

BRISTOL BAY SUBSISTENCE REGIONAL ADVISORY COUNCIL
PUBLIC MEETING
September 23, 1997
1:00 p.m.
Togiak Senior Center
Togiak, Alaska

COUNCIL MEMBERS PRESENT:

Daniel J. O'Hara, Chairman
Alvin Boskofsky, Secretary
Peter M. Abraham, Member
Robert Heyano, Member
Timothy M. Enright, Member
Andrew Balluta, Member

Helga Eakon, Coordinator

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P R O C E E D I N G S

(On record - 1:07 p.m.)

CHAIRMAN O'HARA: I would like to call the meeting to order at this time, and it's about -- I would say about what, seven minutes after? That's not bad for a federal program.

At this time, Herbert Lockup (ph) is going to ask an invocation. Would you stand, please, and take your hats off. Herbert's going to lead us in prayer.

MR. LOCKUP: (In Inupiat)

CHAIRMAN O'HARA: Okay. Thank you. Helga, if you would do the roll call, if you would, please?

MS. EAKON: Okay. Alvin Boskofsky?

MR. BOSKOFSKY: Here.

MS. EAKON: Andrew Balluta?

MR. BALLUTA: Here.

MS. EAKON: Robert Heyano?

MR. HEYANO: Here.

MS. EAKON: Peter Abraham?

MR. ABRAHAM: Yeah.

MS. EAKON: Dan O'Hara?

CHAIRMAN O'HARA: Here.

MS. EAKON: Timothy Enright?

MR. ENRIGHT: Here.

MS. EAKON: Robin Samuelson? A quorum is present.

CHAIRMAN O'HARA: Thank you, Helga. I'd like to welcome you at this time, and maybe just make a couple of remarks before we have -- go around and introduce ourselves today.

We have a big responsibility in our council, and we

50 appreciate very much Peter having us come over here to Togiak.

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1 We appreciate him lining things up for us, getting our meeting
2 set up and a nice place to meet here today.

3

4 Perhaps in the opening remarks today, since we are here
5 for a council meeting, there's a couple of things I'd like to
6 mention to you. One of them is that I think that one of the
7 importance of the federal council is that we take information
8 from the local level, and work up to the management. And the
9 State of Alaska is learning quite rapidly that they've worked
10 from the top on down. And if the Federal Board is wise, they
11 will continue to listen very carefully to what the council has
12 to say, and I think that's very, very important that we keep
13 that in mind as we go along in our meetings.

14

15 We have I think some situations we need to deal with
16 that are probably a little more critical than others, and I
17 think of the Branch, called the Alagnak River, where you have a
18 big increase on a wild and scenic river that needs to be dealt
19 with. We have a critical time factor of October 1 coming up on
20 us, and maybe not having funds by October 1 to handle the
21 federal programs that they take over. But I think this council
22 needs to be sure, whether we take over or not, that enough
23 pressure's put on to be able to handle some of the concerns we
24 have in a river such as the Branch.

25

26 You probably have noticed that the Kvichak has not
27 reached its escapement goal for the last two years. That means
28 that subsistence has been greatly impacted by the lack of fish
29 in the Kvichak. And this is something that we can't overlook
30 when subsistence is our top priority.

31

32 Next year, the Ugashik, and we have a new board member
33 here today, Tim Enright, from Ugashik. Very familiar with
34 sports, commercial fishing for many, many years, and a lot of
35 different fisheries, and a subsistence user from the Ugashik
36 area. Next year we have 500,000 fish coming back to the
37 Ugashik. That's just escapement. That's not subsistence.
38 That's not sports. That's not commercial fishing. So we need
39 to look very carefully at what we're going to be doing. That's
40 refuge country. And we need to be thinking about some of these
41 things.

42

43 And I think that this council needs to take into
44 consideration listening to what our local people have to say,
45 and paying very close attention to what they have to say.

46

47 And then the last thing before we go on to introduce
48 ourselves today, in opening remarks, is that this council needs
49 to be very careful that they work very closely with the State

50 of Alaska, because the game do not know the boundaries from the

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1 federal lands to the state lands, and we're here to take care
2 of all these needs that we have, to make sure we have good
3 populations of game and that people have an opportunity to use
4 this resource. And those are some things that this council is
5 going to have to deal with as we go along and take care of it.

6
7 So at this time, it would be good if we would maybe
8 start down with Andy? I'd like, if we could, just go all the
9 way around, starting over here, back and forth all the way
10 over, and introduce yourselves, if you would, please?

11
12 MR. BALLUTA: I'm Andrew Balluta from Lake Iliamna.

13
14 MR. ENRIGHT: I'm Tim Enright from Ugashik.

15
16 MR. BOSKOFISKY: Alvin Boskofsky from Chignik Lake.

17
18 MR. ABRAHAM: Pete from Togiak.

19
20 CHAIRMAN O'HARA: Dan O'Hara, Naknek.

21
22 MR. HEYANO: Robert Heyano, Dillingham.

23
24 MS. EAKON: Helga Eakon, Regional Council Coordinator,
25 and I live in Anchorage.

26
27 MR. BOYD: I'm Tom Boyd, I'm with the Office of
28 Subsistence Management with the U. S. Fish & Wildlife Service
29 in Anchorage.

30
31 CHAIRMAN O'HARA: Jon?

32
33 MR. DYASUK: Jon Dyasuk, Togiak Refuge.

34
35 MR. BROWNING: Jim Browning, Alaska Department of Fish
36 & Game, Commercial Fisheries Management, Development Division.

37
38 MS. CUNNINGHAM: Helga Cunningham. I'm the subsistence
39 anthropologist in the Fish & Wildlife Service Regional Office
40 in Anchorage.

41
42 MR. FISHER: Dave Fisher, Fish & Wildlife Service,
43 Anchorage.

44
45 MR. KRIEG: Ted Krieg, Natural Resources Department of
46 the BBNA.

47
48 MR. KNUTSEN: John Knutsen, refuge information
49 technician, U.S. Fish & Wildlife Service in King Salmon.

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1 MR. CHYTHLOOK: I'm Joe Chythlook from Dillingham, I
2 work for the Board of Fish/Board of Game, Alaska.

3
4 MS. CHYTHLOOK: Molly Chythlook and I work for
5 Subsistence Division in Dillingham.

6
7 MS. KELLY: Shirley Kelly with the Alaska
8 Peninsula/Becharof National Wildlife Refuge, and I'm from
9 Egegik.

10
11 UNIDENTIFIED VOICE: Barbara (Indiscernible, away from
12 microphone), I'm from Togiak.

13
14 UNIDENTIFIED VOICE: Peter (Indiscernible, away from
15 microphone), Togiak.

16
17 MR. DENTON: I'm Jeff Denton, biologist with the Bureau
18 of Land Management, the Anchorage District Office out of
19 Anchorage.

20
21 MR. NELS: Kenneth Nels (ph), Togiak.

22
23 MS. HILDEBRAND: I'm Ida Hildebrand, BIA, federal staff
24 committee member.

