue of
35 someone who might want to kill a bear and eat it for crying out
36 loud. You know, I don't think the system fits. Thank you,
37 anyway.
38
39 Okay, any other public testimony, we're going to shut
40 off here, we're going to make a motion. Yeah.
41
42 MR. VAN DAELE: Just one quick comment. If you do
43 decide to pass this proposal and you want to get into a
44 registration permit, Page 52 of the State hunting regulations
45 would serve as a model. The Western Alaska brown bear hunting
46 area and Northwest Alaska.
47
48 MR. O'HARA: Who would regulate the permitting; Federal
49 people?
50

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1
2 MR. VAN DAELE: Yeah. Well, that's up to you to
decide, this could be a model so you wouldn't have to start
from scratch.

5
6 MR. O'HARA: Okay, thank you. What's the wishes of the
Council? Smiley asked, and I don't know, we might have to
have some justification if we want to -- he said he has put in
a proposal and apparently gotten no where on brown bear
subsistence in Unit 9(C). Helga, can we recommend that?

11
12 MS. EAKON: Well, the present Board finding is that
there is no subsistence in 9(C), but as Taylor pointed out if
you could present new information that might change the Board's
thinking.

16
17 MR. O'HARA: Well, I ate a brown bear, did it have to
be in 9(C)?

19
20 MS. EAKON: In 9(C)? In 9(B)?

21
22 MR. O'HARA: No, Smiley said C. I mean I know Paul
Chikano (ph) is eating brown bear in 9(C) and, you know, that's
customary and traditional use when he did it. And if you need
to go get some information, I think Smiley and I can go get
some information to bring back to you that that is something
that is used, you know. And if you can sell it commercially,
then I think we can eat it. Yeah.

29
30 MR. SAMUELSEN: I don't know maybe I'm confused here,
but seems like the process would be to go to the State Board of
Game and get the c&t finding reversed and also this Council.

33
34 MR. BRELSFORD: No, it would be a separate process.
You would address the Federal Board directly and request for a
review of the Federal decision. Provide initial information,
maybe ask them to collect more information so that they have a
full record and then review and modify an existing Federal
decision. That would be distinct from any request before the
State Board of Game.

41
42 MR. O'HARA: We don't have up here a map, do we, Ron?
Dave, excuse me, showing the area that Nondalton wants to take
this brown bear?

45
46 MR. FISHER: No.

47
48 MR. HEYANO: 9(B).

49
50

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1 MS. SAVAGE: Dan?
2
3 MR. O'HARA: Yeah.
4
5 MS. SAVAGE: I have a comment.
6
7 MR. O'HARA: Okay. Go ahead.
8
9 MS. SAVAGE: Apparently the proposal that Smiley made
10 several years ago to consider brown bear for 9(C) is still in
11 the list of C&T determinations yet to be made. It's not dead.
12
13 MR. O'HARA: Oh.
14
15 MS. SAVAGE: It's just in that priority list that
16 Taylor discussed.
17
18 MR. O'HARA: Okay.
19
20 MS. SAVAGE: And I have one other comment in that the
21 Park Service is currently in the midst of a research proposal
22 for South Naknek, Levelock, Igiugig and Kakhonak and some of
23 the data that they are collecting is going to probably include
24 the harvest and use of brown bear for subsistence. And so, it
25 won't address Naknek and King Salmon specifically,
26 but
27
28 MR. O'HARA: Why not?
29
30 MS. SAVAGE: Because when we requested these research
31 projects we were mostly concerned with -- since it's Park
32 Service money where areas where harvesting is occurring in Park
33 Service areas, which would be the preserve. And so that's why
34 those villages were targeted. And so we didn't have enough
35 money to do all of the villages and so we had to prioritize
36 some villages. And so a little piece of that puzzle will
37 contribute, hopefully, to the information that Fish & Wildlife
38 Service needs to re-evaluate that C&T decision.
39
40 MR. O'HARA: Okay. Thank you. Okay. Counsel members
41 on this
42
43 MR. HEYANO: Just a question, for clarification on my
44 part, Mr. Chairman, is that there a customary and tradition use
45 for 9(B),
46
47 MR. O'HARA: Yeah.
48
49 MR. HEYANO: the residents of 9(B), am I right?
50

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1
2 MR. HEYANO: Right.
3
4 MR. HEYANO: There is one for A, C and E. Therefore,
5 there is none, there is no subsistence priority.
6
7 MR. O'HARA: On federal lands in those three units,
8 yeah.
9 MR. HEYANO: Right. Okay. Thank you.
10
11 MR. O'HARA: Okay. I think it's probably cut and
12 dried.
13 MR. HEYANO: I have a question, have you questioned
14 about 9(C)? I question that since there is -- since the
15 Federal Board has not made customary and traditional -- has
16 determined that there's no customary and traditional use of
17 brown bear in Units 9A, C and D there is no subsistence
18 priority.
19
20 It's my understanding that my proposal hadn't gone
21 anywhere mainly because there hasn't been a C&T determination
22 for that area. If I understand the regulations correctly we
23 can't give a subsistence priority when the determination has
24 been made that there is no subsistence, customary and
25 traditional use of brown bear in this case, am I right?
26
27 MR. KNAUER: (Nods in the affirmative).
28
29 MR. HEYANO: You have to first have a C&T finding of
30 brown bear in those units before you can -- under the system
31 we're allowed to operate on before we can begin to help you
32 have a subsistence priority.
33
34 MR. O'HARA: What it boils down to is we can't help out
35 Naknek and 9C until that is determined and that needs to be
36 worked on, so there's no need for us to spend any more time on
37 until such time as that comes to us in that form and then we
38 can act on it, so what we need to do now is decide what you
39 want to do on 34. What are the wishes of the Council?
40
41 MR. LaPORTE: One question I have still is, is -- this
42 mainly for Nondalton use only and what I see they're going
43 to be questioning (ph) is that everybody that's eligible to
44 hunt be allowed to kill one bear every year. And as far as
45 data to substantiate the need for that, I agree one bear isn't
46 going to last for four years, but, I mean, there's -- Nondalton
47 the biggest village up in that area there. There are a lot
48 hunters that have the availability to hunt the bear at the
49 present ever fourth year. I don't how many bears are actually
50

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being taken or how far they get spread or when they are taken,
 but

3

4 MR. O'HARA: In other words, you're saying it might put
 5 a lot of pressure on the resource, huh?

6

7 MR. LaPORTE: That's my first thought. If everybody is
 8- and looking at the maps, too, and knowing what the area is
 9 up there, they're specifically targeting basically Kijik Lake
 10 because that's the area that we're looking at up into the Park
 11 Service area in the purple on page 43. And basically knowing
 12 what -- the salmon type spawning grounds and that. I mean
 13 Kijik Lake -- well, actually I think they mention it in here,
 14 do, don't they? Where did I read that?

15

16 MR. O'HARA: The purple is the lands they're talking
 17 about.

18

19 MR. LaPORTE: Yeah. But in the support of #34 they
 20 would especially like to hunt in the area of their ancestral
 21 village of Kijik which -- and that -- knowing what the salmon
 22 where the salmon population, the spawn really is, I mean the
 23 major spawn area of the entire Lake Clark area is Kijik.
 24 That's where it's all happening at. And that's what they're
 25 asking us permission to let them target on an every year basis.
 26 It'd be one thing if it was a large area, but we're basically
 27 targeting one river system there.

28

29 MR. NELSON: Mr. Chairman?

30

31 MR. O'HARA: Yeah.

32

33 MR. NELSON: Listening to Melvin a little earlier, you
 34 know, he did say, he did state that he thought even 10 bears
 35 would be a real large number that they would get on a yearly
 36 basis and bring back to the village. I don't think you can
 37 take the population of Nondalton and then add up the all people
 38 and then figure they're all going to get one bear every year, I
 39 think that's really unrealistic.

40

41 MR. O'HARA: What would happen if they did?

42

43 MR. NELSON: It's an impossibility.

44

45 MR. SAMUELSEN: Mr. Chairman, are we speaking for the
 46 village of -- this proposal only addresses the village of
 47 Nondalton or is it for everybody in 9(B)? I think
 48 that's

49

50

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1 MR. O'HARA: I don't know the answer to that one.

2

3 MR. SAMUELSEN: Because the way I read it, it says the
4 residents of 9(B) have a positive find for customary and
5 traditional use of brown bear, which means all villages within
6 9(B), but I think we're being specific here for one village.
7 And we've got to make sure that we've got that understanding
8 before we move on this proposal.

9

10 MR. O'HARA: Okay. It says reason for changing the
11 regulations, is that what you're talking about there on page
12 22? The residents of Nondalton have customary

13

14 MR. SAMUELSEN: Yeah.

15

16 MR. O'HARA: and traditionally

17

18 MR. SAMUELSEN: We're only talking one village, not all
19 the villages in 9(B).

20

21 MR. NELSON: Mr. Chairman, if you're looking to the
22 grey shaded area,

23

24 MR. O'HARA: Uh-hum.

25

26 MR. NELSON: that is the change that would be
27 made under this regulation. And it does state 9(B) residents
28 of Nondalton only one bear every regulatory Year. Open season
29 October 1st to October 21st.

30

31 MR. O'HARA: Thank you.

32

33 MS. EAKON: Mr. Chair?

34

35 MR. O'HARA: Yeah.

36

37 MS. EAKON: Something very important. What -- the
38 analysis that is contained in the booklet is not the actual
39 analysis that was supposed to go in? Moses has the correct
40 analysis.

41 (Off record comments)

42

43 MS. EAKON: We just learned about this just very
44 recently, our chief biologist, Steve Kovak said the analysis in
45 the booklet for 34 is not the one that's supposed to be in
46 there. And so, the chief of the Resources Division, Dick
47 Marshall, did pass out three sheets of a new analysis,
48 remember?

49

50

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1 MR. O'HARA: Okay. Who addresses that, Helga?
2
3 MS. EAKON: Dave, you have the new
4
5 MR. FISHER: I have a copy of the new one. Mr.
6 Chairman, the information that I presented was on the new
7 analysis.
8
9 MS. EAKON: Oh, okay.
10
11 MR. FISHER: so, I didn't -- there may be a little bit
12 of an overlap but I did the same thing here that was
13
14 MR. O'HARA: I might be a confused here. But the
15 question I have is does that change whether it's Nondalton or
16 all of 9(B)?
17
18 MR. FISHER: Just a minute.
19
20 MS. EAKON: Because the new analysis specifically says;
21 this addresses Nondalton only, right?
22
23 MR. O'HARA: What does the original say?
24
25 MR. NELSON: It says Nondalton only.
26
27 MR. O'HARA: Well, it's the same then.
28
29 MS. EAKON: The analysis of what's in the booklet kind
30 of addressed the unit, Unit 9(B).
31
32 MR. SAMUELSEN: The whole, the whole 9(B).
33 That's
34
35 MS. EAKON: Yes.
36
37 MR. SAMUELSEN: and that's what I was trying to
38 clarify.
39
40 MS. EAKON: And the new analysis focuses it on
41 Nondalton only.
42
43 MR. SAMUELSEN: That's what I was trying to clarify,
44 Mr. Chairman.
45
46 MR. O'HARA: The problem we have is with the shaded?
47
48 MR. SAMUELSEN: No, no, we're only dealing with the
49 shaded area.
50

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1
2 MR. O'HARA: Well, that's what I mean.
3
4 MR. SAMUELSEN: Yeah.
5
6 MR. O'HARA: If we pass on 34 we're only dealing with
the shaded areas. Okay. We are not going to take any more
public testimony this. We're going to act on this proposal.
Yes, go ahead.
10
11 MR. HEYANO: Yes, Mr. Chairman, for clarification.
Who's responsibility for these staff analysis? Who drafted
them?
14
15 MR. BRELSFORD: Mr. Chairman, these were conducted as
team exercises by a biologist, a social scientist and the
regional coordinator. In this instance, the team leader was my
counterpart, George Sherrod. The snag on alternate versions,
there were disagreements in wording and focus and two versions
went forward and the wrong one made it through the senior
management review and got into the booklets. So, I think
there's a shared responsibility for the failure. And I think
that the bottom line is that key information that Dave's has
presented and that I've proposed to you is the same. And the
revised version would not materially change the recommendations
in the proposal that we've discussed this afternoon.
27
28 MS. EAKON: But the new analysis answered a recent
question here. Does this proposal affect everyone in 9(B) or
is it just for Nondalton. And the new analysis this is -- we
analyze it only to the residents of Nondalton, correct?
32
33 MR. BRELSFORD: That's correct.
34
35 MR. O'HARA: Okay.
36
37 MR. BRELSFORD: But I believe that's consistent with
the version that's before the counsel as well.
39
40 MS. EAKON: Okay.
41
42 MR. BRELSFORD: I mean I think it's fair to point out
there were differing opinions about this that other villages
may potentially have comparable resource use patterns and we
ought to expand the scope of the analysis. The Senior
Management Review concluded that as we move into new areas we
probably ought to move one step at a time and work
constructively with one village to make a new flexible approach
and then expand upon the success, rather than sort of leaping
50

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into a large area where other villages may not have actually requested the change at the present time. So, that's maybe a little more information about why the specific focus on Mondalton alone at this time.

5

6 MR. O'HARA: All right.

7

8 MR. SAMUELSEN: Mr. Chairman?

9

10 MR. O'HARA: Mr. Samuelsen, yeah.

11

12 MR. SAMUELSEN: Maybe I could get Larry Van Daele back up here to explain the western Alaska brown bear management area regulations.

15

16 MR. O'HARA: Okay. Larry, could you do that?

17

18 MR. SAMUELSEN: He made a recommendation there, but

19.....

20

21 MR. VAN DAELE: The State -- Larry Van Daele, Fish & Game. The State Board of Game in conjunction with the Federal Board, I believe, put together these recommendations that you see on page 52. Do you have a copy of that, Robin?

25

26 ROBIN: No.

27

28 MR. VAN DAELE: I just bought a few copies of this if you want it you can have it.

30

31 MR. BRELSFORD: It's in the Federal Booklet as well.

32

33 MR. O'HARA: Oh, is it?

34

35 MR. BRELSFORD: Yeah. And these are jointly adopted by the State and Federal Board and you'll find it on page 73

37

38 MR. O'HARA: Okay.

39

40 MR. BRELSFORD: in the Federal Booklets.

41

42 MR. ABRAHAM: 73?

43

44 MR. BRELSFORD: Yes, that's correct.

45

46 MR. VAN DAELE: This will be in Unit 18 in the bold heading and in the middle of the text would be a description of the western Alaska brown bear management program.

49

50

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1 MR. BRELSFORD: Right here.

2

3 MR. O'HARA: have trouble reading federal ease so I'll
4 head from the state.

5

6 MR. VAN DAELE: The basic premise of this though, was
7 to allow subsistence use of brown bears in these western and
8 northwestern areas, but also understanding that the biologists
9 and the management agencies desire harvest information. And
10 they wanted to get that harvest information in such a way it
11 did not force the local people to have the animals sealed. One
12 of the major discussions was that some individuals believe they
13 should leave the head in the field rather than bring it out to
14 have it sealed. Consequently, that was contrary to state law.
15 This allows that. It's a non-intrusive way of us getting
16 regulatory -- or harvest information.

17

18 The other thing that this is set up to do is stop any
19 potential abuses of people selling their subsistence killed
20 brown bears, sell the hides or give their hides away for
21 profit. And that's why if a bear is taken out of the unit then
22 it must be sealed and the hide must essentially be destroyed
23 for trophy value. The head chopped off and the front claws
24 taken off. In a nutshell that's what that all has to do with.

25

26 MR. O'HARA: Ours is different and we want one every
27 year and yours says open every four years?

28

29 MR. VAN DAELE: No, this is every year for these
30 management areas. The only thing I would see different between
31 these areas and what you're proposing for the Nondalton area is
32 the brown bear population and the availability of alternative
33 resources. You know, in the Nondalton area you're talking
34 about some of the highest brown bear populations in the world,
35 density-wise. Whereas, in western northwestern Alaska you have
36 a lot fewer bears per unit area. It's more

37

38 MR. O'HARA: You mean that federal area that we're
39 talking about there on page 43 are some of the highest?

40

41 MR. VAN DAELE: Well, I'm talking about Alaska
42 Peninsula

43

44 MR. O'HARA: Yeah. Now, that's a long ways.

45

46 MR. VAN DAELE: versus western Alaska.

47

48 MR. O'HARA: If you look at that little purple area,
49 that's -- Kim (ph) brought that up. It's a very restricted

50

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area that they're going to be hunting in.