25
26 MR. HILL: Steve Hill, King Salmon with Fish & Wildlife
27 Service, Alaska Peninsula Refuge.

28
29 MR. SQUIBB: Ron Squibb, also King Salmon, Fish &
30 Wildlife Service. I'm (Indiscernible, away from microphone).

31
32 MR. RABINOWICH: Sandy Rabinowich with the National
33 Park Service, and like Ida I'm with the staff committee to the
34 Federal Subsistence Board.

35
36 MR. LIK: I'm Walter Lik (ph), refuge ranger with
37 Alaska Peninsula/Becharof Refuge, and I'm in King Salmon.

38
39 MR. FINK: Lee Fink, subsistence coordinator at Lake
40 Clark National Park and Preserve, Port Alsworth.

41
42 MR. BRANSON: John Branson, ranger/historian for Lake
43 Clark National Park and Preserve at Port Alsworth.

44
45 MR. ARCHIBEQUE: Aaron Archibeque, I'm the refuge
46 manager, Togiak Wildlife Refuge out of Dillingham.

47
48 MR. ADERMAN: Andy Aderman, Togiak National Wildlife
49 Refuge in Dillingham. I'm a wildlife biologist.

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1 MS. GUSTIN: I'm Karen Gustin, I'm the new manager for
2 Katmai National Refuge.

3
4 MR. CLARK: Ray Clark, chief of resources management at
5 Katmai National Park, King Salmon.

6
7 MR. LAKE: Don Lake, National Park Service, soon to be
8 with the Katmai National Park.

9
10 MS. FOX: Peggy Fox, Bureau of Land Management in
11 Anchorage.

12
13 UNIDENTIFIED VOICE: Chris (Indiscernible, away from
14 microphone) from Togiak Native Council.

15
16 MR. GUSTAFSON: Jack Gustafson (ph).

17
18 UNIDENTIFIED VOICE: (Indiscernible, away from
19 microphone)

20
21 MR. VAN DAELE: Larry Van Daele, Alaska Fish & Game
22 wildlife biologist, Dillingham.

23
24 MR. LUWILDE: Dan Luwilde (ph), Togiak.

25
26 MR. MATHEWS: Gregory Mathews, Togiak.

27
28 MS. DOWNING: Meredith Downing, R & R Court Reporters,
29 Anchorage, recording this meeting. And I would remind people
30 when they do come up to make their reports, to please come up
31 to the microphone. Thank you.

32
33 CHAIRMAN O'HARA: Okay. Good. Introduction and
34 announcement. All right. Okay. Did we miss anyone? Yes?

35
36 UNIDENTIFIED VOICE: (Indiscernible, away from
37 microphone)

38
39 CHAIRMAN O'HARA: Oh, okay. Right over here. Could
40 you stand up and give us your name?

41
42 UNIDENTIFIED VOICE: (Indiscernible, away from
43 microphone)

44
45 UNIDENTIFIED VOICE: (Indiscernible, away from
46 microphone)

47
48 CHAIRMAN O'HARA: Anybody else we might have missed?
49 Everyone got introduced? Okay.

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1 Council members, review and adoption of the agenda?
2 Anything you want to add to or take away from the agenda today?
3 If not, I'd like to have a motion to accept the agenda.

4
5 MR. BOSKOFISKY: I'll make a motion.

6
7 MR. ENRIGHT: I second it.

8
9 CHAIRMAN O'HARA: Okay. Alvin made the motion. Who
10 seconded?

11
12 MR. ABRAHAM: Tim.

13
14 CHAIRMAN O'HARA: Okay. Tim. Any discussion? Call
15 for the question?

16
17 MR. BALLUTA: Question.

18
19 CHAIRMAN O'HARA: All those in favor, say aye?

20
21 IN UNISON: Aye.

22
23 CHAIRMAN O'HARA: Opposed?

24
25 (No opposing votes.)

26
27 CHAIRMAN O'HARA: Ayes have it. The minutes from the
28 February 18th and 19th meeting, and there's one more set of
29 minutes in here, too, on the teleconference?

30
31 MS. EAKON: Yea. Under tab C, the very last page
32 before tab D is the -- are the minutes of the July 30, 1997
33 teleconference meeting of the Regional Council.

34
35 CHAIRMAN O'HARA: Okay. Council members have had a
36 chance to observe the minutes. What's your wishes on the
37 minutes for February 18 and 19th, and July 30th? Any
38 corrections, deletions, additions? Hearing none, let's have a
39 motion?

40
41 MR. HEYANO: Move for adoption, Mr. Chairman.

42
43 CHAIRMAN O'HARA: And that's for the -- both minutes?

44
45 MR. HEYANO: Yes.

46
47 CHAIRMAN O'HARA: Second?

48
49 MR. ABRAHAM: Second.

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1 CHAIRMAN O'HARA: Okay. A second.

2
3 MR. ABRAHAM: Question.

4
5 CHAIRMAN O'HARA: All those in favor, say aye?

6
7 IN UNISON: Aye.

8
9 CHAIRMAN O'HARA: Opposed?

10
11 (No opposing votes.)

12
13 CHAIRMAN O'HARA: Okay. Ayes have it. The next agenda
14 item will be the election of officers, and you'll become madam
15 chairman, Helga?

16
17 MS. EAKON: Thank you, Mr. Chair. The office of chair
18 serves a one-year term, however, may serve more than one year.
19 the chair conducts the regional council meetings, the chair
20 attends and represents the regional council at meetings of the
21 Federal Subsistence Board. The chair is a voting member of the
22 council. The chair signs reports, correspondence, meeting
23 minutes and other documents for external distribution.

24
25 At this time I will open the floor for nominations for
26 the office of chair.

27
28 MR. ABRAHAM: I nominate Dan O'Hara for chair.

29
30 MS. EAKON: Dan O'Hara has been nominated by Pete
31 Abraham. Are there any other nominations?

32
33 MR. HEYANO: Hearing no other nominations, I move that
34 the nominations for chair be closed.

35
36 MS. EAKON: Robert Heyano has moved that the
37 nominations for chair be closed. Is there a second?

38
39 MR. BOSKOFISKY: Second.

40
41 MS. EAKON: All those voting for the motion say aye?

42
43 IN UNISON: Aye.

44
45 MS. EAKON: Those opposed, same sign?

46
47 (No opposing votes.)

48
49 MS. EAKON: The motion passes. Mr. O'Hara, chair, you

50 may take over, please?

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1 CHAIRMAN O'HARA: Okay. Thank you. Well, thank you, I
2 appreciate the confidence of being able to chair it for another
3 year.

4
5 And at this time we'll continue on with the elections,
6 all right?

7
8 MS. EAKON: Okay.

9
10 CHAIRMAN O'HARA: I'll open the floor at this time for
11 vice chair?

12
13 MR. HEYANO: Mr. Chair, I nominate Robin Samuelson.

14
15 CHAIRMAN O'HARA: Robin Samuelson.

16
17 MR. BOSKOFISKY: I'll second.

18
19 CHAIRMAN O'HARA: Okay. Any other nominations for the
20 vice chair?

21
22 MR. HEYANO: Move that nominations be closed.

23
24 CHAIRMAN O'HARA: A motion to close nominations. Any
25 second?

26
27 MR. BOSKOFISKY: Second.

28
29 CHAIRMAN O'HARA: Any further discussion?

30
31 MS. DOWNING: Dan?

32
33 CHAIRMAN O'HARA: Pardon me?

34
35 MS. DOWNING: Could you say who does the moving and the
36 seconding? I'm having trouble seeing people from here.

37
38 CHAIRMAN O'HARA: Okay. If you make a motion.....

39
40 MS. EAKON: Robert Heyano moved, and Alvin Boskofsky
41 seconded that Robert Samuelson be nominated for the office of
42 vice chair.

43
44 CHAIRMAN O'HARA: And we're in discussion. Question?

45
46 MR. ABRAHAM: Question.

47
48 CHAIRMAN O'HARA: All those in favor say aye?
49

IN UNISON: Aye.

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1 CHAIRMAN O'HARA: Opposed?

2

3 (No opposing votes.)

4

5 CHAIRMAN O'HARA: All right. The next office that we
6 have will be the secretary. The floor is open for nomination
7 for the secretary of the council.

8

9 MR. ABRAHAM: I nominate Alvin Boskofsky.

10

11 MR. BALLUTA: I second the motion.

12

13 CHAIRMAN O'HARA: We just have the floor open for
14 nominations, we don't need a second right now. Any further
15 nominations?

16

17 MR. HEYANO: Hearing no further nominations, Mr. Chair,
18 I move that the nominations be closed for secretary. Robert
19 Heyano.

20

21 CHAIRMAN O'HARA: Okay. Is there a second to that?

22

23 MR. BOSKOFSKY: Second.

24

25 MR. ENRIGHT: Second.

26

27 CHAIRMAN O'HARA: Okay. Ron -- Tim Enright seconded.

28 Further discussions?

29

30 MR. ABRAHAM: Question.

31

32 CHAIRMAN O'HARA: All those in favor say aye?

33

34 IN UNISON: Aye.

35

36 CHAIRMAN O'HARA: Okay. Thank you. Opposed?

37

38 (No opposing votes.)

39

40 CHAIRMAN O'HARA: It's unanimous. All right.

41

42 Before we begin the public comment period which you're
43 certainly free to do here in a moment, I understand that --
44 who's the biologist for the State of Alaska?

45

46 MR. ABRAHAM: Larry Van Daele.

47

48 CHAIRMAN O'HARA: Larry Van Daele, you have kind of a
49 time frame today that you need to get out of here one?

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1 MR. VAN DAELE: Yes, sir, I need to catch a plane at
2 3:00 o'clock so I can get into Anchorage. So if I could speak
3 before that, any time before that, I'd appreciate it.
4

5 CHAIRMAN O'HARA: All right. How about if we -- Larry,
6 if we have public comment and then after that, if the council
7 members don't mind, we'd like to give you that opportunity,
8 since you play a really big part in the management of fish and
9 game here -- game, excuse me. And then we'll have
10 opportunities for the council to ask you questions and so on.
11

12 MR. VAN DAELE: Whatever fits your schedule.
13

14 CHAIRMAN O'HARA: Okay. Great. Thank you. The part
15 of the agenda we're open to right now is the public comment on
16 federal subsistence management. It's the opportunity for the
17 public to make comment to us. I don't know if there's been any
18 cards passed out, but I don't think we need any today. Anybody
19 in the audience who would like to make a public comment? Any
20 concerns the public might have?
21

22 MR. NELLS: Is it concerning the agenda?
23

24 CHAIRMAN O'HARA: Yes, anything you want to talk about
25 on the agenda, yes, if you'd like to come up and give us your
26 name, please?
27

28 MR. NELLS: Yes, Mr. Chairman, my name is Kenneth Nels
29 (ph), and I'm currently from Togiak.
30

31 If we're going to discuss between or try to get to some
32 resolution between the Federal Government and the State
33 Government managing our resources, I think we should also
34 consider that cooperation before we get into cooperation and
35 working relationship between the Federal Government and the
36 indigenous population is to initiate grave concerns. Why the
37 annihilation of the Hagemester reindeer, quote/unquote, is a
38 sovereign resource was carried out. The Federal Government
39 explicitly knows that the Neuremburg Code which annihilates
40 resources whether it be human, whether it's a group of people,
41 or identifiable group of people, and their resources is out of
42 the question.
43

44 And these answers -- these questions have never been
45 answered to this date. I don't know if it's by the weakness of
46 the leadership, why they have not been brought up. But in the
47 absence that the land at question is not -- has never been
48 purchased, although I see ANCSA and ANILCA is on the agenda.
49

I would like to also insert that in six months after

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1 the treaty of cession in 1868, of June of that year, after the
2 treaty, the Federal Government was notified concerning the land
3 and the resources at question. It was explicitly carried out
4 to Secretary of State, Stuart Stockle that the land was never
5 purchased. That also came up with the question that we'd like
6 to clarify between us and the Federal Government. If
7 sovereignty was never conveyed and/or transferred, which,
8 quote/unquote, that the Tzar of Russia gave to the United
9 States Secretary of State, where does anybody, any of the two
10 bodies of government that are occupying these lands get the
11 authority to govern our resources.

12

13 I bring this up, Mr. Chairman, because we have a
14 responsibility to our kids and their kids to come.

15

16 And if trust is the main thing that we have to abide
17 by, then why practice something before you or anybody comes
18 upon and condones such action upon a people.

19

20 I would like to pass on to the think tanks of the
21 Federal Government that they did not do their homework before
22 they expounded such an annihilation of a sovereign resource.
23 And instead of talking or setting up all the other things that
24 we see that -- I see there's wanton waste, for instance, for an
25 example, we have never done that.

26

27 But it's -- in light of the 20th century, and going
28 into the 21st century, let's be careful. We have available
29 today the resources of records, or the media, and the radio
30 stations, and personnel that are interested, and are watching
31 the indigenous population move.

32

33 Mr. Chairman, I thank you for the opportunity, and if
34 we can interject of why these heinous acts were carried out on
35 our resources, they have to be answered before we get even to
36 other memorandum of agreement. Thank you.

37

38 CHAIRMAN O'HARA: Okay. Kenneth, before you leave,
39 maybe the council might have -- if you don't mind, if they have
40 any questions they might want to ask?

41

42 MR. NELS: You bet.

43

44 CHAIRMAN O'HARA: Any questions by the council members
45 of Kenneth? Well, thank you very much. We probably should --
46 I don't know who would have an answer to that, Tom, but as we
47 go along the agenda, we're going to find a place, Kenneth, to
48 look at that. I sure appreciate your comments on it. Thank
49 you very much. And we won't take that lightly.

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1 Moses just walked in. Moses, how are you?