2

3 MR. VAN DAELE: That's true.

4

5 MR. O'HARA: Yeah. So, that's

6

7 MR. VAN DAELE: I stand corrected. Thank you.

8

9 MR. O'HARA: Yeah. All right. Okay. Anything else,
 10 Guys? What's your wishes? Thank you, Larry.

11

12 MR. HEYANO: While he's still there, Mr. Chairman.
 13 Larry, it seems like under some of the conclusions by the staff
 14 that I get the feeling they're concerned about a higher
 15 probable take of females being in the harvest in the fall.

16

17 MR. VAN DAELE: As I understand it, you'd still have
 18 the prohibition on the taking of sows with cubs and cubs with
 19 this, so you wouldn't have to worry about. . In most brown bear
 20 harvest regimes the later you hunt in the fall the greater your
 21 proportion of males in the harvest. The earlier you hunt the
 22 greater the proportion of females.

23

24 MR. O'HARA: Why?

25

26 MR. VAN DAELE: The females go into the den sooner than
 27 the males do. The pregnant females are the first to go in.
 28 The cubs followed by the males. The males are the last to go
 29 to the den.

30

31 MR. O'HARA: Uh-hum.

32

33 MR. VAN DAELE: So if when we set our sports seasons we
 34 usually set them as late as we can in the fall so that we
 35 target the males in the harvest.

36

37 MR. O'HARA: They've got three weeks in October that
 38 they want that in, 1 through 21?

39

40 MR. VAN DAELE: I didn't analyze this part so I'm not
 41 sure where they're coming from, but my gut feeling would be
 42 that, you know, perhaps people would target females. I don't
 43 know. It's hard for most people to tell the difference between
 44 a male and a female bear in the field if it doesn't have cubs.
 45 And I don't think you're talking about allowing sows with cubs
 46 to be taken here. So I'm not sure. Maybe Dave or one of the
 47 federal biologists that analyzed that could clue you in on
 48 that.

49

50

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1 MR. O'HARA: Okay.

2

3 MR. VAN DAELE: Our position is basically neutral on
4 this one.

5

6 MR. O'HARA: Okay. Thank you. All right. We're not
7 going to take any more public comment on this. It's up to the
8 Council to decide what they want to do on 34. What's your
9 wishes.

10

11 MR. HEYANO: Mr. Chairman, I move for adoption of
12 proposal 34.

13

14 MR. O'HARA: Is there a second?

15

16 MR. SAMUELSEN: Second.

17

18 MR. O'HARA: Any discussion? For the question? Excuse
19 me, Robert, go ahead.

20

21 MR. SAMUELSEN: Maybe we could ask Mr. Heyano if that
22 includes also the parallel to the Western Alaska Bear
23 Management area regulations as far as reporting requirements
24. The staff has indicated that they would like to see some
25 kind of reporting requirements. A ticketing or reporting
26 system, some type will be necessary due to the differences.

27

28 MR. O'HARA: Do you want to throw a counting system
29 (ph) in there

30

31 MR. HEYANO: My proposal did not, Mr. Chairman. But I
32 wouldn't be

33

34 MR. O'HARA: You wouldn't be adverse to a friendly
35 amendment?

36

37 MR. HEYANO: Right.

38

39 MR. O'HARA: Okay.

40

41 MR. HEYANO: The other thing, I think, if we're
42 discussing amendments is part of the question was should we be
43 concerned about the potential harvest of females in that
44 population or is that something that we shouldn't concern
45 ourselves with at this time.

46

47 MR. O'HARA: It's up to the -- did you want some input
48 from biologists or

49

50

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1 MR. HEYANO: Right.

2

3 MR. O'HARA: Larry, if you don't mind coming up again
 4 and Robert has a concern about whether or not apparently we're
 5 going to be putting too much pressure on females. Now, the
 6 dates we're talking about, it says in the proposal, unless I'm
 7 wrong, 1 through October 21.

8

9 MR. VAN DAELE: Yeah. I would suspect that the
 10 subsistence users would be targeting females in that area.
 11 Correct me if I'm wrong or, perhaps, someone in the public can
 12 help me with that. And from my understanding it's a healthy
 13 brown bear population there right now.

14

15 At this stage of the game unless my federal
 16 counterparts have real concern, I can't see that being a
 17 concern right now. It's something we could look at down the
 18 road if we have this reporting requirement and address it in
 19 the future, but if I were managing that population I wouldn't
 20 be concerned right now with that.

21

22 MR. O'HARA: Okay. Thank you.

23

24 MR. FISHER: Mr. Chairman, I might add we did -- the
 25 biological staff in Anchorage did have some concern, not a
 26 major concern, but we were concerned.

27

28 MR. O'HARA: What was your concern?

29

30 MR. FISHER: About the harvest of females

31

32 MR. O'HARA: Yeah. Too many?

33

34 MR. FISHER: Yeah. Yes.

35

36 MR. O'HARA: Okay. I just -- let's see, it says, they
 37 want in October 1 through 21 or -- and May 10 through 25th?

38

39 MR. FISHER: Mr. Chairman, I think with the permit
 40 system

41

42 MR. O'HARA: Oh, it's October 1?

43

44 MR. FISHER: implemented we'll be able to
 45 monitor

46

47 MR. O'HARA: 1 through 21. Okay.

48

49 MR. FISHER: that real close and keep a good

50

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handle on it.

2

3 MR. LaPORTE: What's the permit system you're talking
 4 about? I don't see anything in here about a permit system.
 5 You mean the number of total bears taken? All I read in this
 6 proposal is that everybody that's eligible to hunt the bear in
 7 Mondalton wants to kill one every year. I don't see any total
 8 numbers available to take or

9

10 MR. FISHER: The permit system was a recommendation
 11 from the staff that the staff would like to see implemented.

12

13 MR. LaPORTE: But that isn't in this proposal as such
 14 here?

15

16 MR. FISHER: No, sir.

17

18 MR. O'HARA: It's not in a motion either.

19

20 MR. LaPORTE: And it's not in a motion either.

21

22 MR. O'HARA: We do have a motion on the floor. What's
 23 the wishes of the council?

24

25 MR. SAMUELSEN: I'd like to offer a friendly amendment
 26 that

27

28 MR. O'HARA: Okay.

29

30 MR. SAMUELSEN: as far as reporting requirements
 31 that we parallel the western Alaska bear management area
 32 regulations.

33

34 MR. O'HARA: And that's the one that Larry gave

35

36

37 MR. SAMUELSEN: Yes.

38

39 MR. O'HARA: earlier that would be reporting on
 40 all and so on.

41

42 MR. LaPORTE: But that still has no quota regard, no.

43

44 MR. O'HARA: One every year. Yeah. doesn't it limit
 45 the numbers. Any further questions or discussion?

46

47 Call for the question?

48

49 MR. SAMUELSEN: Do you have a second?

50

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1
2 MR. O'HARA: Oh, excuse me. I'm sorry. We shouldn't
even discuss it now.

4
5 MR. HEYANO: Second.

6
7 MR. O'HARA: A second. And that was a friendly
amendment as far as you're concerned. Okay. We vote on the
amendment and then we vote on Robert's motion and we vote on
the overall -- well, I guess your motion would be the overall
motion. Any other questions now on the amendment?

12
13 Call for the question?

14
15 MR. HEYANO: Question.

16
17 MR. O'HARA: All those in favor say aye.

18
19 (Ayes respond)

20
21 MR. O'HARA: Opposed.

22
23 (Nays respond)

24
25 MR. O'HARA: Two nos and the rest, two, five ayes.
Okay. The overall motion is the Proposal #34. Any further
discussion.

26
27
28
29 All those in favor say aye.

30
31 (Ayes respond)

32
33 MR. O'HARA: Opposed?

34
35 (Nays respond)

36
37 MR. O'HARA: Two nos. Okay. Go onto the next
proposal.

38
39
40 MR. FISHER: Yes, Mr. Chairman, the next proposal is
#35; however, if you'll notice in your book we have included 45
with #43. They're very similar. Both proposals were submitted
by the Bureau of Land Management and they primarily concern the
Malchatna caribou herd. Proposal 35 deals with Game Management
Unit 9(B). Proposal 43 deals with Game Management Unit 17(B) (C)
and that part of 17(C) that is east of the Nushagak River.

41
42
43
44
45
46
47
48 Both proposals change the caribou bag limit from four
caribou to five caribou, but no more than two being bulls.

49
50

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They want to delete the seasonal restriction when multiple caribou may be harvested. They want to change the season from October 10th to March -- from August 10th, excuse me, August 40th to March 31st to August 1st to April 15th.

5

6 Another item that should be pointed out at issue here is that both -- currently the federal and state regulations do conflict.

9

10 The Mulchatna caribou herd has been increasing at an annual rate of about 17% from 1981 through 1991. In 1974 the population was estimated at around 14,000. The herd declined through the '70s and then started to decrease in 1981.

14

15 Large portions of the herd are expanding to new winter calving and summer ranges that contain good to excellent caribou habitat. The current population is estimate -- I believe, I said 117,000 earlier in the day, but I'd like to change that to about 120,000.

20

21 The proposal's anticipated impact to the resource, the increase in size of the Mulchatna caribou herd and the recent liberalization of the regulations by the State could increase the number of non-local hunters to some areas. This could put additional hunting pressure on the Mulchatna caribou herd and also increase conflict between subsistence and non-subsistence users in some areas. That's one of the concerns that we had.

28 In summary I'd like to say that the staff feels that the seasons should be aligned.

30

31 MR. O'HARA: With what?

32

33 MR. FISHER: The State season. The bag limit should be increased. And we also favor the restricting the bag limit to no more than two bulls. We realize that this may not be a customary and traditional practice, but we feel though that the potential increase in the harvest of cows may help limit the increase in size of the herd.

39

40 And we also want to, in this instance, maintain the current federal and state regulations, make those similar. It's easier for people to understand.

43

44 MR. O'HARA: That's it?

45

46 MR. FISHER: That's all I have.

47

48 MR. O'HARA: Okay. Any questions from Council? Hey, don't go away. We've got some things

50

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1
2 MR. SAMUELSEN: So this is basically a housekeeping
proposal bringing the federal regulation in line with the state
regulation?

5
6 MR. FISHER: Yes. I believe the state increased their
bag limit

8
9 MR. SAMUELSEN: Uh-hum.

10
11 MR. FISHER: in the season last year.

12
13 MR. O'HARA: Did they specify on the state regulations,
Dave, that you only kill two bulls in that 9(B)?

15
16 MR. FISHER: I don't know. Larry, did you

17
18 MR. FISHER: Yes, yes, they did.

19
20 MR. O'HARA: Let me ask you a question when you're
talking about the increase in population. The increase in
population obviously has to do with the bulls. In the seven
th) days we had a reduction in the caribou herd on the Alaska
Peninsula and I chaired the Naknek/Kvichak advisory committee
and from January 1 until March 31st we were only allowed to
shoot an antlerless caribou. And that was contrary to what
we'd ever done because we were shooting the pregnant cows at
that time.

29
30 In that same period of time we went to the 50 inch brow
line moose in the King Salmon Drainage because as residents we
weren't eating horns, we were eating meat and we were killing
off all the moose. It wasn't a non-resident. It wasn't a
sport hunter. It was the local people that were killing off
the game. We didn't want to hear that. So that's why the
moose have come back in the King Salmon area and they still
have the 50 inch horn or three brow tines. It was our proposal
from the Naknek/Kvichak Advisory Committee with Jim Farrell as
our biologist.

40
41 And now you're saying that if you kill off the females
and it's going to reduce the population of the herd or put some
controls on it.

44
45 MR. FISHER: It probably won't reduce the population of
the herd, but it will probably slow the tremendous growth rate
that the herd is currently experiencing.

48
49 MR. O'HARA: Kill off the bulls and they don't have any
50

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Way to propagate the herd, it's going to go away, too. I guess that's just a comment I have. Larry?

3

4 MR. VAN DAELE: Yeah. Larry Van Daele for Fish & Game
5 for the record. The main impetus in allowing only two bulls to
6 be taken was not to increase the harvest of females
7 necessarily. It was to protect the bull/cow ratio of the herd
8 as a whole.

9

10 MR. O'HARA: Okay. All right. That's where I stand
11 corrected then. Good.

12

13 MR. VAN DAELE: 'Cause we're looking at 44 bulls per
14 100 now, but as I mentioned earlier, roughly 90% of our
15 reported harvest is bulls in that herd.

16

17 MR. O'HARA: I see.

18

19 MR. VAN DAELE: So that's what we're looking at
20 protecting.

21

22 MR. O'HARA: Okay.

23

24 MR. VAN DAELE: We also wanted to get away from the two
25 bulls now, one bull later, four bulls -- or four caribou
26 hereafter monkey business that we had earlier 'cause it's just
27 darn confusing for people.

28

29 And it also took away the opportunity for people to
30 come with airplanes and take quite a bit of meat and charter
31 two airplanes back worth of meat. It made them more cost
32 effective for them to harvest out there year round rather than
33 have to just take one animal and a whole charter

34

35 MR. O'HARA: Dave, the regulation before us is in
36 compliance with state regulation?

37

38 MR. FISHER: Yes.

39

40 MR. O'HARA: Okay. Thank you. Okay. Yeah?

41

42 MR. SAMUELSEN: Under the effective proposed change on
43 subsistence users, that last sentence there, there may be
44 additive impacts where moose ranges overlap with winter caribou
45 distribution and snowmachine traffic of caribou potentially
46 cause an abandonment of moose ranges. How do you qualify that
47 statement?

48

49 MR. FISHER: What page are you on?

50

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1
2 MR. SAMUELSEN: Page 33. Effect of proposed changes on
3 subsistence users. Two paragraphs up from the bottom. I just
4 see these little one liners in there that kind of catch my eye
5 and I want to know the justification. Have you got any
6 documentation that shows that additional few days and couple of
7 snowmobiles going by will make moose abandon their ranges?

8
9 MR. FISHER: I'm still not sure what page you're on.
10?

11
12 MR. SAMUELSEN: 33 under Effect of proposed change on
13 subsistence users.

14
15 MR. FISHER: Okay. I guess speaking for BLM here I
16 think probably they felt with the increased growth of that herd
17 there may be additional hunters in there and it may be
18 snowmachine traffic that could -- as that herd continually
19 expands and there would possibly be some overlap with some
20 more ranges and there could be some impacts on moose in those
21 areas. That's about the only explanation I can give for that.

22
23 MR. SAMUELSEN: Okay.

24
25 MR. O'HARA: Any other questions? Anthropologists?

26
27 MR. BRELSFORD: Mr. Chairman, this proposal is about
28 regulatory consistency. What it does is eliminate some islands
29 of federal lands which have a more restrictive regulation at
30 present. It would create consistency across all of the land
31 and from that standpoint I don't think it raises or requires a
32 lot of documentation of traditional use patterns. It's
33 primarily a matter of eliminating inconsistency and confusion
34 on the grounds for the hunters.

35
36 MR. O'HARA: Moses?

37
38 MR. DIRKS: On the public comment side we have four in
39 support and no objections to Proposal #35. And the Alaska
40 Department of Fish & Game supports the proposal with no other
41 comments. And the Bowhunters Association and also the Archery
42 Association supports this proposal as it aligns the federal and
43 state regulations. And also an individual Klutsch from King
44 Salmon says that these BLM proposals seems to make sense in
45 what they offer that the significant decline in moose in the
46 proportion of 9C draining into the Naknek King Salmon Creek
47 drainage needs qualification. No guiding or air taxi drop off
48 occurs here for moose.

49
50

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1 The pressure comes primarily from residents of the
2 areas and base personnel. Naknek/Kvichak Advisory Committee
3 pressed through a control use area proposal.
4 And that's all the public comments I have.

5

6 MR. O'HARA: All right. What's the purpose of -- we're
7 not dealing with the Naknek herd -- or the Mulchatna herd comes
8 down to Naknek maybe, huh? Maybe that's why Klutsch made a
9 comment on that. Okay. That's fine. Anything else, Moses?

10

11 MR. DIRKS: That's all. And there was no objection to
12 it.

13

14 MR. O'HARA: Any questions from Council of Moses?
15 Thank you. Any public comment on this proposal? Public
16 comment. Hearing none we'll close public comment. What's the
17 wishes of the Board?

18

19 MR. HEYANO: Mr. Chairman, if it's appropriate I would
20 move for adoption of Proposal 35 and 43.

21

22 MR. SAMUELSEN: Second.

23

24 MR. O'HARA: Okay. Is 43 the same, same thing?

25

26 MR. HEYANO: Yes. 43 deals with 17 and 35 deals with
27 The same thing, bring them in compliance with state regs.

28

29 MR. O'HARA: Any discussion? Call for the question.

30

31 MR. SAMUELSEN: Question.

32

33 MR. O'HARA: All those in favor say aye.

34

35 (Ayes respond)

36

37 MR. O'HARA: Opposed? The whole board is voting
38 together again, huh? All right. David?

39

40 (No opposing votes)

41

42 MR. SAMUELSEN: Mr. Chairman?

43

44 MR. O'HARA: Mr. Samuelson?

45

46 MR. SAMUELSEN: Does the staff feel or does Helga feel
47 we need to give more justification in our adoption of the
48 proposals? Are we doing all right as far as justification
49 since we're in the midpoint here.

50

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1
2 MR. FISHER: Helga.
3
4 MS. EAKON: I guess so. Where are your justification
5s going to become important is in April when your chair goes
6 before the Subsistence Board and says, okay, this is what the
7 Council decided to do because ta-da-ta-da. So long as it's
8 reflected in the transcript, I could pull it out in the form of
9 a direct quote. But you do have a good point. The better your
10 justification is stated the better your chair -- the more
11 comfortable your chair will feel in April when he goes before
12 the Federal Subsistence Board.
13
14 MR. O'HARA: Excuse me, who's going before the Federal
15 Subsistence Board?
16
17 UNIDENTIFIED VOICE: Our fearless leader.
18
19 MR. O'HARA: That wasn't part of the job description
20 when we took this job. Good justification.
21
22 MS. EAKON: That is an excellent point that Robin did
23 bring out.
24
25 MR. O'HARA: We'll have a lot of staff support however,
26 how? Dave, don't plan a vacation anywhere. All right.
27 Okay. We're at 35 -- 36, excuse me.
28
29 MR. FISHER: Yes, Mr. Chairman. Proposal 36 submitted
30 by Roy Matsuno. The subject is caribou. Game Management Unit
31 9(E). The issues involved here -- a point of clarification,
32 there's two areas in 9(E) and this proposal addresses the
33 remainder of Unit 9(E) which is most of the unit. It does not
34 address that portion south of Seal Cape on the Pacific side.
35 It addresses the remainder of Unit 9(E).
36 The issues involved here
37
38 MR. O'HARA: Where is Seal Cape at on the Bering Sea
39 side? You've got Igiugig, Pilot Point, Point Heiden?
40
41 MR. LYND: Below Port Heiden and Port Moller on the
42 Pacific side.
43
44 MR. FISHER: Yeah.
45
46 MR. STEPANOFF: Chignik area.
47
48 MR. O'HARA: Is it on the Pacific side?
49
50

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1 MR. STEPANOFF: Yes (ph).

2

3 MR. O'HARA: Okay. All right.

4

5 MR. FISHER: The issues involved here are change the
6 single season of August 10th through April 30th to a split
7 season of July 1 to September 15th and October 30th through
8 April 30th.

9

10 Another issue is to restrict the first season of July
11 1st -- well, let me see here. I think I'm confusing this with
12 another one.

13

14 MR. MATSUNO: I had a rewrite on that.

15

16 MR. FISHER: Is there a rewrite on it?

17

18 MR. MATSUNO: Yeah.

19

20 MR. FISHER: Could I take a look at it?

21

22 MR. MATSUNO: Sure.

23

24 MR. FISHER: This is a recent rewrite?

25

26 MR. MATSUNO: Yeah. 'Cause I'd written in something
27 earlier but they never did receive it 'cause I -- you know,
28 like I say, I talked to Orville about the taking of cows and
29 young bulls.

30

31 MR. O'HARA: It looks pretty short, Dave, what's it
32 say?

33

34 MR. FISHER: Remainder of Unit 9(E) for caribou;
35 however, only two caribou may be taken from July 1 through
36 September 15th. Open season from July 1 through April 30th but
37 only young bulls, cows and calves may be taken from September
38 1st through April 30th.

39

40 Okay. Here again, we're dealing with that Northern
41 Alaska Peninsula caribou herd. Estimated population is around
42 42,000 plus animals. The herd ranges from south of Port Moller
43 northward to south of the Alagnak River utilizing both the
44 Alaska Peninsula and the Becharof refuges.

45

46 The movement of this herd has been concentrated between
47 the calving grounds south of Port Moller to their wintering
48 grounds south of the Alagnak River. An estimated 90% of this
49 movement occurs off of federal public lands.

50

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1
2 MR. O'HARA: How much?
3
4 MR. FISHER: An estimated 90%.
5
6 MR. O'HARA: 90% is not on federal lands?
7
8 MR. FISHER: Yes. Some anticipated impacts from this
9 proposal; closure of the caribou hunting during September 15th
10 to October 30th is not anticipated to have any effects on
11 refuge caribou populations. Caribou hunting does occur on
12 refuge lands during the rut, however in 1992 only 22 to 25% of
13 the hunting took place in late September and October. With an
14 earlier season opening on July 1 for federal lands for the
15 remainder of Unit 9(E) it would be difficult to determine if
16 there would be an impact on the coastal populations of caribou
17 as calving generally occurs from mid to late May and caribou
18 calves are generally on their own at the end of eight weeks. A
19 July 1 opening could impact calves somewhat, so we do have a
20 concern there.
21
22 Another concern we have is opening the season July 1
23 instead of August 10th and allowing only two caribou creates
24 significant variation with the state seasons and their harvest
25 limit and has some potential for creating some law enforcement
26 problems. Meat spoilage may also become a potential problem in
27 July.
28 That's basically all I have for that.
29
30 MR. O'HARA: Before we ask Dave any question, I was
31 wondering if during the last break -- we're going to take a
32 break after we finish here with Dave. This proposal would only
33 be effected on federal lands, right, Roy?
34
35 MR. MATSUNO: Yeah.
36
37 MR. O'HARA: Ron, would you might coming up here, Ron
38 Hood, and pointing out to us on this chart over here, this map,
39 what areas are going to be affected by this proposal if we pass
40 it.
41
42 MR. HOOD: 9(E).
43
44 MR. O'HARA: In other words, there's very little
45 federal lands that's going to be affected up here, and so maybe
46 you could just -- this is Port Ugashik 1 and 2.
47
48 MR. HOOD: Right. This is Becharof Refuge.
49
50

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1 MR. O'HARA: Okay. What is it?

2

3 MR. MATSUNO: 9(E).

4

5 MR. HOOD: The boundary for 9(E) is right here. This
6s 9(C) above it and 9(E) here. And 9(E) runs down to here.

7

8 MR. O'HARA: Isenlik (ph)?

9

10 MR. HEYANO: No, actually Port Moller Bay over to
11 American Bay right through here. The map here, everything in
12 red is Native conveyed lands. Those are village corporation
13 lands. Everything that is cross-hatched in this direction and
14 in this direction right in here are federal lands.

15

16 And so you will see that, say, in the Pilot Point,
17 Uqashik area that you will have to come down to Dog Salmon over
18 this area to be in federal lands, to come down the King
19 Salmon over here to this area before you're in the federal
20 lands. Up out of Egegik you would have to come down this area
21 around Becharof Lake, although you'll see that a large portion
22 around Becharof Lake is not subject to -- are not federal
23 lands. Only this stuff on the north side is federal lands.

24

25 Down in the Chignik area you have to go up into this
26 area of over into here around Mount Veniaminof before you get
27 into federal lands. The point being there's a very
28 checkerboard pattern of federal lands and they're probably 50%
29 of the lands within the refuge boundaries that are not federal
30 lands. So one has to look very carefully at these proposals
31 and look at exactly what lands are we going to be impacting.

32

33 MR. O'HARA: Thank you, Ron.

34 Any questions of Dave?

35

36 MS. SAVAGE: Dan?

37

38 MR. O'HARA: Yeah.

39

40 MS. SAVAGE: Some of Aniakchak National Monument and
41 Preserve would also be included. Susan Savage. Aniakchak
42 National Monument and Preserve would also be included except
43 there are a lot of selected lands along the coast, the Pacific
44 Coast of Aniakchak Preserve that would not, again -- would be
45 like the red zones on Ron's map.

46

47 MR. O'HARA: That's private lands, Native allotment?

48

49 MS. SAVAGE: It's selected Native corporation or

50

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village corporation, regional corp.

2

3 MR. O'HARA: All right. Does anybody have questions of
4 Dave, and then we'll come back and have the anthropologist talk
5 to us. Okay. Let's take a 10 minute break. We'll be back.

6

7 (Off record)

8

9 (On record)

10

11 MR. O'HARA: 36 we did the biologist. And now we're
12 down to the anthropologist.

13

14 MR. BRELSFORD: Mr. Chairman, Taylor Brelsford, Fish &
15 Wildlife Service. I think with the modifications that Roy has
16 proposed here, we're really left with two changes at this
17 point. One is an earlier season. This caribou season would
18 now start in July rather than August 10th, July 1 rather than
19 August 10th. And secondly, there would be this closure during
20 the rut, specific to the taking of mature bulls so that's --
21 there's no change in bag limit, we've got an earlier season,
22 we've got a closure during the rut under the revised proposal
23 that Roy has put in front of us.

24

25 From the standpoint of customary and traditional uses
26 of the subsistence practices that we have documented the
27 justification for starting an earlier season July 1 instead of
28 August 10th, when we looked through the subsistence research
29 studies the season of harvest documented in the early 1980s was
30 actually in August rather than in July. And if that August
31 season fails to accommodate a traditional harvest then we would
32 need some new information, some new testimony from the
33 communities or information from the council itself as a
34 rationale for starting that season earlier. We didn't find
35 that in the subsistence literature, the community study done in
36 the 1980s, so as part of your considerations it might be useful
37 to add additional information speaking to why a July start date
38 would better serve the subsistence uses.

39

40 The other criteria for starting a season earlier would
41 be if subsistence needs were not being met on an August 10th
42 start date. So it would be helpful to address either a
43 traditional practice that's not being accommodated by an August
44 start date or a failure to provide adequately for
45 subsistence harvests if the start date is August 10, so those
46 are the considerations.

47

48 What we have in the documentary record doesn't really
49 what the Board would need as far as a rationale for starting
50

50

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the season earlier. And I think on the matter of closing during the rut of ensuring that there would be no taking of mature bulls during the rut, we've been through at great length the discussion about value systems and potential wastes and so on, so I don't believe I would add anything by going into that in any greater detail. And with that I guess I'll conclude my remarks and if there's any questions I'd be happy to answer them, Mr. Chairman.

9

10 MR. O'HARA: Any comment from the Council Members?
Thank you, Taylor. Moses?

12

13 MR. DIRKS: Public comments the summaries for Proposal #36, one support and four objections to Proposal #36. The first one was submitted by Roy Matsuno and

16

17 MR. MATSUNO: And David.

18

19 MR. DIRKS: Pardon?

20

21 MR. MATSUNO: Probably from David.

22

23 MR. DIRKS: Yeah. But anyways, that's the one with the amendment now. I've neglected to tell you that I distributed that so you should have that one sheet one, yeah. And it says in the past few years the caribou have been coming through Ugashik, Alaska, earlier than usual; most during the first week of July. The taking of bulls caribou should be closed during their rutting season because the meat is inedible.

30

31 And an objection to Proposal 36 the National Park Service is opposed in part, neutral in part. And their concern was the closest federal public lands lie within the Alaska Peninsula National Wildlife Refuge. National Park Service lands potentially affected are Aniakchak National Monument and Preserve. Only small numbers of caribou frequent the Park and Preserve during the proposed earlier season in July.

38

39 And then they go on to say that Ugashik is not eligible for use of Aniakchak National Monument lands and subsistence use of the preserve by the community's residents is thought to be negligible or non-existent.

43

44 And the National Park Service is also opposed to opening the caribou season 40 days earlier than is currently the case.

47

48 And closing the rut period to federal subsistence users would be within the Board's authority if it's not customary and

50

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traditional to take at that time; however, they question whether this is the entire intent of the proposal and whether all subsistence users in the region agree with this request.

4

5 And also opposed was the Alaska Department of Fish & Game; the proposed regulation is too much of a liberalization of the hunting season into July in other parts of Unit 9(E). There are many people in and around Unit 9(E) during commercial fishing season and allowing them to harvest caribou in July would cause both law enforcement problems and management problems with the biology of the caribou.

12

13 And the Bowhunters and the Archery Association also was opposed; if the caribou do happen by during a proposed closure period, then subsistence hunters would not be able to participate in harvest. This would inflict undue hardship of people of the area. Second, if caribou are inedible during the proposed closure, then why isn't the proposal to close all caribou take during the time of proposed closure rather than just in the remainder of Unit 9(E)?

21

22 And that's the conclusion of the public comments.

23

24 MR. O'HARA: Okay. Any questions for Moses? Thank you, Moses. We have public comment period at this time. Anyone who'd like to address Proposal #36 from the public? No public comment, huh? All right. We'll close the public comment period and we'll act -- call for the Council to act upon this Proposal 36. What are your wishes? Council Members? Yes?

31

32 MR. MATSUNO: I'd like to make an amendment and have the opening July 15th instead of July 1st. And I'd also like to get the amendment first, I guess.

35

36 MR. SAMUELSEN: Second.

37

38 MR. O'HARA: Okay. There's a second to changing the amendment from July 1 to July 15th.

40

41 MR. SAMUELSEN: Second.

42

43 MR. O'HARA: Okay. And there's a second. Do you have any questions or discussion anyone want to speak to the motion? Yeah?

46

47 MR. SAMUELSEN: I'd like to ask the biologist if the July 15th date is sufficient for the caribou calves to -- has their dependency on the cow caribou diminished enough where

50

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1 it'd be safe to take them July 15th or is the dependency of the
2 calves on the cow caribou still great at that time?

3
4 MR. O'HARA: They're going to die up until the
5 following year anyway.

6
7 MR. SAMUELSEN: What's that?

8
9 MR. O'HARA: They will probably die all the way up to
10 the middle of winter months. What do you think, Dave or Larry,
11 either one. Both.

12
13 MR. FISHER: Mr. Chairman, I think we're looking at
14 about an eight week period there where they are really need
15 their mother to get them going. Larry, do you have anything to
16 add on that?

17
18 MR. O'HARA: Okay. Larry,

19
20 MR. VAN DAELE: I like these chairs, I'll sit up here
21 any time you ask me.

22
23 MR. O'HARA: Calves are born the

24
25 MR. VAN DAELE: Calves are born mid-May or so. And
26 they're dependent -- we don't want to start any season before
27 the 1st of August, that's usually our rule of thumb, but even
28 that's pushing it as far as dependence is concerned. I don't
29 have any studies that we've done to find out exactly how long
30 they need to be with their mothers, but I wouldn't want to see
31 it before the 1st of August because of that if that's what
32 you're looking at, protecting those calves.

33
34 MR. FISHER: I think we estimated -- the staff did a
35 little work on this in Anchorage and we're talking about eight
36 weeks from when they're born from some of the literature and
37 stuff that we've looked at.

38
39 MR. O'HARA: How long do they nurse?

40
41 MR. VAN DAELE: Till they're full. Excuse me, I'm
42 sorry.

43
44 MR. O'HARA: It's after 3:00 o'clock.

45
46 MR. VAN DAELE: Into the summer. Like I say, the 1st of
47 August is kind of a rule of thumb that we've used, but I don't
48 have any particular studies. If you need that information I
49 could find it out for you, but I don't have it handy.

50

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1
2 MR. O'HARA: That's okay. That's good enough. Until
they're full is a good answer, yeah. All right. Any questions
How of these guys? Okay. That's one amendment to it. Thank
you very much. Anything else? Oh, we have an amendment on the
floor of July 15th. Any more discussion? Yeah, Robert.

7
8 MR. HEYANO: Based on what the -- Larry has given us, I
guess, how does the 1st of August fit into your plan? Or what
you're attempting to do here, Roy, is that too late?

11
12 MR. MATSUNO: That's pretty late, yeah. Like, you
know, like I said, the caribou come through that area right
around July 1st to July 4th and they're -- after that, you
know, they're mainly gone. They've got stragglers coming
through until probably, I don't know, end of August and then
you'll start seeing a few more start coming through then, you
know. The main herd goes through around the 1st of July and
then the bulls, you know, some of the bulls and younger bulls
and stuff start coming through the end of August and your big
bulls come through the end of September or so. And, you know,
we're not interested -- people down there aren't interested in
big bulls, they just want, you know, some meat to eat.

24
25 MR. O'HARA: Nothing wrong with a big bull in July
though.