2

3 MR. KRITZ: Good. My name is Moses Kritz, here from
4 Togiak. I thought on your.....

5

6 CHAIRMAN O'HARA: We're on public comment if you have a
7 comment you want to make.

8

9 MR. KRITZ: I guess I'll use the mike.

10

11 MS. DOWNING: Thank you.

12

13 MR. KRITZ: I guess you guys are going to be discussing
14 Togiak's Unit 17A moose season in part?

15

16 CHAIRMAN O'HARA: Yeah.

17

18 MR. KRITZ: Since there was a number for the take of
19 subsistence use on the moose, which was, what was it?

20

21 CHAIRMAN O'HARA: Ten.

22

23 MR. KRITZ: Ten. Ten moose. I was wondering if the
24 advisory council can do away with that, and I'd kind of would
25 like for you guys to consider maybe not using a number for the
26 moose season.

27

28 And the other request is that, you know, on the caribou
29 side, on east/west, on the take of caribou. I think we have
30 enough caribou that are running around between both east and
31 west side maybe to be opened from maybe Puhupuk (ph) on up.

32

33 CHAIRMAN O'HARA: From where?

34

35 MR. ABRAHAM: Pongo.

36

37 MR. KRITZ: That's the only request I'd like to put in
38 for now.

39

40 CHAIRMAN O'HARA: You're asking that that be a
41 proposal?

42

43 MR. KRITZ: Pardon me?

44

45 CHAIRMAN O'HARA: Are you asking that that -- that we
46 make a proposal on that?

47

48 MR. KRITZ: Yeah.

49

CHAIRMAN O'HARA: Okay.

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1 MR. KRITZ: Other than that, I don't have anything, but
2 maybe, Danny, maybe you and I can go walrus hunting.

3
4 CHAIRMAN O'HARA: Yeah, if we don't leave, we can
5 address (ph) -- any questions?

6
7 MR. KRITZ: Thank you.

8
9 CHAIRMAN O'HARA: Okay. I guess there are no
10 questions. Thanks, Moses. Any other public comment that we'd
11 like to have today? Any other concerns from the public? Yeah?

12
13 MR. PARKER: What Moses was saying there.....

14
15 CHAIRMAN O'HARA: We have a recording that.....

16
17 MR. PARKER: Oh, I'm sorry.

18
19 CHAIRMAN O'HARA: It doesn't work back there, I'm
20 sorry. But.....

21
22 MR. PARKER: I'm John Parker, vice chair.....

23
24 CHAIRMAN O'HARA: John Parker, yeah.

25
26 MR. PARKER:on the Fish & Game Advisory
27 Committee.

28
29 Also to add to what Moses was saying there, to
30 eliminate the threshold number.....

31
32 CHAIRMAN O'HARA: Uh-hum.

33
34 MR. PARKER:as well.

35
36 CHAIRMAN O'HARA: On moose?

37
38 MR. PARKER: On the moose and the caribou. The ten
39 moose, you know, eliminate that number. And I'm not exactly
40 sure, I think it was 10,000 caribou that they had. And that's
41 all I have. Thank you.

42
43 CHAIRMAN O'HARA: Okay. Good. Thank you. Any
44 other.....

45
46 MR. ABRAHAM: I forgot I had a question for Moses.

47
48 CHAIRMAN O'HARA: Okay. Moses, come on back up here
49 and sit at the table, please?

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1 MR. KRITZ: Go ahead, Pete.

2

3 MR. ABRAHAM: Yeah. Moses, what do you think about the
4 opening, the limit -- I mean, of the hunting season opening? I
5 mean, how do you -- what do you think about the dates?

6

7 MR. KRITZ: The opening dates are okay. I think
8 they're pretty much to -- up to our standards.

9

10 MR. ABRAHAM: Yeah. From some people I've been hearing
11 that it's a little too short. Maybe we can combine it with --
12 combined with Nushagak area opening seasons, like from August
13 20th till September 20th, instead of 15th?

14

15 MR. KRITZ: I've heard some people talking about that,
16 but, you know, some of us didn't have any problem with the
17 dates.

18

19 MR. ABRAHAM: Okay. Thank you.

20

21 CHAIRMAN O'HARA: Any other public comment? Anybody
22 else in the public want to make a comment? Testify? Okay.

23

24 Well, it's probably a good place to bring Larry in,
25 since we're dealing with this issue. Larry's on time
26 constraints, so he's going to come talk to us.

27

28 MR. VAN DAELE: Thank you, Mr. Chairman. My name is
29 Larry Van Daele, I'm the wildlife biologist for Alaska Fish &
30 Game in Dillingham, and I'm also here representing Richard
31 Sellers from the Fish & Game Department in King Salmon.

32

33 If I may, I'd just like to start off -- if I can get my
34 feet underneath this little bitty desk here. I'd like to start
35 off with something that's happened to me in the past year.
36 I've been to several different meetings around the state,
37 including the Board of Game, and also in several different
38 groups, including the Eskimo Walrus Commission meeting up in
39 Gamble last week. And in each one of those meetings, and in
40 each one of those groups, people have taken me aside, both
41 privately and in public and asked why do things work in Bristol
42 Bay between the State and the Federal Government?
43 Unfortunately, fortunately I guess for us, but unfortunately
44 for the State, this is about the only place left in Alaska
45 where the State and Federal Government are working together on
46 the ground very well cooperatively, and also with our advisory
47 committees and your group there.

48

49 I think some of the reasons for this is that number

50 one, we have a history of working together. Most of you

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1 gentlemen up there have been or are on advisory committees with
2 the State, so you're used to that system. And most of our area
3 biologists are used to working with the refuge managers.

4
5 Another portion of our success I think is because of
6 the conservative attitudes that people out here have with
7 regard to resources. We're in it for the long term. Short-
8 term needs, wants, desires often take a back seat to the long-
9 term needs of our children. And that's critically important
10 when we're living up here in Alaska where things don't grow as
11 fast as they would in other parts of the world.

12
13 And finally I think probably the most important thing
14 that we do out here in Bristol Bay that makes us kind of a
15 shiny example around the state is that we have a willingness to
16 look past who we work for, and look at what we're trying to
17 achieve.

18
19 So with that pat on the back for all of us, I think
20 it's important that we continue this cooperation, that it's
21 critical especially at this pivotal point in Alaska's natural
22 resource history, because within the next few days actually,
23 it's going to be made or broken as to who manages Alaska's
24 resource, whether it's Washington, D.C. or Anchorage or you
25 name it. But the bottom line is, as long as we can cooperate
26 at this level, things will go fine, and we'll get the most bang
27 for our buck. So with that, you know, I thought it was
28 important to share that with you guys, because we really are
29 one of the few places where all this is working, and let's keep
30 it up.

31
32 CHAIRMAN O'HARA: Yeah, appreciate that.

33
34 MR. VAN DAELE: As far as natural resource reports are
35 concerned, a real brief summary on the Alaska Peninsula since,
36 of course, Mr. Sellers is the biologist down there. He reports
37 that moose, brown bear and fur populations are very healthy
38 right now and are responding well to a series of mild winters.
39 He doesn't have any real problem areas with those species.