27
28 MR. MATSUNO: No, unh-unh. You know, like even during
the rutting season, you know, I've gotten small bulls and
they're still good

31
32 MR. O'HARA: Yeah.

33
34 MR. MATSUNO: up in the lakes there.

35
36 MR. O'HARA: Okay. What are the wishes of the council?
37 There's an amendment on the floor to July 15th. Robin?

38
39 MR. SAMUELSEN: Mr. Chairman, I'll be voting against
the amendment based on staff comments. Staff comments says;
recruitment could possibly -- to the population could possibly
adversely affected as a result of such an undertaking. And
also the bull/cow ratio of the Northern Alaska Peninsula herd
is considered marginal and should not be subject to increased
harvest that might result in an earlier season. Based on them
comments I realize that what the proposal is trying to get
at, but biologically it might not be feasible.

48
49 MR. O'HARA: Any other comments from Council Members?
50

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All right. We will call for the question. Call for the question.

3
4 MR. SAMUELSEN: Question.

5
6 MR. O'HARA: All those in favor say aye.

7
8 (Ayes respond)

9
10 MR. O'HARA: Opposed? Three ayes. All those opposed say no.

11
12
13 (Nays respond)

14
15 MR. O'HARA: No. Robert?

16
17 MR. HEYANO: No.

18
19 MR. O'HARA: Four to three. Okay. That amendment fails. What would you like to do on the entire proposal? Is there a motion to accept or reject?

20
21
22
23 UNIDENTIFIED VOICE: I'll move that we table it till after we finish proposals 30, A, B, and C.

24
25
26 MR. O'HARA: You made a motion to table. I don't think we need a second on that. It's done automatically until it's taken off the floor, so it's there. Okay. We'll go on to the next proposal. Thank you.

27
28
29
30
31 MR. FISHER: Mr. Chairman, the next proposal is #37. The subject is moose. Game Management Unit 9(B). The issue here is to allow residents of Nondalton to take up to six moose per year for potlatch purposes. The season to be July 1 through June 30th, a year around season.

32
33
34
35
36
37 The federal lands involved here include Lake Clark National Park and Preserve and some BLM lands in 9(B). The population trend of moose in the park and preserve portion of 9(B) appears to be stable at this time. Composition data surveys conducted in the survey unit #3 of the Park where a bull/cow ratio was 69 bulls per 100 cows and 14 calves per 100 cows. This was done in November, December of '92. The moose density for Unit 9(B) in the Park Preserve is moderate to low. These same surveys indicated an average density of about .85 moose per square mile.

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47
48 The proposal's anticipated impacts to the resource we believe that the proposal should not significantly impact the
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moose resources as long as only bulls are harvested. And this special harvest should be handled by a permit system.

3

4 And if we want to maintain the moose population at medium densities we would appreciate that there would be no females be harvested until the calf recruitment improves somewhere to between 25 and 30 calves per 100 cows versus the 84 to 100 that the survey indicated.

9

10

11 Another item that I'd like to point out at this time is the taking of moose for funeral potlatch purposes is authorized under state regulation at this time.

14

15 And the staff had a couple of concerns on this. One was that there would be a reporting system and that no cows be taken until that cow/calf ratio improves.

18

19 That's basically all I have right now.

20

21 MR. O'HARA: Any question by the Council Members for Dave? Jim?

23

24 MR. LaPORTE: I was wondering, to my knowledge I understood that the moose populations were declining until just recently when the 50 inch restriction was implemented. And only after that restriction was implemented did the moose population start to become stable. And that's only something that's happened within the last two years. Up until two years ago the moose populations up there were on the decline.

31

32 And the other question I had was on the state regulations for potlatch moose, do you know how many are available or what's the deal on the state regs?

35

36 MR. FISHER: To answer your first question as far as the biology goes, that's more or less what the Park Service biologists had indicated to me as far as the population going down. And the second part of that I don't know, I'd have to ask Larry on that.

41

42 MR. O'HARA: Larry, do you have an answer on that? The number of animals allowed for a potlatch according to state regulations?

45

46 MR. VAN DAELE: I don't have it handy, no, I don't. I can find it for you and get right back to you if you want. If you want to table this for a little bit I can run back to the office and get it.

50

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1
2 MR. O'HARA: Yeah. We don't want to table it, but if
3 you don't mind making a call

4
5 MR. VAN DAELE: Sure, I'll be right back.
6

7 MR. O'HARA: there's a phone here

8
9 MR. VAN DAELE: Well, there's nobody in the office now.
10 I'll be back in about 10 to 15 minutes.
11

12 MR. O'HARA: Okay. We need to have the anthropologist
13 and Moses' report, too, and public hearing.
14

15 MR. HEYANO: I've got a question for Dave,

16
17 MR. O'HARA: Okay.
18

19 MR. HEYANO: a couple of questions.
20

21 MR. O'HARA: Yeah, Larry, if you want to do that, we'd
22 appreciate it.
23

24 MR. HEYANO: Why is your moose population declining
25

26 MR. FISHER: Pardon?
27

28 MR. HEYANO: Why is your moose population declining?
29

30 MR. FISHER: Well, one of the reasons could probably be
31 bear predation. I guess that would be one of your primary
32 reasons.
33

34 MR. O'HARA: Are you still?
35

36 MR. HEYANO: I have one other question.
37

38 MR. O'HARA: Okay. Go ahead.
39

40 MR. HEYANO: You seem to indicate here you have a
41 decline in the cow to calf ratio and an increased winter
42 mortality. How does -- and you're looking at 36 calves per 100
43 cows and currently you have 14 calves per 100 cows. I guess my
44 question is why would the taking of cow moose further decline
45 your calf to cow ratio? It seems to me it'd be just maybe the
46 opposite. You might screw your bull to cow ratio.
47

48 MR. FISHER: Well, any time you take a cow you lose a
49 productive part of the population and you eliminate a cow that
50

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would produce offspring that year, so your calf ratio would be low.

3

4 MR. HEYANO: Why is your cow to calf ratio low?

5

6 MR. FISHER: Well, I'm not really sure why it is. I don't have all the harvest information. And again, it could be bear predation on the entire population.

9

10 MR. HEYANO: What is your

11

12 MR. FISHER: Winter mortalities could play a part.

13

14 MR. HEYANO: What is your bull to cow ratio then?

15

16 MR. FISHER: The bull/cow ratio from that one survey was 69 bulls per 100 cows. The only other composition data that we have was done in 1984 and the bull/cow ratio there was 54 bulls per 100 cows and the cow/calf ratio was 30 to 100.

20

21 MR. O'HARA: What were the bulls?

22

23 MR. FISHER: We don't have a lot of data to go by.

24

25 MR. O'HARA: What were the bulls to cows in '84?

26

27 MR. FISHER: 54 to 100. And, again, we're only talking one survey unit

29

30 MR. O'HARA: Uh-hum.

31

32 MR. FISHER: in that Park, about a third of the unit. So we don't have a lot of information that we should have.

35

36 MR. HEYANO: One more question, Mr. Chairman, please.

37

38 MR. O'HARA: Help yourself.

39

40 MR. HEYANO: What would signify a healthy bull to cow ratio?

42

43 MR. FISHER: Bulls to cows? Somewhere between probably 30 and 40 would be a good healthy population. And a cow/calf ratio of, oh, probably 25 calves per 100 cows would be

46

47 MR. O'HARA: 30 or 40 bulls to 100 cows?

48

49 MR. FISHER: Yeah. In that neighborhood.

50

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1
2 MR. O'HARA: And the calves would be healthy at what?
3
4 MR. FISHER: Probably, oh, 25, 20 - 25.
5
6 MR. O'HARA: 25 to 100?
7
8 MR. FISHER: Uh-huh.
9
10 MR. O'HARA: That's what you have now.
11
12 MR. FISHER: No, we have -- that one survey indicated
13
14
15 MR. O'HARA: Oh, 14.
16
17 MR. FISHER: That's why we are a little bit concerned
18 about the potential harvest of cows.
19
20 MR. O'HARA: Uh-hum.
21
22 MR. FISHER: Especially after that antler drop.
23
24 MR. O'HARA: Any other questions? Tim said something
25 here that I think is pretty important, Dave. When your 50 inch
26 you have a 50 inch spread requirement to kill a bull?
27
28 MR. FISHER: Let me check the regs on that.
29
30 MR. O'HARA: Is that true, Tim?
31
32 MR. LaPORTE: To my knowledge it was just implemented
33 about two years ago.
34
35 MR. O'HARA: When we implemented that

36
37 MR. HEYANO: For non-residents?
38
39 MR. LaPORTE: Pardon?
40
41 MR. HEYANO: For non-residents?
42
43 MR. O'HARA: For non-residents.
44
45 MR. LaPORTE: Actually it was for 9(B) non-residents
46 and residents can still take less than 50 inch on state land.
47
48 MR. FISHER: On 9(B) there is no current.
49
50

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1 MR. O'HARA: There's no what?
2
3 MR. FISHER: There is no current -- under the federal
4 regulations there is no current -- it's just one bull no antler
5 size.
6
7 MR. O'HARA: But the state is different?
8
9 MR. FISHER: Let's see what the state is. Yes, the
10 state is for non-resident hunters.
11
12 MR. O'HARA: Is 50 inches three brow tines?
13
14 MR. FISHER: Yes, that's correct.
15
16 MR. O'HARA: Okay. But a resident can kill any animal
17 he wants?
18
19 MR. FISHER: State regulation for resident hunters is
20 one bull.
21
22 MR. O'HARA: One bull. Wow, that's incredible. Well,
23 obviously then the people who are taking that bigger number of
24 animals on a restriction like that would be the non-residents
25 would you think?
26
27 MR. FISHER: Yeah, probably.
28
29 MR. O'HARA: You see what happened in the King Salmon,
30 like I told you earlier, when they put the 50 inch three brow
31 lines on us we quit killing the big bull to eat and we didn't
32 go down there any more because they had to have 50 inches of
33 horns. No, we killed everything in sight. We would kill an
34 animal to eat, let's put it that way.
35
36 MR. FISHER: Well, maybe Tim could better address that.
37
38 MR. O'HARA: And then when we did that, you know, we
39 didn't go down to harvest a lot of animals and then the big
40 population came back and that's documented. And Tim seemed to
41 think that -- it may be the other way around in your area where
42 they're killing a moose to eat regardless of whether it's just
43 the one year or big animal, but the non-residents or the sports
44 may be the one impacting the bulls.
45
46 MR. LaPORTE: Well, from what I've seen and this is
47 just a lot of generalities, but in flying on a daily basis
48 hope, I don't see where the 9(B) moose population is -- I think
49 it's decreasing myself still, you know. I think it has
50

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somewhat to do with the fact that you still can as a resident shoot just about everything. And the other thing is I think probably the 17 unit bulls -- or the moose are on the increase because of the 50 inch restriction. I know the success rate for hunters has gone down to about maybe 10% just because it's 6- which is good, I think, but success rate in 9(B) for the local residents still seems to be pretty adequate.

8

9 MR. O'HARA: Okay. Any other questions for Dave? Oh, yeah, Lee?

11

12 MR. FINK: Lee Fink, Lake Clark. Mr. Chairman, if we could just make one point that on -- when we're talking about 9(B) here the distinction between Park and Preserve, the Park is open only to subsistence users and we're talking a very small area of preserve that's involved in any moose hunting that would not be specifically subsistence hunting. There's not -- I've mentioned that earlier, the lack of the status -- we need more land status maps here to point this out, but additionally a big part of the hunting that is going on in this area is on Native select land or state land or lands other than federal lands that are, you know, under our guidance here.

23

24 MR. O'HARA: Would you have an acreage figure or a percent as far as the -- there's 9(B) there.

26

27 MR. FINK: Well, most of this is all out of the preserve. It's basically -- that's real tough to look at on this map. We're looking at just

30

31 MR. O'HARA: Yeah, it's not a very good map.

32

33 MR. FINK: a little area over by Kijik (ph). Once you get down into Chulitna that's all been selected, that's all select lands and that is the majority of Lake Clark, that's all selected,

37

38 MR. O'HARA: Uh-hum.

39

40 MR. FINK: so it's a very small area.

41

42 MR. O'HARA: The question was asked earlier how many moose could be taken for potlatches, three per regulatory year. This is sex, what does it say; bulls or cows, the last part of that paragraph? It says that permittees shall report to the Department of -- Division of Wildlife Conservation, Fairbanks, Alaska, within three days after taking each moose the sex of the moose taken and the location taken. So it does not address apparently whether it's a cow or bull, but it's three per

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1
2 MR. LaPORTE: And that's on state lands.
3
4 MR. O'HARA: State regulations.
5
6 MR. LaPORTE: State regs.
7
8 MR. O'HARA: And we appreciate that answer. That helps
9 out a lot. Okay. Okay. If we don't have any more questions
10 of the biologists, we'll go to the anthropologists.
11
12 MR. BRELSFORD: Thank you, Mr. Chairman. Taylor
13 Brelsford, Fish & Wildlife Service. I think the principal
14 concern here is, in fact, a cultural accommodation problem and
15 the effort is for the federal board to provide for a long
16 standing and very significant cultural practice. The funeral
17 potlatch, the memorial potlatch in the community of Nondalton,
18 you have a fairly extended discussion in the staff analysis of
19 earlier consideration of memorial ceremonial takings of moose
20 that the Board's talked about in other years. There were two
21 principal examples, one was from the community of Tanana and
22's referred to as the Nuchalawoyya and the other is the
23 Nulato stick dance. So that's the problem here is how do we in
24 the federal program provide for these cultural practices.
25
26 As has been pointed out the state has already visited
27 this problem and so we might look at how the state accommodates
28 these cultural practices and how the Federal Board should do
29 the same or may do a little bit different, but for a reason.
30
31 I think what we need to point out is the state
32 regulations providing for ceremonial takings in the case of
33 Nuchalawoyya and Nulato stick dance are currently in place.
34 Since the federal lands are not close to harvesting they would
35 be -- those are opportunities that are currently available, but
36 the Federal Board might address something more specific.
37 What's being asked is that the Federal Board make a specific
38 opportunity for the residents of Nondalton in their vicinity.
39
40 What I'm suggesting is that this is already a principle
41 that the Federal Subsistence Board has agreed to and now we're
42 concerned with how to implement it, how to find a specific
43 implementation for the community of Nondalton.
44
45 Basically speaking what's offered in the staff
46 conclusion is a parallel to the state procedure, there would
47 still be a reporting requirement. There's community harvest
48 total of six per year and the reporting requirement is provided
49 here. So, I think what we end up with is something that is
50

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very parallel to the state program. It does allow for, provide for the ceremonial uses that are requested. Remember that the federal permit would only refer to the federal lands and not all of the lands that the community of Nondalton uses, so basically that would be the perspective that we would offer from the standpoint of consistency with traditional ceremonial practices. Thank you.

8

9 MR. O'HARA: Yeah, Taylor and Lee and I talked about this during break and Tim heard it on teleconference and I don't know if the rest of the Council heard it or not, but Melvin was talking about the section in which these moose would be taken and that's not correct, at least not for our jurisdiction. Our jurisdiction would only be up on that part of the federal lands that these moose could be desired for, right?

16

17 MR. BRELSFORD: That's correct. The authority of the federal program is to provide for opportunities only on the federal lands that are open, so it'd be the Preserve, the Park, for qualified park users and a very small proportion of BLM lands in the region.

22

23 MR. O'HARA: Now, the Park is pretty big, you could hunt in the Park, Susan?

25

26 MS. SAVAGE: This is 9(B)?

27

28 MR. BRELSFORD: It's Lake Clark.

29

30 MR. O'HARA: Yeah. That's not your park?

31

32 MS. SAVAGE: No, that's -- 9(B) is not in Katmai. It's in Lake Clark.

34

35 MR. O'HARA: Who is head honcho?

36

37 MR. BRELSFORD: Lee.

38

39 MR. O'HARA: Lee, you're the man? Okay. So what -- how much do they have then to hunt in for three moose if we decide three moose? A pretty big area?

42

43 MR. FINK: Well, it would be -- it's not a very big area. It would be the north from Kijik -- from the Kijik River on the north side of Lake Clark up to the Pass, an area that is 45 miles long and is very narrow because it goes directly into the mountains up to the (ph) lakeshore. So, most of the land already been selected, much of the good -- you know, a lot of the good (indiscernible - rustling pages) has been selected

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and it's village selection all up the Chulitna drainage where
~~M~~elvin was speaking to this morning down towards what he called
 GOMINCO lands towards Upper Talarik (ph) Creek and Groundhog
~~M~~ountain, those are not lands that are -- you know, those are
 traditionally some of their favorite hunting grounds,
 (indiscernible) either in the Preserve or the Park, so we're
 talking about a very small section of the lakeshore that would
 basically just extend from Kijik River.