40
41 With regard to caribou populations, it's not quite as
42 rosy a picture. The South Alaska Peninsula Herd continues at
43 low levels. It hasn't responded well, although it has
44 responded some what. And I'll defer any comments on that to
45 the refuge folks from the Alaska Peninsula. I'm sure they have
46 some numbers that they can report to you.

47
48 With regard to the North Alaska Peninsula Herd,
49 Mr. Sellers requested that I submit this to the record. It's a

50 memo on the history and the management actions on that North

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1 Peninsula Herd.

2

3 If I may just summarize very briefly, during the 1980s,
4 the North Peninsula Herd was anywhere between 17,000 and 20,000
5 animals. During the fall of 1986, the North Peninsula Herd and
6 the Mulchatna Herd began using the same winter range, and since
7 that time, we've seen a decline in the North Peninsula Herd.
8 We now have about 11 to 12,000 animals in the herd. Let's see,
9 the number that Dick gives is -- okay, that's in 1997 they
10 counted 2,114 caribou on the Pacific side, 7,767 on the Bristol
11 Bay side, so we're looking at right around 10,000 animals now
12 in 1997.

13

14 The question is, what caused this? Dick has done some
15 tests over there, and the results of his studies are that the
16 North Peninsula animals are only in mediocre condition compared
17 to caribou in other herds, as contrasted to the Mulchatna Herd,
18 which are in excellent condition, body size, body weights.
19 Calves that were collected in October had a very high instance
20 of lung worms. The implications of this high rate of infection
21 is not fully known, but may be related to nutritional stress,
22 and in some cases may open the door to bacterial pneumonia,
23 which we've documented as a case of death in some newborn
24 calves.

25

26 Calving surveys done during the peak of calving show
27 only mediocre calf production among all cows. None of the 15
28 cows that were collared in 1995 produced calves as two-year-
29 olds. Now, in a healthy herd, you expect about 30 percent of
30 your two-year-olds to produce calves. Fall sex and age
31 compositions surveys in '95 and '96 show that there is still an
32 adequate bull/cow ratio; however, calf to cow ratios were a lot
33 lower than we'd seen during the 80s.

34

35 In summary, Mr. Sellers says the North Peninsula Herd
36 appears to be, quote, "on the edge". Whether this herd can be
37 held at the current size or declines further will depend on a
38 number of factors, some of which we have little control over,
39 such as winter severity, movements to better winter range north
40 of the Naknek River, disease and predation. And one factor,
41 harvest, that we do have some control over.

42

43 From a biological standpoint, two things are critical
44 now. We must minimize the harvest of cows in 9E and 9C, and we
45 must maintain an adequate ratio of bulls to cows. Beyond these
46 management needs, the allocation of the shrinking allowable
47 harvest to various user groups is strictly a social and
48 political matter.

49

So I'll present this to you, Mr. Chairman, if I may,

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1 and you can either make copies of it or whatever.

2

3 Okay. I probably can't answer a whole lot of questions
4 on the Alaska Peninsula resources, but if there's anything
5 you'd like me to find out from Dick, I'll be glad to do that
6 and report back to you.

7

8 CHAIRMAN O'HARA: Yeah, if we could, Larry,.....

9

10 MR. VAN DAELE: Okay.

11

12 CHAIRMAN O'HARA:ask questions on this segment,
13 and each one as you go along?

14

15 MR. VAN DAELE: Okay.

16

17 CHAIRMAN O'HARA: Council members, any questions for
18 Larry on the Alaska Peninsula Herd? That's the North Alaska
19 Peninsula Herd, I guess.

20

21 MR. VAN DAELE: The north or the south or,.....

22

23 CHAIRMAN O'HARA: Either one.

24

25 MR. VAN DAELE:you know, any wildlife type thing
26 I can get an answer for you, although I probably can't answer
27 it myself.

28

29 CHAIRMAN O'HARA: Yeah. Go ahead, Robert.

30

31 MR. HEYANO: His recommendation is that we need to slow
32 down the harvest of cows in 9E and 9D, is that correct?

33

34 MR. VAN DAELE: Yes, sir.

35

36 MR. HEYANO: Does he propose how we do that? Does
37 he.....

38

39 MR. VAN DAELE: No.

40

41 MR. HEYANO:have a recommendation?

42

43 MR. VAN DAELE: No, there's no proposal for that in
44 there.

45

46 CHAIRMAN O'HARA: Cows are only taken by one group of
47 people, Larry, and that's the subsistence user.

48

49 MR. VAN DAELE: That's correct.

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1 CHAIRMAN O'HARA: I mean, that's the meat animal.

2
3 MR. VAN DAELE: Uh-hum. That's correct. So it's.....

4
5 CHAIRMAN O'HARA: Uh-hum. Would you know the kind of
6 pressure that's being developed by sports? I mean, if the
7 numbers have to be reduced, I don't -- you know, 10,000 animals
8 is getting way down. Thirteen should be better. And.....

9
10 MR. VAN DAELE: In the Department, what we've done to
11 reduce harvest is try to vector as much pressure as possible
12 onto the Mulchatna Herd, and away from the North Peninsula
13 Herd. And, of course, in the recent Board of Game meeting, we
14 cranked the seasons down even tighter on that North Peninsula
15 Herd. You would know better than I if there is as much
16 pressure as there used to be from nonlocals. I know we see a
17 heck of a lot up here out of Dillingham that go to the
18 Mulchatna, but I don't know how many go south to your area.

19
20 CHAIRMAN O'HARA: They're just -- there's people here
21 from the Alaska Peninsula, Egegik, and different places that
22 can address that today, too, but there's just a tremendous
23 amount of sports effort, too, and I don't know, maybe they --
24 you know, the Anchorage people do take cows just like we do,
25 too, so there's a lot of pressure probably on the meat type of
26 animal that takes place. But I think we've got a serious
27 problem with probably the diet of the animal that's causing
28 some kind of a problem currently.

29
30 MR. VAN DAELE: Yeah, there's -- you know, two things
31 are happening. One is you have a reduced winter range down
32 there, because you've had animals on the same winter range for
33 so long. Essentially with both the South and the North
34 Peninsula herds, you have an island population. The Mulchatna
35 Herd can keep going west as long as it wants to, until it gets
36 to Russia, and still find good range. But the North and South
37 Peninsula really can't go much further than they have, so that
38 reduced winter range is part of it.

39
40 The other part is we've had a couple of very dry
41 summers, and dry summers, although most people don't think
42 about it, are real hard on caribou. Even with the Mulchatna
43 herd, we had a tremendous decrease in productivity this year.
44 It's normally around 70 calves per hundred, this year we saw 28
45 calves per hundred. And the only thing that we can look back
46 on is the very dry summers with low growth rates for the
47 grasses and things that they depend on.

48
49 So you put those two factors on your productivity, you

50 throw lung worm on top of that, and then harvests, well, we

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1 can't do anything about the weather, we can't do much about
2 lung worm, so harvest is what it boils down to. And in any
3 wildlife population, the females are what drive the system.
4 And that's what you've got to look at.

5

6 CHAIRMAN O'HARA: Yeah. Larry, another concern I think
7 is the wolf population is increasing considerably.

8

9 MR. VAN DAELE: Uh-hum.

10

11 CHAIRMAN O'HARA: About the 27th of August we went up
12 to the lower end of Lake Iliamna and got a caribou, and that
13 animal was limping when we shot it, and it was the only one we
14 saw. And we shot it, and it had been bitten in the leg, and it
15 was pretty obvious the only thing that had bitten it there was
16 a wolf. It wasn't a bear I don't think. You could tell from
17 the size of the fangs that it was obviously a wolf. And I know
18 that that has increased considerably. Have you talked about
19 wolf control at all, or is that a serious problem yet?

20

21 MR. VAN DAELE: For Unit 9 and Unit 17, we haven't
22 seriously discussed active wolf control.

23

24 CHAIRMAN O'HARA: Uh-hum. Yeah.

25

26 MR. VAN DAELE: When we reduced the moose seasons in
27 Unit 17 at the Board of Game last spring, it was required that
28 we discuss wolf control, and pretty much it was decided that
29 the populations are healthy now. We really can't do much more
30 to liberalize wolf harvests, and it wasn't a candidate for
31 active go out and shoot them from airplane type.....

32

33 CHAIRMAN O'HARA: Yeah, it hasn't been an over-bearing
34 problem as far as you know yet then?

35

36 MR. VAN DAELE: No, not yet.

37

38 CHAIRMAN O'HARA: Yeah.

39

40 MR. VAN DAELE: But, of course, understand that most of
41 my emphasis is in Unit 17 where we've got 200,000 caribou, and
42 we've got a good healthy moose population. We're not talking
43 about Unit 9, where you have a limited number of moose, and a
44 caribou population that's declining, so it would be a different
45 story down there.

46

47 CHAIRMAN O'HARA: Uh-hum. Any other concerns?

48

49 MR. BOSKOFISKY: We've been seeing a lot of wolf packs

50 down there.

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1 CHAIRMAN O'HARA: Any other.....

2
3 MR. BOSKOFISKY: There was one group of like nine, ten
4 in one pack that they seen up around Black Lake last winter.
5 And then even around the village.

6
7 CHAIRMAN O'HARA: I know we've seen as many as 25, you
8 know, that at -- by what they call Blue Mountain Whaleback,
9 coming over the ridge there, there's a pack of 20, so that's an
10 awful lot of creatures in one location. You usually don't see
11 by seven or eight, five, something like that.

12
13 Any other questions of Larry on the Alaska Peninsula?
14 Yeah?

15
16 MR. HEYANO: I don't know, Mr. Chairman, I guess the
17 habitat or the feed isn't there for the caribou, correct?

18
19 MR. VAN DAELE: Yeah.

20
21 MR. HEYANO: And then this is going to be an
22 interesting discussion later on, Mr. Chairman, and then it's
23 the recommendation of the State is that we need to slow down
24 the harvest of the cows.

25
26 MR. VAN DAELE: Uh-hum. I see where you're going.

27
28 MR. HEYANO: And that's basically as Dan said, it's
29 going to affect primarily the subsistence hunter for the most
30 part, especially during the winter months. But if there isn't
31 enough range for 10,000 animals, and they're going to starve
32 anyway and die off, why do -- why not shoot a few more?

33
34 MR. VAN DAELE: Well, this is always your conundrum
35 that you get into with caribou, you know. The South Peninsula
36 Herd, we did the same thing several years ago. Why not reduce
37 it to almost nil and let the range return. In my opening
38 statement, I talked about conservative attitudes and long-term
39 management. With regard to lichen regeneration, you're looking
40 at upwards of 50 years in a lot of cases. And the question is
41 would it be preferred to keep the herd at a relatively low
42 level -- a productive low level so that these lichens can come
43 up, or would it be better to reduce it to maybe 5,000 for 50
44 years, and then let it come back up? I think the option that
45 we would prefer to see is keep the female segment of the
46 population as healthy as possible so that when the ranges
47 either recover, or when the animals decide to go onto new
48 ranges, that they have the biological capacity to rebound
49 quickly. and if you're going to reduce a segment of the

50 population, the male segment of the population is what you want

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1 to go after, rather than the females. That's the rationale
2 that we've used in the past. It seemed to work on the Western
3 Arctic Herd that rebounded, on the Nelchina Herd that rebounded
4 after crashes in the 70s. So that's the history of what we're
5 looking at here for these herds.

6
7 MR. HEYANO: One more quick question. Can you tell us
8 what the Game Board did at the, what is it, spring meeting.....
9

10 MR. VAN DAELE: For Unit 9?
11

12 MR. HEYANO:to reduce the caribou?
13

14 MR. VAN DAELE: I can't off the top of my head. I
15 believe it's in Mr. Sellers' report there. I don't have a copy
16 in front of me, but he does have a portion in there on
17 management, and that would be what you'd want.
18

19 CHAIRMAN O'HARA: Any other questions of Larry? Okay.
20 Would you continue on with your.....
21

22 MR. HEYANO: I think.....
23

24 CHAIRMAN O'HARA: Oh, excuse me. I'm sorry. Did you
25 have a comment you wanted to do there?
26

27 MR. LIND: Just a quick question for Larry.
28

29 CHAIRMAN O'HARA: Give us your name, would you please,
30 so that.....
31

32 MR. LIND: Orville Lind, local subsistence user for
33 Alaska Peninsula. Does it say in the report where Sellers made
34 the surveys?
35

36 MR. VAN DAELE: The actual survey, or the cow.....
37

38 MR. LIND: The caribou survey where he's getting the
39 numbers from?
40

41 MR. VAN DAELE: On the Bristol Bay plain is a portion
42 that he did, and then, of course, the Refuge did the Pacific
43 side, and he based his surveys on radio-collared animals.
44

45 MR. LIND: And did he say how far down the Chain did he
46 go as far as Alaska Peninsula on the Pacific side?
47

48 MR. VAN DAELE: No, that's not in the report. I could
49 find it out or you could call him up yourself and find out.

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1 MR. LIND: Yeah. My point, Mr. Chairman, is we need to
2 get all the information. The Peninsula Herd moves around a
3 lot, all the way from King Salmon all the way down to Port
4 Moller side. A thousand animals can be easily missed. And
5 I've been told by other biologists that this is a good change
6 for the habitat as far as animals being that low. There's no
7 documentation since 1980 that the herd has been greater than
8 20,000 and before, like in the 1960s, 50s, so it may be a
9 cycle. And that's all I have.

10
11 CHAIRMAN O'HARA: Thank you. Okay. Larry? We're
12 going to have him continue on his report and then we'll have
13 some public comment again in a minute.

14
15 MR. NELS: I had a question for him.

16
17 CHAIRMAN O'HARA: Okay. We'll have the -- all right.
18 Go ahead. Give us your name again, please, just so she can get
19 it on the record, here, Kenneth?