9

10 MR. O'HARA: Lee, the Preserve you can hunt in, the
 Park you can't?

12

13 MR. FINK: Correct. The Preserve is open to sport
 hunting under -- by adopt state hunting regulations on that
 land and enforce those. The Park is closed to all sport
 hunting, open to subsistence use.

17

18 MR. O'HARA: Oh, these guys are subsistence use.

19

20 MR. FINK: These are subsistence user

21

22 MR. O'HARA: So they would have the whole park to hunt
 in.

24

25 MR. FINK: They would have the whole park to hunt in,
 that is true, but traditionally they're limited by access.
 Basically they hunt that Kijik drainage and the north end of
 Lake Clark just before you get to Lake Clark Pass. Those are
 good moose hunting areas that are easily accessible from
 Nondalton usually by boat, traditionally that would be

31

32 MR. O'HARA: Well, if somebody dies in February they
 only go with a snowmachine.

34

35 MR. FINK: Well, or -- yes.

36

37 MR. O'HARA: Why can't they go across the lake to the
 east side into that area and hunt?

39

40 MR. FINK: Up into the Tazimina

41

42 MR. O'HARA: Yeah.

43

44 MR. FINK: drainage? That would also be opened,
 that area would be included in this. However, the lower end of
 the Tazimina River drainage where, you know, traditionally a
 lot of moose have been taken, you know, closer to the village,
 that's also all selected land.

49

50

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1 MR. O'HARA: By the village corporation?
2
3 MR. FINK: A lot of village corporation selected lands
4n there.
5
6 MR. O'HARA: Go back up into the lake above Port
Allsworth there,

8
9 MR. FINK: Kontrashibuna.
10
11 MR. O'HARA: Kontrashibuna Lake.
12
13 MR. FINK: That

14
15 MR. O'HARA: They could hunt in there, couldn't they?
16
17 MR. FINK: They could hunt in there.
18
19 MR. O'HARA: They can hunt in the whole park all the
20ay to the salt water side.
21
22 MR. FINK: Pardon me?
23
24 MR. O'HARA: They could hunt in the whole park all the
25ay to the sale water side.
26
27 MR. FINK: All the way to salt water, yes. That's all
28open. It

29
30 MR. O'HARA: For potlatch.
31
32 MR. FINK: For potlatch. That would be all open for
33potlatch, but traditionally
34
35 MR. O'HARA: They've got a big area to hunt in.
36
37 MR. FINK: Yeah. Access would be the critical issue
38here. I mean other times than in the winter hunt, you know,
39and then distance obviously one would conceivably travel to
40ake a moose. There is a large, you know, way clear up into
41he Pass, you know, could conceivably be good moose hunting,
42ut you're looking at traveling fairly long distances. I'm not
43ure how reasonable that is, but it would be accessible if the
44ed arose.
45
46 MR. O'HARA: The issue is not ours to determine how
47ard is it to get, the issue is how many animals we want them
48have if we want to do so. If they want to -- you can't
49ive a vehicle in there?
50

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1
2 MR. FINK: You cannot use an aircraft to subsistence
Bunt.
4
5 MR. O'HARA: How about an all terrain?
6
7 MR. FINK: The only thing you can use is a snowmachine
over snow covered terrain.
9
10 MR. O'HARA: Either that or pack 'em out, huh?
11
12 MR. FINK: Yeah. I mean I think the only thing
that
14
15 MR. O'HARA: That might get very traditional.
16
17 MR. FINK: they would be considering here maybe
would be, you know, traditionally -- I mean traditionally where
the moose have come from, you know. You're talking about a
fairly confined area.
21
22 MR. O'HARA: Okay.
23
24 MR. FINK: If we're talking a large number of moose it
may be detrimental to those small drainage
(indiscernible)
27
28 MR. O'HARA: Okay. I better understand now. Steve,
did you have a comment.
30
31 MR. PERKINS: I was just wondering if can you use an
airplane in the Preserve?
33
34 MR. FINK: You can use an airplane in the Preserve.
35
36 MR. PERKINS: That's a large area, isn't it?
37
38 MR. FINK: It's not as large as the Park area, but it's
the western side of Lake Clark National Park basically is
the Preserve where -- it's a buffer zone (indiscernible)
41
42 MR. O'HARA: Starting from where? From what landmark?
43
44 MR. FINK: The Preserve boundary start -- it goes along
the whole western side of the Park from north up to Two Lakes
all the way down to the headwaters of the Kotsitna (ph)
drainage. And it's a fairly narrow band of land approximately
48 or 20 miles wide.
49
50

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1 MR. O'HARA: And back to where?

2

3 MR. FINK: To the east it would extend into the -- just
4 to the lower end of Twin Lakes and then it goes west out
5 towards just to Terry Gill's place in the Bonanza Hills, along
6 that line.

7

8 MR. O'HARA: Okay. Thank you. Are we finished with
9 the biologists? The anthropologists?

10

11 MR. BRELSFORD: Mr. Chairman, I do need to add to my
12 report. I had recalled the fairly important case of Frank
13 versus Alaska having to do with Athabascan funeral potlatches.
14 And my recollection was there was a specific provision in the
15 state regulations allowing a report after the fact and there
16 was no cap, no allocation cap that wherever an Athabascan
17 potlatch -- funeral potlatch was occurring the community could
18 take a moose so long as they reported it for that purpose.

19

20 In the quick rush there we couldn't come up with the
21 regulation but now we have, and so the situation is probably
22 more comparable to the case that Nondalton is asking about, the
23 Nuchalawoyya and stick dance are very specific ceremonies in a
24 couple of villages on the Yukon River. More generally the
25 state under a court decision has provided an opportunity for
26 takings for funeral potlatches in Athabascan communities and
27 there is no limit in that instance. They can be taken provided
28 there's a reporting.

29

30 What Nondalton has proposed to us is the purpose for
31 funeral potlatches and they've also suggested that six would be
32 a reasonable estimate. We need to all agree that we're talking
33 about those takes that would occur on the federal land. So I'm
34 afraid I didn't include this third consideration the state
35 program having -- the state regulation concerning Athabascan
36 funeral potlatches in my earlier remarks and I wanted to be
37 sure that you were aware of those as well. Thank you.

38

39 MR. O'HARA: Thank you. Okay. We're going to be
40 coming to public comment in a minute. Moses, do you want to
41 talk to us? And don't forget what you're saying (ph) and we'll
42 give you a chance.

43

44 MR. DIRKS: Do you want the public comments now?

45

46 MR. O'HARA: Yeah.

47

48 MR. DIRKS: Okay. The summary of public comments for
49 proposal #37. We had two in support and three objections, plus

50

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Melvin's testimony on the phone was in support.

2

3 The first one was the Bristol Bay Native Association
4 wanted -- this was in support; allowances should be made for
5 taking potlatch moose for positive things other than deaths.
6 Traditionally potlatches would be held by the residents of
7 Nondalton for one clan to honor another clan. The people of
8 Nondalton need to be allowed to take moose for these
9 traditional activities.

10

11 And also the National Park Service supports the concept
12 of community harvest and alternate permit systems as
13 appropriate tools to provide for the continued opportunity for
14 customary and traditional subsistence uses while conserving
15 healthy and natural populations. And they thought that the
16 Federal registration permit would be a thing that they could
17 issue after reviewing the applicant's circumstances and the
18 biological condition of the population to be harvested. And
19 upon that finding that the occasion is an established customary
20 and traditional practice in the maintenance of the viability of
21 the population is assured and permits can be done that way.

22

23

24 And also an objection to Proposal #37 was Alaska
25 Department of Fish & Game; the proposed regulation to allow the
26 residents of Nondalton six moose annually for potlatches does
27 not specify the kind of potlatches for which they want moose.
28 We need -- and then they needed more information on proposed
29 ceremonial uses and locations of harvest before they support
30 the proposed regulation.

31

32 And the Bowhunters and the Archery Association were
33 also an objection. And they think that it would allow hunters
34 to be in the field at any time of the year, making it
35 practically impossible for enforcement to determine if
36 legitimate hunting is occurring or not.
37 And that concludes Proposal 37.

38

39 MR. O'HARA: Thank you, Moses. Ted, did you have a
40 comment? Do you want to do public comment?

41

42 MR. KRIEG: Yeah. Ted Krieg, Bristol Bay Native
43 Association Natural Resources. I guess the first thing I
44 wanted to point out was that, well, once again, this was in
45 communication with Nondalton Traditional Council. And they
46 specifically asked for a potlatch moose -- being able to take
47 potlatch moose for things other than deaths or funerals. And I
48 think we heard Melvin say that this morning. And one of the
49 things that I heard him mention was to, like, you know, honor

50

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1- also having a potlatch to honor a birth. So I just wanted
to make that clear because, like I stated, in the earlier
proposal for brown bear for Nondalton that, you know, they were
real specific in their needs. And here the Traditional Council
was right on, they said that they felt like they could take
moose for funerals through state regs, but they wanted to be
able to take for, like I stated, other reasons.

8

9 I guess that concludes anything I have to say. Any
questions?

11

12 MR. O'HARA: Okay. Any questions of Ted? Thank you,
Ted. Anyone else, public testimony on this issue?

14

15 MR. NELSON: Yeah. Just a couple of comments that I
heard, you know, of talking about the narrow band with -- you
know, that the state -- or that Preserve

18

19 MR. O'HARA: Your name?

20

21 MR. NELSON: you know, the narrow band width of
about 20 miles

23

24 MR. O'HARA: Give us your name for the guy on the
record there.

26

27 MR. NELSON: Oh, Russell Nelson, DB&A (ph). Of 20
miles wide. And to me 20 miles wide is not narrow by any sense
of the word. You know, if you gave me a one mile width swath
down the Iowithla, you know, I'd have all the moose I ever
wanted in the world or maybe at the upper end of Sunshine
Valley a one mile would be wide. 20 miles to me is a huge area
of that's the width of it. And I wonder how long they're
talking about.

35

36 MR. O'HARA: Also, you know, Russell, they do have
their own lands, too, massive withdrawal of their own lands to
kill moose on, too, if they want to. That's their lands and
that's their animals. They've got lots of them.

40

41 MR. NELSON: I think you have to.

42

43 MR. HEYANO: State regs.

44

45 MR. O'HARA: Excuse me, he said their state regs would
rule on that. Okay.

47

48 MR. NELSON: Yes.

49

50

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1 MR. O'HARA: Okay. I stand corrected.

2

3 MR. NELSON: And what they're asking for is on the
~~f~~ederal lands. And if they want to hunt on the state lands
~~t~~hey need to go through the state regulatory process and make
~~s~~tate proposals.

7

8 MR. O'HARA: Okay. Any other public testimony on this
~~i~~ssue, #37. Yeah?

10

11 MR. KRIEG: Mr. Chairman, one other quick point that I
~~w~~anted to make was that, it was supposed to be up to six moose.
~~s~~o that doesn't necessarily mean that they'll take six every
~~y~~ear, but you know, that could potentially happen.

15

16 MR. O'HARA: State regs say three. Okay. Yes? Did
~~s~~omebody have a comment?

18

19 MR. BRELSFORD: Well, I think the hesitation was that
~~t~~he state regs indicate three for these named ceremonies on the
~~Y~~ukon River

22

23 MR. O'HARA: Okay.

24

25 MR. BRELSFORD: in two cases and then the state
~~r~~egs also provide separately for funeral potlatches. What
~~T~~ed's pointed out is that the request here is for a wider
~~c~~ategory of potlatches, memorial or ceremonial potlatches,
~~w~~hich are not currently covered under state regulations. So
~~t~~he federal board would be providing a new opportunity for
~~c~~eremonial or memorial potlatches and those uses would have to
~~o~~ccur on federal lands.

33

34 MR. O'HARA: Any other public comment? No more public
~~c~~omment. Then we're going to shut it off and go to an action
~~b~~y the Council on this proposal. What's the wishes? Yeah,
~~R~~obert?

38

39 MR. HEYANO: Yeah, Mr. Chairman, just to make sure I've
~~g~~ot it clear in my mind. Currently they can get moose for a
~~f~~uneral potlatch purposes through the State of Alaska on state
~~l~~and. And that's an unlimited amount either sex. So what
~~t~~hey're asking for is six moose for other purposes besides
~~f~~uneral. Right?

45

46 MR. BRELSFORD: On federal lands, yes.

47

48 MR. O'HARA: Ceremonial potlatch. Ceremonial
~~p~~otlatches as in the shaded area.

50

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1
2 MR. HEYANO: Uh-hum.
3
4 MR. O'HARA: Any other thoughts or comments from the
5 Council before we have an action? Yes, Tim?
6
7 MR. LaPORTE: I have a question. One guy has been
8 sneaking and hasn't been saying much is from Lake Clark, the
9 Biologist.
10
11 MR. O'HARA: Oh, there is one here.
12
13 MR. LaPORTE: I don't even know what your name is
14 here. But what kind of moose populations are we talking about?
15 And to maybe clarify, too, this 20 foot -- or 20 mile band, is
16 that the width or length or -- I don't believe it's 20 miles
17 from the lake to the mountains there, but

18
19 MR. FINK: Maybe I should clarify that quick

20
21 MR. LaPORTE: Okay.
22
23 MR. FINK: because I'm the one that put out those
24 figures. And I put those out real quick and I guess I didn't
25 necessarily want my foot held to the fire on those dimensions.
26 It certainly isn't 20 miles in depth. And we're talking along
27 the lakeshore, we're talking a very narrow band. It may be 15
28 miles from Kijik River which is where the federal lands would
29 start on the north side of Lake Clark. It may be 15 miles up
30 to the pass, but I mean it's a very narrow band. That may only
31 be a mile at best wide before you're into the mountains where
32 the moose -- I mean they range in there up and down, but that's
33 a very narrow band before you're out of moose range for awhile
34 and into some fairly steep terrain in the Chignik Mountains.
35
36 So the wider dimensions were on the western side of the
37 Park where I was speaking to the Preserve which runs the full
38 length of the Park. And at the very widest point it probably
39 it may not even be 20 miles, but it's a very jagged, it
40 moves in and out as it goes up the western side. Some portions
41 of it are very narrow and some portions of it do extend maybe
42 is even an exaggerated length, maybe like 15 at the longest
43 portion east to west. Now, it is a bit longer north to south
44 but it's a buffer band between the Park, you know, that's why
45 was initially drawn up that way to provide a buffer between
46 lands that were not federally controlled and lands in the Park
47 that were more rigidly controlled as to what activities were
48 allowed in the Park. So that's where that long -- or that
49 wider band of land is. That's a higher (ph) Preserve which
50

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runs along the western side of Lake Clark National Park.

2

3 MR. O'HARA: Okay. Next guys you come down here you'll
4 have some charts

5

6 MR. FINK: We'll have some good charts.

7

8 MR. O'HARA: up on the wall. Okay. Al?

9

10 UNIDENTIFIED VOICE: Does that answer it or

11

12 MR. LaPORTE: No, I'm still looking for it. Once we
13 get this band narrowed down what kind of moose populations are
14 we talking in there, 'cause that's really the feasible area
15 that is accessible to them even though it's not restricted to
16 that area, of course, but

17

18 MR. BENNETT: Al Bennett of Lake Clark. I guess as I
19 heard Mr. Fink on testimony this morning he listed off the
20 additional hunting areas and the first three that came out
21 were the Chulitna River and COMINCO area and the Tazimina
22 River, all of which are nonfederal lands. And I can relate to
23 what he's saying there. Lake Clark is a pretty treacherous
24 body of water and it's their travel corridor and there's a
25 large portion of the year when you just can't travel on it,
26 it's not froze, wind conditions are such that you just can't
27 use a boat. So, if they need a moose they're probably going to
28 turn to their own lands.

29

30 They're going to turn to state lands. And it's only
31 during those windows of the year when travel conditions permit
32 are they going to head up to the upper end of Lake Clark and
33 hunt on federal park lands. So, for six moose, I would be
34 surprised if all six came out of the Park lands simply because
35 the opportunity isn't going to be there during those times of
36 the year.

37

38 Now, for the moose population data I wish we had better
39 numbers. A large part of Unit 9(B), that is the part south of
40 the lake was not surveyed by the Park up until just last year.
41 So we don't have the trend information on that part of 9(B)
42 that is the southern half of 9(B) which is in the Park
43 Reserve. We only have one year of survey information and
44 that's what was cited here earlier. In that survey information
45 the survey results indicated fairly low production and a fairly
46 low density population.