20
21 MR. NELS: Yes, Kenneth Nels. In your testimony to the
22 board here, your observation surrounded the context of the
23 caribou itself, correct?

24
25 MR. VAN DAELE: The North Peninsula Herd, yes, sir.

26
27 MR. NELS: Okay. The -- besides your scientific
28 observation, did -- were there any physical signs or tell-tale
29 signs of the species involved that you might have run across?

30
31 MR. VAN DAELE: Are you asking did Mr. Sellers see
32 tracks in areas where he didn't see caribou? Is that what
33 you're -- I'm not.....

34
35 MR. NELS: Well, if you're spouting on various types of
36 the caribou itself, our way, the native way, is once there's
37 something dead or caught, we usually quickly go into the -- not
38 only the skeletal, we go into the stomach of the species
39 involved. And that's where we check the diet contents and the
40 habitat of where they were. Did any of your personnel do that?

41
42 MR. VAN DAELE: Yes. When Mr. Sellers look at the calf
43 caribou that he actually collected, he killed them and
44 collected them, and then gave the meat to the villages, he
45 looked at stomach contents of those. Whenever he could find a
46 female or a male adult caribou that was dead, recently dead, he
47 would investigate that. Investigate two things primarily. The
48 stomach contents if it was fresh enough, and the marrow from
49 the long bones if not, because that would tell if it had

50 starved or not.

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1 MR. NELLS: Interesting. I'm trying to give you
2 incentives here. Not only do we check the contents of the
3 stomach involved, there's two portions, and nearly three
4 portions of the stomach of moose or caribou, and into which
5 part that might have been dialogued concerning the habitat or
6 the diet?

7
8 MR. VAN DAELE: When we look at any ruminant, any of
9 the deer family, we look at all four of the stomachs.

10
11 MR. NELLS: Okay.

12
13 CHAIRMAN O'HARA: Okay. Larry, go with your report.
14 Are you going to address the -- what's the next section?

15
16 MR. VAN DAELE: The next section will be Unit 17,
17 northern Bristol Bay. Would you like to get into that now?

18
19 CHAIRMAN O'HARA: You bet, thank you.

20
21 MR. VAN DAELE: Okay. Now that we're done with the
22 Alaska Peninsula, we can get to the good part, Unit 17,
23 Northern Bristol Bay where everything's healthy, happy and
24 doing fine, because of good management and good cooperation.

25
26 Moose populations in Unit 17 are doing very well in
27 spite of ever-increasing harvests. Last year we had a record
28 harvest reported of over 400 moose taken, which is a 300
29 percent increase over the last ten years in both the number of
30 moose hunters and in the number of moose harvested. The reason
31 that the moose populations in this area have been able to
32 sustain such an increase in harvest is because of a series of
33 very mild winters as you've experienced on the Peninsula. It's
34 the moose manager's best friend. We have moose that are fairly
35 new to the area as far as biological history is concerned, so
36 we don't have habitat problems yet, and we've had mild winters
37 where they can use all kinds of different ranges.

38
39 We also had our ranges enhanced this year by a series
40 of large and small fires throughout northern Bristol Bay, most
41 of which couldn't have been designed any better for moose
42 habitat. It really looked good out there, and in about five,
43 ten years, we'll start seeing the response from that.

44
45 In spite of this, however, we cannot sustain this level
46 of increase in the harvest. And in presentations to the Board
47 of Game last year, we requested restrictions on nonlocal
48 hunters. The Board reduced the nonresident season by five
49 days, yet made the bag limit more restrictive by going from

50 three to four brow tines for nonresidents. The Alaska resident

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1 season stayed the same; however, there were some restrictions
2 placed on the registration permits that we have up here for any
3 bull.

4
5 We also have seen a great deal of problem with meat
6 salvage in this area, both with moose and with caribou. To
7 address that problem of meat salvage, the Board of Game imposed
8 a meat on the bone restriction for all of Unit 17, Unit 19B and
9 Unit 9B. What that regulation says is that any hunter who
10 harvests a moose or caribou must take it out on the bone for
11 the four legs and the ribs. If they don't, it's a violation.
12 To deal with this new regulation, Fish & Wildlife Protection
13 put out a major effort in the Dillingham and northern Bristol
14 Bay area this year with at least eight different officers, a
15 helicopter and two other officers that were sneaking around the
16 bushes. The results of these are still being tallied, but they
17 met with over 500 hunters, and I'm not sure of the number of
18 citations they issued, but the dramatic effect can be seen both
19 from the Dillingham Airport where in previous years we saw a
20 lot of antlers going out and a little bit of meat, whereas this
21 year you see a lot of meat and just a few antlers going out.
22 It was a dramatic change.

23
24 And just before I left this morning, I got a call from
25 Greg Moxie in the Village of New Stuyahok. Mr. Moxie is a
26 person up there who have been -- has been my eyes and ears for
27 the eight years that I've been out there, and he said for the
28 first time in his 50 years or so of watching, he has not had
29 complaints of head hunters on the rivers this year. So I think
30 a combination of the new regulation and the publicity that went
31 with it, as well as the protection officer, made a dramatic
32 difference in meat salvage this year.

33
34 I suspect we'll see somewhat of a decrease in the
35 number of nonresidents that were successful this year. I
36 haven't tallied that all up yet. We have not seen a change in
37 the local resident harvest in Unit 17 moose.

38
39 The other thing that the Board of Game did was they
40 opened moose season in Unit 17A by registration permit for all
41 Alaska residents. Mr. Carlos from the Togiak Fish & Game
42 Advisory Committee testified before the Board of Game saying
43 the people of Togiak really needed, wanted a moose season over
44 here, and they wanted it as a subsistence only season. Of
45 course, the Board of Game does not have that flexibility,
46 doesn't have that latitude to make those types of distinctions
47 without going to what they call a Tier II system, which is a
48 bureaucratic nightmare to be honest.

49

So they sat down, and within the state system came up

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1 with a creative means of providing local residents an easier
2 way to hunt, and nonlocal Alaskans a harder way to hunt. The
3 way the registration permit was designed was that a permit had
4 to be picked up in person in Togiak. It couldn't be picked up
5 in Dillingham, it couldn't be picked up in Anchorage, it
6 couldn't be picked up by mail. In person, in Togiak.
7 Mr. Abraham helped us with the administration of that. Access
8 by aircraft was to state-maintained airports only. There was
9 no access to lakes or to gravel bars or anything like that.
10 And finally, it was only open to Alaska residents. Once they
11 picked up their permit, they had to report back to us within
12 five days.

13
14 We did not set a limit on the number of moose taken.
15 However, it was discussed at the Board of Game that a limit of
16 ten moose would be appropriate given the number of moose we
17 have out here and the management goal of reaching at least 600
18 moose in 17A.