47

48 So basically the Park is tending to look conservatively
49 in terms of increasing the subsistence harvest opportunity and

50

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probably would prefer to see it in an incremental fashion where we can observe the reaction of the population to, say, a six moose limit potlatch before we really get ambitious and increase the opportunities widespread.

5

6 MR. O'HARA: Any questions now of Al? Yeah, Robert?

7

8 MR. HEYANO: Do we allow sport hunting or general hunt of moose in the Preserve?

10

11 MR. BENNETT: Yes. State season, yes, in the Preserve.

12

13 MR. HEYANO: And how many animals are taken out?

14

15 MR. BENNETT: Of 9(B)?

16

17 MR. HEYANO: Uh-hum.

18

19 MR. BENNETT: I don't know. What is -- does anyone have the reported harvest for 9(B)?

21

22 UNIDENTIFIED VOICE: Somebody got it (inaudible)

24

25 MR. BENNETT: We don't have that.

26

27 MR. FISHER: I have some here, Mr. Chairman.

28

29 MR. O'HARA: Yeah. Okay.

30

31 MR. FISHER: For all of 9(B). I don't have it broken down federal lands versus the other lands.

33

34 UNIDENTIFIED VOICE: And that wouldn't be very appropriate 'cause there's some prime (inaudible) the population of moose in 9(B) varies a lot depending on what part of 9(B) you're talking about.

38

39 MR. O'HARA: Do you want to speak?

40

41 MR. FISHER: I can give you just a little bit here.

42

43 MR. O'HARA: Of harvest.

44

45 MR. FISHER: Yes. Bear in mind that it's total -- the total unit.

47

48 MR. O'HARA: Uh-hum.

49

50

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1 MR. FISHER: '83-'84 season total of 129. '84-
25 total of 123. You want these broken down? These are both
male and female. Do you want me to break them out or just give
you the total?

5

6 MR. O'HARA: Totals will be fine with me.

7

8 MR. FISHER: Okay. '85-'86 150; 1986-1987 143; 1987-
9988 199; 1988-1989 152; 1989-1990 -- I don't have the complete
data for that year. That was 79. 1990-1991 88; 1991-1992 is
57; '92-93 is estimated 95.

12

13 MR. O'HARA: Quite a range.

14

15 MR. FISHER: You see quite a drop-off there after the
168-89 season.

17

18 MR. O'HARA: Okay. Thank you. Okay. We have had the
biologists and anthropologists and Moses gave us the -- those
who made comments and Russ gave us some information on public
testimony. What's the wishes of the Board?

22

23 MR. LaPORTE: One other comment

24

25 MR. O'HARA: Okay.

26

27 MR. LaPORTE: I'd make that that area also is --
during the regulated part of the season can be hunted up there
by resident zone communities. I think that's what I understand,
isn't it? Resident zone communities, Nondalton, Illiamna, Port
Allsworth, Peter Bay can also hunt that area during the
regulatory part of the season?

33

34 MR. FINK: That is correct, yes.

35

36 MR. LaPORTE: So it has the possibility of -- I don't
know what total population between all those villages are, but
I would guess a thousand people. And as far as a target area,
I mean that is the target area. I mean I would assume that
just about everybody that takes a moose that lives in Port
Allsworth probably gets their moose right out of there.

42

43 MR. FINK: That's correct. I mean everybody -- yeah,
everybody that hunts up lake from Illiamna basically since
Kijik Corporation has closed all the lower end of the lake and
the whole Chulitna drainage to sport hunting all the pressure
now has been pushed into the small portion of the Preserve that
is open and if it's a local resident user then they are also
now extending into the Park. And those probably are some

50

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factors to be looked at because the populations of those local villages has increased, you know, in the last several years dramatically.

4

5 MR. O'HARA: Yeah.

6

7 MR. SAMUELSEN: It sounds like we're dealing with an allocation problem. Do we -- if the Council elects to give six moose to the village that's your question that's here, then do we because of conservation concerns do we cut back on the sport harvest in the Preserve? Is that where you're leading to there?

13

14 MR. LaPORTE: No, I think more in just making a comment that a lot of that lower land in the lower end of Lake Clark has been closed to moose hunting because it is Nondalton Corporation withdrawal land. And a lot of the people from Newhalen, Iliamna that used to go there to hunt moose, I mean they're being told not to now. And we see more and more traffic going -- I mean boats pulled behind their trucks to get into the Sixmile Lake area and heading up Lake Clark to do their moose hunting up there. So I think it's something that's in a transition stage within the last, oh, even two years. And I think that probably will increase. And it's not really the sports hunters that's doing -- well, it's the resident zone communities that are hunting during the sports hunting time frame, the September hunt is when it's happening there, so

29

30 MR. O'HARA: Can the sport hunters hunt in that

32

33 MR. LaPORTE: Not in the Park, no.

34

35 MR. O'HARA: In the Preserve?

36

37 MR. LaPORTE: In the Preserve. But once you get out of the Park area down there into the lower end of Lake Clark that's when you come into a lot of selected lands and they can't hunt there either, so

41

42 MR. O'HARA: Yeah, but from Kijik on north that is the Preserve and they can hunt on that?

44

45 MR. LaPORTE: No, that's all Park.

46

47 MR. O'HARA: Oh, that's all Park.

48

49 MR. LaPORTE: It'd be park in there.

50

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1
2 MR. FINK: That's all Park.
3
4 MR. O'HARA: Inland from that on up along into the
Bonanza Hills is Preserve?
6
7 MR. FINK: Yeah. Yeah. You actually cross out of 9
into 17 over there also
9
10 MR. O'HARA: Okay. What we're looking at here mainly,
I think is it's going to be dividing up the resource among the
communities that are allowed to hunt in that area and
Nondalton. Okay. So I don't think we're dealing with the
sport people, but I could be wrong. Yeah?
15
16 MR. SAMUELSEN: Maybe just a question in my own mind
here. Who has a priority on the resource, the customary and
traditional practice such as we're talking of for six moose or
a general hunt for moose in the area? Does that answer the
question? Does a "potlatch" have a priority over a general use
? I'll say a general hunt, a sport hunt?
22
23 MR. BRELSFORD: I think the simple answer is the Board
has never addressed that and given us a count of a hierarchy of
which comes first and which comes second, so I'm afraid I'd be
speculating to tell you what they say facing that decision.
27
28 MR. O'HARA: Robert?
29
30 MR. HEYANO: Mr. Chairman, it appears to me what we're
dealing with to begin with is a moose population that isn't
very healthy when you have 69 bulls per 100 cows and when you
have 14 calves per 100 cows you have an increased winter
mortality on some fairly mild to moderate winters coupled with
the fact that Tim brought out is that the change in hunting
pattern there as a result of Nondalton closing their own
private lands to the other resident communities of the Park
increasing hunting pressure in the Park.
39 This along with very little or no information as far as
can gather as to the reasonings why this moose population
isn't -- why the ratios are out of whack for normal -- for a
normal healthy population. I guess I'm -- I don't know where
I'm going with this, but I'm very concerned about the condition
of the moose population and the lack of information as to why.
45 Now, I could -- in Unit 17 here we had an askewed bull
cow ratio
47
48 MR. O'HARA: Uh-hum.
49
50

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1 MR. HEYANO: And the reason for that is we were
2 shooting too many cows. You know, you have a -- I really don't
3 know what the reason is for askewed calf to cow ratio, but I
4 think it's predation. You know, you have an increased winter
5 mortality and very mild to moderate winters, I think that's
6 also a result of predation, so I think we've got to be real
7 careful here as far as the concern for the resource. We can
8 take a hard winter and maybe see this thing go into a nosedive.

9

10 MR. O'HARA: Anybody else have any other comments?

11

12 MR. HEYANO: Just one follow-up

13

14 MR. O'HARA: Sure. You bet.

15

16 MR. HEYANO: The thing of it is is that I'm not aware
17 of any corrective measures that anybody is proposing to turn
18 this population around, maybe that concerns me just as much as
19 the information we're provided today.

20

21 MR. O'HARA: All right.

22

23 MR. LaPORTE: Just one other further comment. That the
24 availability and population of moose is still there. If this
25 gets turned down or whatever. They're probably going to get
26 their moose out of Chulitna or Tazimina or Newhalen drainage
27 anyway. It's not that this is a do or die situation as far as
28 Federal lands are concerned 'cause they're probably going to
29 kill the moose regardless, so

30

31 MR. O'HARA: Yeah, Robin?

32

33 MR. SAMUELSEN: I'd like to offer an amendment to
34 Proposal 37. It'll read Unit 9(B) not more than six bull moose
35 by residents of Nondalton for ceremonial potlatches, open
36 season July 1 to June 30th. And also it will include the
37 reporting requirements, I guess, established by the State.

38

39 MR. O'HARA: Is there a second to that? Is that your
40 motion?

41

42 MR. MATSUNO: Second.

43

44 MR. O'HARA: Seconded by Roy. Everyone understand
45 the motion? Six moose taken July 1 through June 30th, which is
46 a year long. And they follow the reporting system the State
47 of Alaska has set up. Any further questions? You'd like to
48 address the motion?

49

50

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1 MR. SAMUELSEN: Yeah, thank you, Mr. Chair. The
 2 National Park Service has come out in support of the concept of
 3 community harvests. Their concern is listed in the briefing
 4 document that we have was that they want to see some kind of
 5 reporting requirements. I think that the Frank case here, the
 6 little piece of paper that was shipped out to us, is indicative
 7 of what could happen. I think it's better for us to set down
 8 the guidelines and allow a limited hunt rather than a judge
 9 sitting behind a bench ordering a hunt, an unlimited hunt. I
 10 think there's been a compromise struck here in six bull moose
 11 versus basically an unlimited amount. Nothing that I've seen
 12 would harm the populations. We do have an open hunt, a sport
 13 hunt I'll call it, in the area.

14

15 I feel that a ceremonial or a traditional hunt by
 16 people from the region that are the village that we're speaking
 17 of has a long customary and traditional practice of this type.
 18 And if we allow a sport hunt in the area and not allow a
 19 traditional practice to happen I think we're opening Pandora's
 20 box to a judge in this case. I see this as a win win situation
 21 we're going to limit it to six moose, we're going to allow only
 22 bulls, we're going to have reporting requirements. And every
 23 year or every two years, depends upon the take up to six moose,
 24 if the populations drop down then we could do away with this
 25 proposal. It's not locking us in for 20 years. Any proposals
 26 change -- or, I think it is, Helga, a time period, every two
 27 years we'll be taking up proposals or every year?

28

29 MS. EAKON: Every year.

30

31 MR. SAMUELSEN: Every year.

32

33 MS. EAKON: Subpart B.

34

35 MR. SAMUELSEN: Okay.

36

37 MR. O'HARA: Well, we'll have a report every year.

38

39 Any other comments by the Council Members? Everybody
 40 understand the motion.

41

42 MR. STEPANOFF: Yeah, I have one.

43

44 MR. O'HARA: Yeah.

45

46 MR. STEPANOFF: You know, speaking of you're limited to
 47 six moose here, like the sports hunters, you know, you can't
 48 prove that they're hunting in this area and they got it (ph)
 49 from a different area. You know, you've got planes that are

50

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flying all over.

2

3 MR. O'HARA: Robin, if you want to comment to that.

4

5 MR. SAMUELSEN: Yeah, this is six moose for ceremonial
6 potlatches on federal lands, however they could apply, if they
7 need more they could go to the State and apply under 5 AAC
8 02.01.9 the federal potlatch reporting requirements and
9 application under State regs.

10

11 MR. O'HARA: Sam, according to your comment -- yeah,
12 Robin, that's fine. I could be wrong, John -- or Dave -- or
13 Lee, I guess it would be, Nondalton can fish and can hunt for
14 moose in the Park for traditional potluck or ceremonial
15 purposes or they can hunt in the Preserve. And the sport
16 people can also hunt in the Preserve, but not in the Park.

17

18 MR. FINK: That is correct.

19

20 MR. O'HARA: Okay. So that's what Sam was driving at.
21 The sportsman do have the right there. We don't know
22 (inaudible) Okay. Any further questions or comments
23 before we have a vote on this. Call for the question.

24

25 MR. SAMUELSEN: Question.

26

27 MR. O'HARA: All those in favor say aye.

28

29 (Ayes respond)

30

31 MR. O'HARA: Opposed.

32

33 (Nays respond)

34

35 MR. O'HARA: One opposition. Thank you. All right.
36 Fucking right along here. David?

37

38 MR. FISHER: Yes, sir.

39

40 MR. SAMUELSEN: Main motion.

41

42 MR. O'HARA: OH, excuse me, I'm sorry. We amended
43 that. Let's have a main motion now. Was there a motion,
44 please?

45

46 MR. SAMUELSEN: Question to the main motion, I guess
47 that's what we need.

48

49 MR. O'HARA: Yeah. Yeah.

50

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1
2 MR. HEYANO: Comment, Mr. Chairman. Are we going to
3 get any additional information at a later time as to -- or does
4 the Park people have any plans to further study this moose
5 population in 9(B) in the Park?

6
7 MR. O'HARA: Al?

8
9 MR. BENNETT: Al Bennett, Lake Clark again. The annual
10 surveys are an ongoing effort weather permitting, so we do have
11 that level of monitoring continuing. As far as an examination
12 of why the calf survival is apparently so low, no, we don't.
13 That's a fairly intensive, fairly expensive research effort
14 which we do not have plans for. And of course, it is the
15 the mandate of the Park Service that if something were
16 identified that we're an agent responsible for the low survival
17 such as bear predation, I just want to point out we don't have
18 the mechanism to change that through a management effort such
19 as controlling bears, so there is, at least to my knowledge, no
20 plan to examine that aspect of the moose population. But we do
21 an annual survey so we will track numbers of moose as well as
22 the composition of the herd.

23
24 MR. O'HARA: How do you do that, Al? Do an aerial?

25
26 MR. BENNETT: Aerial surveys.

27
28 MR. O'HARA: What time, when it snows?

29
30 MR. BENNETT: In the November, December time of the
31 year.

32
33 MR. O'HARA: In December you can see the horns still so
34 you can identify the sexes?

35
36 MR. BENNETT: And the object is usually to complete the
37 survey by the time the antlers drop and usually the earlier and
38 better, try and catch the moose when they're concentrated about
39 three lines (ph).

40
41 MR. O'HARA: Any other questions from Al, Council
42 Members? Okay. We do need a motion now on the overall #37.

43
44 MR. SAMUELSEN: Move to adopt #37 as amended.

45
46 MR. O'HARA: Second?

47
48 MR. MATSUNO: Second.

49
50

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1 MR. O'HARA: Second by Roy. All those in favor say
2 aye.

3
4 (Ayes respond)

5
6 MR. O'HARA: Opposed.

7
8 (Nays respond)

9
10 MR. O'HARA: One opposition. 38.

11
12 MR. FISHER: Yes, Mr. Chairman. The next proposal is
13 38. I've like to include 38 and 39 together. They're kind of
14 similar and I'll explain the difference here. Both proposals
15 were submitted by the Bristol Bay Native Association. And both
16 proposals deal with moose in Unit 9(B).

17
18 Proposal 38 would open the season earlier for moose
19 August 20th to September 15th. And it also calls for extending
20 the season from December 1 to January 15th.

21
22 Proposal 39 calls for an open season -- or another
23 season from March 1 through March 31st. And it also calls for
24 changing one antler bull to one bull.

25
26 As far as the biology goes, we've just recently
27 discussed that. What I'd like to do then is if there's no
28 questions on that I'll go into some of the concerns that we
29 have related to these two proposals.

30
31 The staff felt that if there was any season changes at
32 all that those be made earlier in the season, possibly that
33 August 20th to September 15th, that that be entertained by the
34 council. This would -- shouldn't have too much of an impact on
35 the resource yet provide for an additional subsistence harvest.

36 The staff also felt that extending the season past
37 December 31st greatly increases the chance that cows could be
38 harvested. We feel that this should be prevented at all costs
39 to conserve the health of that moose population in 9(B).
40 That's all I have right now.

41
42 MR. O'HARA: Any questions of Dave on item 38, 39?
43 Thank you, Dave. We'll have the anthropologist come up. Oh,
44 excuse me. Did you have a question?

45
46 MR. HEYANO: Just a quick question, maybe it was asked
47 earlier. How many moose are harvested on -- I guess we asked
48 that and you didn't know, on federal land?

49
50

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1 MR. FISHER: No, I don't have that. All I have is the
2 estimate total harvest

3

4 MR. HEYANO: Okay.

5

6 MR. FISHER: for the whole unit.

7

8 MR. O'HARA: Why don't you guys have that kind of
9 information? That's your lands.

10

11 MR. FISHER: We may -- we may have it back at the
12 office, I'm not sure. I can check on that and let you people
13 know.

14

15 MR. O'HARA: Who handles that?

16

17 MR. FISHER: Well, normally we get that from the State.

18

19 MR. O'HARA: State of Alaska gives you information on
20 what the head

21

22 MR. FISHER: Through their harvest reporting system.

23

24 MR. COILEY: (Indiscernible) with Fish & Game. Yeah.
25 To explain

26

27 MR. O'HARA: Ma'am?

28

29 MS. COILEY: with moose reporting, people
30 usually

31

32 MR. O'HARA: What's your name, please?

33

34 MS. COILEY: Pippa Coiley

35

36 MR. O'HARA: I'm sorry. You did.

37

38 MS. COILEY: With Fish & Game and with moose we have a
39 pretty detailed reporting regime. And (indiscernible -
40 background noises) the drainage by drainage information isn't
41 published but it can be prepared (inaudible) but it wasn't be
42 Dick Sellers might have that information off the top of his
43 head. Unfortunately, he wasn't able to be here.

44

45 MR. O'HARA: Yeah. He's in Hawaii, so we just don't
46 have that available to us. So it's not necessarily your
47 responsibility, it's State of Alaska that is recording that
48 information

49

50

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1 MR. FISHER: Well, but it's probably our responsibility
2 to bring it

3

4 MR. O'HARA: To bring it to the meeting.

5

6 MR. FISHER: to the meeting. I can look that up
7 and see what I can find out for you and get that to you as soon
8 as I can.

9

10 MR. O'HARA: We should chastise you for that somehow.

11

12 MR. FISHER: Okay. Sorry.

13

14 MS. COILEY: And once again, as Larry and others have
15 explained before, oftentimes the local harvest is tremendously
16 under-reported and we usually rely on subsistence data for that
17 information which isn't collected year by year, but is used as
18 a baseline estimate or a photograph of one year of what the
19 harvest was. And that also can be prepared and presented.

20

21 MR. O'HARA: You don't have any migratory problem with
22 those like with snow and stuff like that, Marian (ph), up in
23 Unit 9(B) like we do over here going -- all these moose going
24 from the Nushagak over to (indiscernible) and we get them over
25 here, really nice moose.

26

27 MS. COILEY: I don't know. I can't answer that. I do
28 know that the population of moose in 9(B) is diverse (ph) to
29 a large area that covers tundra to mountains. And so there's
30 different behaviors

31

32 MR. O'HARA: It's pretty pronounced here actually in
33 some ways. Yeah?

34

35 MR. ABRAHAM: Pete, a question, Mr. Chairman.
36 (Speaking Yupik) That's my question.

37

38 MR. O'HARA: Joseph, where are you?

39

40 MR. ABRAHAM: On Mark's (ph) season there how do you
41 call a bull from the cow unless there's antlers?

42

43 MR. FISHER: You have to be probably real close. It's
44 pretty hard. But I understand it can be done.

45

46 MR. O'HARA: You don't want to draw a picture, huh?

47

48 MR. FISHER: I can -- we can talk about that after
49 the

50

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1
2 MR. HEYANO: Mr. Chairman, I guess, Dave, since we were
3 talking -- this would only apply to federal lands and this
4 would apply only to those resident communities. I think it'd
5 be kind of nice if we had what those communities would be
6 harvesting.

7
8 MR. FISHER: What they have harvested in the past if we
9 had it or

10
11 MR. HEYANO: Yeah.

12
13 MR. FISHER: Okay.

14
15 MR. HEYANO: Am I right? If this 38 and 39 were to be
16 adopted it would only apply to federal lands in Lake Clark?

17
18 MR. FISHER: Federal lands in 9(B). Yes. There are
19 some -- I think I mentioned earlier, there are some BLM lands
20 but since the recent selection process those have been reduced
21 substantially, so we're primarily talking Park Service lands.

22
23 MR. O'HARA: Okay. Dave, is there anything else?

24
25 MR. FISHER: No, that's all I have.

26
27 MR. O'HARA: Okay. Taylor?

28
29 MR. BRELSFORD: As far as the traditional patterns,
30 practices that have been documented through the subsistence
31 research, I think basically in relation to the change of an
32 earlier start date in the season the community documentation
33 does, in fact, indicate that traditionally moose hunting did
34 occur earlier. It occurred prior to September 1st in August.
35 That's noted in the third paragraph. So, the justification
36 that we're often asked to go look up is there a traditional
37 practice that's in the record. That is the case. There is
38 such a record as concerns the early start date.

39
40 When we turned to the second part of the proposal that
41 would extend the later part of the season from December 31st
42 forward and change the designation from an antlered bull to an
43 antlerless -- or to a bull that, too, is -- that squares with
44 additional practices. This traditional seasonality that's
45 documented in the Nondalton study did extend well into the
46 spring, into April. So as far as constituting a traditional
47 practice that would seem to be the case. However, you're left
48 saying -- we're all left trying to balance these conservation
49 problems and the need to direct harvest towards bulls only in
50

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that late period because of the conservation concerns. There's kind of the practical management problem of the later you extend into the winter the greater the potential risk of an inadvertent cow take.

5

6 Now, in many parts of the state hunters have spoken very forcefully to the Subsistence Board about the fact that knowledgeable hunters are able to distinguish cows from bulls even in these later openings. And they have requested later openings as a matter of accommodating a cultural tradition. And the Board has in some instances provided these later openings including the opportunity to take antlerless bulls. They don't do that lightly because of the potential risk for taking of cows, particularly as the season gets later on. So from the standpoint of cultural practices there's a documented tradition of an earlier harvest than the present season provides for and of a later harvest than the present season provides for.

19

20 The earlier ones we seem to be able to accommodate without risks to conservation. That later extension into the month of January poses this problem of the risk of accidental inadvertent of cows. And I think the judgment call that you're going to be asked to sign off on and the Board will be thinking about is as a practical matter if we extend the season into January can we get everybody to work carefully together to limit or eliminate the inadvertent take of cows in that later in that January opening. That concludes my contribution. Thank you.

30

31 MR. O'HARA: Okay. Any questions of Taylor? Thank you, Taylor. We'll call on Moses.

33

34 MR. DIRKS: So are we taking both 38 and 39 at the same time?

36

37 MR. O'HARA: Yeah.

38

39 MR. DIRKS: The summaries for public comment on proposal #38 in support. There are two in support and two objections. The first one is National Park Service was in support. The National Park Service supports the proposal to extend the existing open season providing additional customary and traditional harvest opportunities for subsistence users. And they recommend that the Board, the Federal Subsistence Board, establish a federal registration permit requirement to monitor subsistence use of moose from federal public lands and ensure conservation of healthy and natural population. And the Bristol Bay Native Association thought there was a need to be

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able to subsistence hunt and fish when the meat is needed and not only during the hunting season. And suggested that the moose season should be December 1st through January 15th in Unit 9(B). And then, people rely on moose because they provide more meat than caribou.

6

7 And then objection to Proposal 38, the Bow Hunters Association and also the Archery Association thought that the moving the season up 10 days would cause some sort of hunting or the regulation problems. The period of time from September 16th until December 1st should be plenty of time for the moose to rut. And if residents are out hunting moose at any time they are doing so illegally and enforcement actions should take place.

15

16 MR. O'HARA: Read that last one again. They said that
17 what are the times that the archery and bow people want?

18

19 MR. DIRKS: Moving the season up 10 days.

20

21 MR. O'HARA: To August 20th?

22

23 MR. DIRKS: Yeah. Well, the period of time from
24 September 16th until December 1st should be plenty of time for
25 the moose to rut it said. I mean that's what they were saying.

26

27 And the Alaska Department of Fish & Game took the
28 neutral position. No comments on that one.

29

30 And for Proposal #39 in support was one support and
31 four objections. In support was Bristol Bay Native
32 Association. Traditionally Igiugig residents have hunted cow
33 moose in December. They would like to once again be able to
34 hunt cows at that time. Too much hunting pressure is the
35 reason that Fish & Game uses to justify a bull only season.
36 And they claim that the sport hunters with airplanes have an
37 easier time getting moose than the local people.

38

39 And then, objection to Proposal #39, National Park
40 Service; a reduction in the cow population will result in
41 reduced recruitment to the population. And the biological
42 ramifications of the additional hunting season on the moose
43 population within Lake Clark National Park and Preserve and the
44 customary and traditional basis of any possible late winter
45 moose hunt requires additional investigation to ensure that the
46 natural and healthy population are maintained.

47

48 And also an objection was the Alaska Department of Fish
49 Game; the proposed season in March would lead to an

50

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undesirable increase in harvest of cows. Bulls are antlerless
at this time and difficult to distinguish from cows.

3

4 And the Bow Hunters and the Archery Association was --
5 also objected to this proposal. At the time when the State
6 regulations supports a month long spring hunt, then we will
7 consider supporting this proposal.

8 And that concludes the public comment summary.

9

10 MR. O'HARA: Any question for Moses? Thank you, Moses.

11

12 MR. HEYANO: One question.

13

14 MR. O'HARA: Okay.

15

16 MR. HEYANO: Maybe it's not fair to ask you this,
17 Moses, but under the Alaska Department of Fish & Game comments;
18 an undesirable increase in harvest of cows. I go down to the
19 logs and I don't see any cow season in Unit 9(B).

20

21 MR. DIRKS: I wouldn't really know. Probably Dave
22 would. Dave would know that.

23

24 MR. VAN DAELE: Under Proposal 39, I believe, that
25 comment, which is for a spring season which doesn't exist. And
26 the concern is if we had a spring season we'd end up shooting
27 too many cows. Is that right, Moses, is that on 39 you're
28 reading?

29

30 MR. DIRKS: Yeah. 39 is the spring, March

31

32 MR. VAN DAELE: Yeah. The March. So that's what they
33 were talking about.

34

35 MR. DIRKS: This was 38 and 39.

36

37 MR. O'HARA: Okay. I guess the Alaska Department of
38 Fish & Game figure you can't differentiate between a cow and
39 bull with an animal like that, you get a bigger number of cows.

40

41 MR. HEYANO: Well, my question was an undesirable
42 increase in harvest, which leads me to believe that the State
43 acknowledged there is a harvest of cows currently going on in
44 9(B), but I couldn't find the season for it.

45

46 MR. O'HARA: You have to get your law degree (ph).

47

48 MR. LaPORTE: There's almost enough differences in
49 proposal 38 and 39 to -- I mean I could probably support 38

50

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where I couldn't 39. I don't know if -- because of the antlerless -- or the antlered bull compared to the bull in the spring season compared with the more of a traditional fall season. It's pretty hard to put them both together and count them as one, I think, I don't know.

6

7 MR. O'HARA: We'd like to have public testimony at this time. Yes. We have our customary and traditional public opinion people coming up here. Comment?

10

11 MR. KRIEG: Ted Krieg, Bristol Bay Native Association Natural Resources Department. Proposal 38, Illiamna and Newhalen were traditional councils were the main proponents of extending that season through January 15th. Pedro Bay, Nondalton and Kakhonak also expressed a need for additional hunting time. The main reasoning for Illiamna and Newhalen was due to a late freeze-up that winter, I guess last winter. You know, they weren't able to get out in December, so that was the main reasoning for extending the season into January.

20

21 Proposal 39 was -- Nondalton proposed the March hunt and the March hunt also fit the needs of Igiugig, Pedro Bay and Kakhonak Village Councils. A situation occurred during the winter of '92-93 which emphasizes the need for the March moose season.

26

27 Normally caribou had migrated into the Nondalton area before the close of the caribou subsistence hunting season on March 31st. During April of '93 the caribou were located west of Lower Talarik Creek for most of the winter. And in effect, that deprived the Nondalton residents of caribou as a red meat source for the winter. And it also -- you know, then they weren't able to get moose either, so, you know, they basically didn't have a local red meat source during that time. So that was one of the reasons for proposing the March season.

36

37 Additionally, Nondalton felt that they needed additional times throughout the year when they could get fresh moose, so they felt rather than concentrating it in the winter, a March season would give them another time and -- you know, in the instance, one of the council members suggested that they could eat -- a family could eat a moose in a month and a half, so a March season would come up, you know, about that time when they could replenish and have fresh moose.

45 Any questions?

46

47 MR. O'HARA: Any questions of Ted?

48

49 MR. ABRAHAM: On this March 1 item, I don't think I'll

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Support it because there's just too much risk of killing a cow at the same time.

3

4 MR. O'HARA: Ted, do you have anything else?

5

6 MR. KRIEG: That's it.

7

8 MR. O'HARA: Russell, did you have a comment?

9

10 MR. NELSON: Yeah. Russ Nelson, BB&A. Just one thing
on the telling the difference, you know, between bulls and
cows, you know. You're talking about experienced subsistence
hunters. You're not talking about one time sports hunters that
fly into the area and you have to show them what a caribou is.
There was just a court case over in the Naknek area where a
guy went out on a caribou hunt and he knocked down two moose,
you know. Are we going to try to limit all sports hunters now
because the sports hunter can't tell the difference between a
caribou and a moose? You know, I don't think that's the case.

20

21 I really think that the experienced subsistence hunters
around here know that there are signs that you can look for on
moose that are a lot larger than brown tines to tell the sex of
an animal, so, you know. And that being said, I really think
that the subsistence hunter can tell the difference between a
cow moose and a bull moose during the March season.

27

28 MR. O'HARA: That's true. The people that are hunting
in these areas do know the difference between a cow and a bull.
And you can tell the difference between a cow and a bull
caribou just by the body structure, the way they're built. You
can do it. The guys who don't know the difference, probably
don't know how to skin out an animal anyway.

34

35 MR. ROBIN: And when was the last time you heard of a
subsistence hunter out there mistaking two moose for two
caribou?

38

39 MR. O'HARA: A long time. It was a great article and
an open and shut case. Any other public -- yes.

41

42 MR. SAMUELSEN: I've got a question of staff?

43

44 MR. O'HARA: Okay. Any other public testimony? Yep?

45

46 MR. VAN DAELE: Larry Van Daele, Fish & Game. A couple
quick comments. With regard to the August 15th -- or August
20th opening, we've had that here in Unit 17 for what, 18 years
so, Robert? And the reason that was implemented in this

50

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particular area was to reduce the cow moose harvest even though there wasn't a legal cow moose harvest. And we, in fact, have seen that in the upper villages, the Nushagak (indiscernible - background noises) villages because people can now take a bull moose before the rut there's less of a temptation to take 'em later in the season, so it has, in fact, helped the moose population in our area in my opinion.

8

9 However, I mentioned that you guys view this with caution because as I mentioned before you're talking about a very limited area that's going to be open for a longer period of time for subsistence hunters, i.e. the federal lands. You're talking about a moose population that Park Service staff is not comfortable is very healthy. And you're possibly talking about an additional season in the spring when even if you can kill bulls from cows the moose are extremely vulnerable because they're concentrated, they're worn out, it's springtime, they don't want to move much and because they're easily accessible by anybody on with a snowmachine. So, just a couple points of comment here. No judgments, they're points of comment for you.

21

22 MR. O'HARA: Okay. Good. Anyone else, public comment?
23 Yeah, Al?

24

25 MR. BENNETT: Al Bennett, Lake Clark again. Just adding to the comment by Fish & Game there is the little bit of insight the Board could consider is that the moose in March, particularly the cows, tend to come down and stage on the lakeshore kind of getting poised for running out on the islands when the lake breaks up because it's instinctive for them to calve out on the islands, one place they can usually avoid a bear if they're lucky. So what you have here is in March the lake is usually froze. If it's going to freeze it's frozen in March, so access very good for the people with snowmachines to get around the corridor of the lake and access the island, so at that time of year you normally have your calves down on the lakeshore or already moving out towards the islands where they're pretty vulnerable. If the hunters are able to identify the cows from the bulls, usually the cows are getting chased as a by-product of the hunt, so you've got the added stress on an animal which at that time of the year is kind of running out of gas anyway, so you have certainly an added potential there for impacting calf survival.

44

45 MR. O'HARA: Thank you, Al. Any other public comment that we'd like to hear on 38? And I guess we're probably going to have to -- we're looking at 38 and 39, but we will address each proposal separately, I'm sure. No other public comment? You'd like to ask a question of staff?

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1
2 MR. SAMUELSEN: Yeah. Under the National Park Service
3 comments it says; we recommend under Proposal 38 that the Board
4 establish a federal registration permit requirement to monitor
5 subsistence use of moose from federal public lands. I guess
6 that's the -- that isn't the council here. That's the Board in
7 Anchorage, I take it? Am I right there?

8
9 MR. BENNETT: Yeah. That's the Federal Subsistence
10 Board.

11
12 MR. SAMUELSEN: Board. Okay. All right.

13
14 MR. O'HARA: All right. We are not going to have any
15 more public testimony on this issue. What is the wishes of the
16 Council at this time? Yes?

17
18 MR. SAMUELSEN: Mr. Chairman, I'd like to offer an
19 amendment to Proposal 38 which will include Proposal 39. Unit
20 (B) one bull open season, August 20th to September 15th. And
21 December 1st to December 31st.

22
23 MR. O'HARA: To December what?

24
25 MR. SAMUELSEN: December 31st.

26
27 MR. O'HARA: December 1?

28
29 MR. SAMUELSEN: From December 1 to December 31st, yes.

30
31 MR. O'HARA: And that's one antlerless?

32
33 MR. SAMUELSEN: Yeah. One antlered bull.

34
35 MR. O'HARA: One antlered?

36
37 MR. SAMUELSEN: One bull.

38
39 MR. O'HARA: One bull?

40
41 MR. SAMUELSEN: Yeah.

42
43 MR. O'HARA: Is there a second?

44
45 MR. LaPORTE: Antlered or

46
47 MR. O'HARA: One bull whether he has his horns or not.

48
49 MR. SAMUELSEN: Uh-hum.

50

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1
2 MR. O'HARA: Okay. Is there a second?
3
4 MR. LaPORTE: I can second that.
5
6 MR. O'HARA: Okay. Second that.
7
8 MR. SAMUELSEN: Mr. Chairman?
9
10 MR. O'HARA: Yeah.
11
12 MR. SAMUELSEN: I think this will provide a wonderful
13 opportunity for the residents in that area. It'll address the
14 conservation concerns addressed by Alaska Department of Fish &
15 Game as well as our own staff. There's been several comments
16 about the March season, I agree. I couldn't see any
17 justification in to extending it to March. I think it'll keep
18 the cow/bull ratio in check.
19
20 MR. O'HARA: I guess my comment -- Robin, do you have a
21 comment?
22
23 ROBIN: No comment. Go ahead (ph).
24
25 MR. O'HARA: You had a concern that sometimes caribou
26 don't come through the area and the red meat becomes a problem
27 for the village, which is Nondalton.
28 Larry, I know that on the Alaska Peninsula whenever
29 that happens they do have an emergency order, but it wouldn't
30 do any good if the animals didn't come by anyway. If they
31 didn't come by, they just didn't come by. So it does create a
32 hardship on the village. Larry -- yeah, go ahead.
33
34 MR. LaPORTE: One thing that happened this year. I
35 know that he took data from '92. This year Christmas Eve there
36 was probably 10,000 caribou crossing Newhalen River. There was
37 caribou all over the streets of Illiamna and Newhalen and they
38 even went up as far as up into Chicok and into Knutson Bay
39 which we've never seen caribou up in there. And in talking
40 with Rose Hedland from Chicok there, she's never known to have
41 caribou, more than half a dozen maybe, and at the same time
42 there was caribou spread from Newhalen clear down to the big
43 bluff at the end of the lake 25 miles from there. And there's
44 also at the same time caribou through the Kakhonak Village and
45 all through Big Mountain, so I think the range is spreading out
46 substantially with the numbers, too, so there wasn't anybody up
47 there this year that didn't get caribou if

48
49 MR. O'HARA: You were talking about other years,
50

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though, and that's happened at Port Heiden.

2

3 UNIDENTIFIED VOICE: Last year.

4

5 MR. O'HARA: Yeah. For some reason Port Heiden, they
 wouldn't come by there in the fall and they didn't go by there
 until April and the Alaska Department of Fish & Game opened it
 up on an emergency basis and gave them some additional things.
 9 So, those things do help granted. This year 10,000 came to
 Naknek on Thanksgiving. Man, they were everywhere. And I
 think the bag limit was 28 per month. Right that down in your
 little thing over there, Joe. All right.

13

14 MR. HEYANO: Mr. Chairman, I think we need to keep in
 mind when we're talking 19(B) on moose and we're also talking
 residents that reside in A, B, C and E to hunt on federal land.
 17 And looking at the map, you know, there isn't much, but what
 I'm assuming is this yellow area.

19

20 MR. O'HARA: What does it say up there in the yellow
 area?

22

23 MR. HEYANO: The yellow area is public lands under BLM
 management.

25

26 MR. O'HARA: All right. Okay.

27

28 MR. HEYANO: Those are federal lands. So we're not
 only talking of residents of Nondalton, Iliamna,
 Newhalen, (indiscernible - interrupted)

31

32 MR. O'HARA: (Indiscernible - simultaneous speech)
 whose population in the whole state of Alaska is right there
 it'd look like a ranch, you know.

35

36 MS. SAVAGE: But that's not 9(B).

37

38 MR. O'HARA: Yes, it is.

39

40 MR. HEYANO: It is on the west side of the Kvichak.

41

42 MR. O'HARA: On the west side of the Kvichak.

43

44 MS. SAVAGE: Oh, the Kvichak is in 9(B), but the branch
 isn't in

46

47 MR. O'HARA: No, no, that's called the Alluknuk (ph).
 Okay.

49

50

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1 MR. HEYANO: Igiugig would be in 9(B)

2

3 MR. O'HARA: Yeah. And you that side. You take that.

4 Levelock would be on that side of that, I think, Susan. Yeah.

5 I mean you talk about -- have you flown over there lately? It

6 looks like a ranch, man. All right out of upper Mulchatna.

7 Thanks a lot, Robin.

8

9 UNIDENTIFIED VOICE: You bet. We believe in sharing.

10

11 MR. O'HARA: We have a motion on the floor as an

12 amendment. Is that for 39 or 38 and 39 or just

13

14 MR. SAMUELSEN: 38 and 39.

15

16 MR. O'HARA: All right. Any further questions?

17

18 MR. FISHER: What was the amendment on 39? I didn't

19 hear didn't really hear that

20

21 MR. SAMUELSEN: I rolled it right into 38.

22

23 MR. O'HARA: Yeah. One bull.

24

25 MR. SAMUELSEN: It'd be on August 20th.

26

27 MR. O'HARA: August 20th to September 15th. One bull.

28 December 1 to December 31st.

29

30 MR. FISHER: But the 39, where it says March 31st?

31

32 MR. SAMUELSEN: Oh, no. Okay. Yeah.

33

34 MR. FISHER: You spread this out.

35

36 MR. SAMUELSEN: Yeah.

37

38 MR. FISHER: I thought I was looking at the wrong

39 thing.

40

41 MR. SAMUELSEN: No. No. Scratch 39 and just address 38,

42 yes.

43

44 MR. O'HARA: That's fine. Everybody understand that?

45 Question? Call for the question?

46

47 MR. SAMUELSEN: Question.

48

49 MR. O'HARA: All those in favor say aye.

50

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1
2 (Ayes respond)
3
4 MR. O'HARA: Opposed?
5
6 (Nays respond)
7
8 MR. O'HARA: Okay. One opposition. All right. John?
9 Let's do one more before we -- Dave, excuse me.
10
11 MR. HEYANO: Are we going to act on the main
12 motion

13
14 MR. O'HARA: Oh, excuse me. Let's act on the main
15 motion of 38. So moved? So? Have a motion?
16
17 MR. HEYANO: I think it's already done.
18
19 MR. O'HARA: It was on the floor?
20
21 MR. SAMUELSEN: Just the question needs to be called.
22
23 MR. O'HARA: Question on the overall motion.
24
25 MR. HEYANO: Mr. Chairman, just for clarification I'm
26 going to vote in opposition. I'm not clear in my mind as to
27 the resource of the moose population at 9(B). From the
28 information provided me today it's pretty apparent to me we're
29 not dealing with a healthy population increasing the season by
30 days, I guess, is what we're looking at doing here. I guess
31 if it was an adjustment of the seasons, but the starting and
32 the closure times and kept the length of the seasons the same
33 something I can support. So I'll be moving in opposition.
34
35 MR. O'HARA: Okay. Any other comments from Council
36 Members on the motion before us. Call for the question.
37
38 MR. SAMUELSEN: Question.
39
40 MR. O'HARA: All those in favor say aye.
41
42 (Ayes respond)
43
44 MR. O'HARA: Opposed?
45
46 (Nays respond)
47
48 MR. O'HARA: Okay. Six to one. Okay. Dave?
49
50

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We eliminated 39, didn't we?

2

3 MR. SAMUELSEN: I thought we did --

4

5 UNIDENTIFIED VOICE: I thought we

6

7 MR. SAMUELSEN: we did eliminate -- yeah,

8

9 I guess, Mr. Chairman,

10

11 MR. O'HARA: What we probably should do then is make a
motion against it 39. It's all covered in 38, isn't it?

13

14 MR. SAMUELSEN: Yeah. I make a motion that we table
39.

16

17 MR. O'HARA: Okay. Second?

18

19 (Inaudible reply)

20

21 MR. O'HARA: It's tabled.

22

23 MR. SAMUELSEN: It's tabled and it goes away.

24

25 MR. O'HARA: All right. Dave?

26

27 MR. FISHER: Yes, Mr. Chairman. We're on #40.

28 Proposal #40 deals with moose, game management Unit 9(C). The
29 proposal submitted by the Borough of Land Management.

30

31 There's two issues identified with this proposal. The
32 first issue is to eliminate the requirement for a federal
33 registration permit for the December moose hunt for that area
34 north of the Naknek River. And this proposal deals only with
35 that area in 9(C).

36

37 The other issue related to the proposal; land
38 selections by the State of Alaska in the past year have reduced
39 federal land and this portion of Unit 9(C) from about 20% to
40 about 2.4% of the area draining into the Naknek River from the
41 north, so we aren't dealing with very much land there.

42

43 The moose population in this portion of 9(C) has been
44 stable over the last four or five years. Estimated moose
45 populations in this area over the last five years, I can give
46 you those here, 1989 estimated 128, 1990 102; 1991 131; 1992
47 177; 1993 222.

48

49 The bull/cow ratio averaged between 38 to 49 bulls per

50

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100 cows. This has ranged from 1989 to 1992. As far as the geographic distribution of those moose in this part of 9(C) there are very few moose found using BLM lands at this time due to the fact that BLM lands have been greatly reduced. And those current BLM lands contain very little moose habitat and as a result very few moose are harvested from the BLM lands.

7
8 This staff felt that it is not practical at this time to require a federal registration permit to hunt moose in this portion of Unit 9(C) during December. And the staff felt the hunt should be handled with the state registration permit as the patterns and harvest patterns will probably remain about the same.

14 That's all I have.

15

16 MR. O'HARA: Any questions of Dave? Taylor.

17

18 MR. BRELSFORD Taylor Brelsford, Mr. Chairman. This is a minor administrative clean-up. I don't think there's anything to add to Dave's staff analysis. Thank you.

21

22 MR. O'HARA: Okay. Thank you. Motions?

23

24 MR. DIRKS: We're on the public comment summaries. On Proposal 40 we had four in support and zero objections. And the first one, the Alaska Department of Fish & Game supports Proposal #40 with no comments. And King Salmon Klutsch says these BLM proposals seem to make sense and offer that the significant decline in moose in the portion of 9(C) draining into the Naknek, King Salmon Creek draining needs qualification.

32

33 And also the Alaska Bowhunters Association and the Archery Association were also in support of the proposal, but this is -- what they say it is not reasonable to require subsistence users to acquire a federal permit when the chances of hunting on federal lands are so low. And both of the associations wanted some information on maps, narratives, tables, graphs and models so that they can use in generating populations numbers mentioned in the proposal. So that concludes the public comments.

42

43 MR. O'HARA: Okay. You had ADF&G no opposition. The Bow and Archery Association said it was okay. The Klutsch said this was okay. And you said there was four supporting. What's the fourth one? Did I miss one?

47

48 MR. DIRKS: The two -- there's the Alaska Department of Fish & Game support. And then

50

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1
2 MR. O'HARA: Yeah. And the Bowhunters and Archers are
two?
4
5 MR. DIRKS: Well, yeah, the two associations, but
6
7 MR. O'HARA: Okay. All right.
8
9 MR. DIRKS: they submitted sort of the same
supported details and so
11
12 MR. O'HARA: Yeah.
13
14 MR. DIRKS: I counted them.
15
16 MR. O'HARA: Any questions of Moses? All right.
What's the wishes -- thank you, Moses. What's the wishes of
the Council? Oh, excuse me, I keep forgetting about the public
out there. It'd work a lot better if you didn't have public
comment. Come on, Ted, talk to us again. Do you guys have any
comment?
22
23 UNIDENTIFIED VOICE: No.
24
25 MR. O'HARA: No. Must be really small lands, huh.
Any public comment out there today? I apologize for forgetting
about that. Okay.
28
29 MR. SAMUELSEN: Mr. Chairman, the staff has indicated
this is basically a housekeeping proposal and I recommend that
we adopt it. I move to adopt Proposal 40.
32
33 MR. HEYANO: Second.
34
35 MR. O'HARA: Second by Robert. Any questions?
All those in favor say aye.
37
38 (Ayes respond)
39
40 MR. O'HARA: Opposed.
41
42 (No votes opposed)
43
44 MR. O'HARA: Okay. Break. We can go until 6:00 o'clock
and we're done. You guys getting nervous. We could do one
more and then done.
47
48 MR. SAMUELSEN: This is a long one.
49
50

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1 MR. O'HARA: This is a long one?
2
3 UNIDENTIFIED VOICE: One more.
4
5 UNIDENTIFIED VOICE: This could be a long one.
6
7 MR. O'HARA: Well, I'll tell you what, let's -- do you
8 have any other things for us to do between now and 6:00
9 o'clock. We're pretty well caught up on all the items, maybe
10 we ought to just go ahead and recess until tomorrow morning. I
11 think earlier than 9:00 o'clock would be good

12
13 MR. SAMUELSEN: 8:00 o'clock.
14
15 MR. O'HARA: 8:00 o'clock.
16
17 MS. EAKON: Could I as a point of clarification please
18 go back to proposal 39. When Robin moved and Tim second to
19 table this proposal. It was brought to my attention that
20 actually this needs a vote to table because someone might
21 object.
22
23 MR. O'HARA: Let me ask you a question. How does the
24 Robert Rules of Order call for a table? You don't vote on a
25 tabled motion.
26
27 MS. EAKON: Bill.
28
29 MR. KNAUER: Yes, Mr. Chairman. Roberts Rules of Order
30 indicates that a table requires a second, there is no
31 discussion and it requires a majority vote because, in fact,
32 there may be a number of voting members of whatever body that
33 object to tabling it.
34
35 MR. O'HARA: You gave us a book here, Roberts Rules of
36 Order, do you know where that's at?
37
38 MR. KNAUER: In the operations manual on page 27, if
39 you'll look on the right side, if you look on number 9, it's
40 called laying on the table.
41
42 MR. O'HARA: What is the page number, 29?
43
44 MR. KNAUER: 27. On the right side under subsidiary
45 motions.
46
47 MR. O'HARA: Yeah.
48
49 MR. KNAUER: Number 9, laying to table is required a
50

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Second. It is not debatable. It's not amendable and it requires a majority vote.

MR. O'HARA: Okay. In that case we have a motion on the floor to table 39. And all those in favor say aye.

(Ayes respond)

MR. O'HARA: Opposed?

(No opposing votes)

MR. O'HARA: All right. Stand corrected on that one, I'll tell you. Like Benny Hill I'm always learning. Tomorrow morning 8:00 o'clock.

(Off record)

(TO BE CONTINUED)

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

I, Joseph P. Kolasinski, Notary Public in and for the State of Alaska and Reporter for R&R Court Reporters, Inc., do hereby certify:

THAT the foregoing pages numbered 33 through 197 contain a full, true and correct Transcript of the Bristol Bay Regional Subsistence Advisory Council meeting taken electronically by me on the 23rd day of February, 1994, beginning at the hour of 9:00 o'clock a.m. at the Dillingham City Hall, Dillingham, Alaska;

THAT the transcript is a true and correct transcript requested to be transcribed and thereafter transcribed by myself and Rebecca Nelms to the best of our knowledge and ability;

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

DATED at Anchorage, Alaska, this 7th day of March, 1994.

Notary Public in and for Alaska
My Commission Expires: 4/17/96

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