19
20 To date, we've issued 46 permits. The season was
21 August 20th through September 15th. It mirrored the seasons
22 over in the rest of 17. We have 12 reported successful kills
23 of moose. I would guess that by the time all the cards are in,
24 we'll have about 15 reported kills. Harvests were throughout
25 the river system in Togiak, the lake, Gechiak River, Togiak
26 River itself. There was no one spot where people got all the
27 moose.

28
29 I defer to Mr. Abraham as to how it was accepted here
30 in Togiak, and how we might change it, you know, if you have
31 any comments on that.

32
33 The other thing I'd like to mention is this is another
34 case where we were able to use both the federal and state
35 system to the people's benefit. Rather than have two separate
36 permits, one for federal lands, the other for native and state
37 lands, the permit was essentially transparent to the hunter.
38 They went to one place, they had one permit, they were able to
39 hunt in the same areas. But on the bureaucratic side, the
40 refuge and I monitored the hunt as close as we could with the
41 cards, and kept track so that we didn't over-harvest too much.
42 I mean, 12 or 15 is higher than ten, there's no doubt about
43 that, but it's within the range of reality.

44
45 I guess where the rubber's really going to meet the
46 road though is this winter, to find out if this fall harvest is
47 in addition to a winter harvest, or if it supplements what
48 people would have taken in the winter. So I'm sure I'll have
49 some more questions or comments from people on this particular

50 hunt, but that kind of sums it up for moose. Would you like me

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1 to continue on into caribou, or do you want to stop there?

2

3 CHAIRMAN O'HARA: No, I'd like to ask the council if
4 they have any comment or any questions on moose? On the moose
5 report? Yeah, Peter?

6

7 MR. ABRAHAM: Yeah. I appreciate that we work together
8 on this moose hunt over here. You made Togiak people very
9 happy for the first moose opening over here. Although I wasn't
10 too successful on the hunt, but I'm happy for the people that
11 got their moose, like as Moses mentioned a while ago, and John
12 Parker had mentioned, that if we have just an open season over
13 here, I don't think -- I don't think we, the people in Togiak,
14 dent the population of the moose over here. I think there is
15 in fact there is more increase. For fact, one -- a couple of
16 guys to Kulukak Bay, Kulukak over there, to go hunting over
17 there. They spotted 12 moose in one small area, and that make
18 me happy. And just for closing season over here, a lot more
19 moose was spotted up in upper Togiak Lake and even lower area
20 over here. So that's encouraging that we have -- I mean, open
21 season in near future or every year. But like you said, if
22 U.S. Fish & Wildlife and ADF&G and then the traditional council
23 over here works together constantly, I think we'd have a
24 successful management on the whole area. Thank you.

25

26 CHAIRMAN O'HARA: Any other questions of Larry on the
27 moose? Yes?

28

29 MR. HEYANO: Not a question, just another comment. The
30 Nushagak Advisory Committee asked for some restrictions placed
31 on the resident hunters, too, but the Game Board didn't seem --
32 or it was -- they didn't enact them. They were to put an
33 antler restriction on the resident hunter in the September
34 hunt, and to take five days off the September hunt for the
35 resident hunter. The Game Board elected not to implement those
36 requests.

37

38 CHAIRMAN O'HARA: No further question? What's your
39 next -- excuse me, Smiley, do you have a.....

40

41 MR. KNUTSEN: I'm having trouble hearing anyone talk up
42 there. I don't know if we can.....

43

44 CHAIRMAN O'HARA: We don't have a mike.

45

46 MR. KNUTSEN: Well, if you could speak up just a little
47 bit, Robert? Thank you.

48

49 CHAIRMAN O'HARA: No other questions? Your next item

50 there?

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1 MR. VAN DAELE: Okay. The next item is the Mulchatna
2 Caribou Herd. We did a census in 1996, came up with a minimum
3 estimate of 192,818. Those are actually how many dots I
4 counted on the photographs. So the total estimate herd size is
5 200,000 in the Mulchatna Herd. This continues the rate of
6 increase of approximately 17 percent per year since 1985.

7
8 As I mentioned earlier, this spring, 1997 spring, we
9 had lower productivity than we'd seen in -- well, since we've
10 been doing the surveys. 28.5 calves per 100 cows. We suspect
11 that this was a direct result of the dry summer that we had in
12 1996, and we'll probably see a similar productivity in 1997 --
13 or 1998, I'm sorry.

14
15 I don't think that's anything to be too concerned
16 about. The herd needs to slow down its growth rate. 17
17 percent per annum is great for your checkbook, but it's not
18 real good for a caribou herd. The reasons that they've been
19 able to sustain this level of increase is, as I mentioned
20 before, a lot of open, unused caribou range between here and
21 the Bering Sea. Historically, it appeared that there was a
22 herd of approximately a million animals between the Naknek
23 River and Unalakleet back in the late 1800s, early 1900s. And
24 that area has not been -- area to the west of Togiak basically,
25 has not been used for the last 100 years, so it's good range
26 and can support more animals, and the animals are utilizing
27 that.

28
29 In fact, because of that north and western movement,
30 the Mulchatna Herd has overtaken the Kilbuck Herd to the point
31 that the Kilbuck Herd is basically indistinguishable from the
32 Mulchatna. And we've begun to manage the two herds as one in
33 the western portion of the range. Those are with your
34 counterparts over in Bethel and the Lower Kuskokwim, over
35 there.

36
37 As the Mulchatna Herd moved into the Kilbuck's range,
38 we opened that area up by emergency order, I believe it was in
39 late August. I don't have the exact date in front of me. That
40 emergency order, which was again done in conjunction with the
41 federal emergency action, or whatever the jargon is for that,
42 opened it up at the same time. Basically it was transparent to
43 the hunter again. It was for Unit 18 south of the Yukon, and
44 Unit 17A west of the Togiak River, and also north of the
45 Pogogapuk (ph) River.

46
47 The reason all of 17A was not opened up through this
48 emergency order is because of concerns for the transplanted
49 Nushagak Peninsula Herd, which is just to the southeast of

50 here. That herd is comanaged with a group of people from Fish

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1 & Wildlife, Fish & Game, and from all the villages around here.
2 And, Pete, I believe you're a member of that group, too. And
3 Robert is, too. So rather than open up by emergency order
4 their area or jurisdiction, we opted to keep that closed until
5 they could take action on it, so that here continued to be
6 managed on its own as a separate herd.

8 We have an increasing number of caribou harvested from
9 the Mulchatna Herd. We look at around seven to 8,000 per year
10 both by local and nonlocal hunters. The season is open from
11 August 1st to April 15th with a bag limit of five caribou.

13 The Board of Game liberalized seasons for the Mulchatna
14 Herd in their spring meeting by eliminating the two bull limit
15 that we previously had, and only imposing that during the rut.
16 During October, November and December we have -- or is it --
17 October, November we have a two bull limit, otherwise just five
18 caribou.

20 The other thing the Board of Game did was give Fish &
21 Game authority to make these emergency openings without going
22 specifically back to them and having to revisit it each time
23 the caribou move to a different village.

25 Overall, the Mulchatna Herd looks healthy. In spite of
26 the low productivity, they have plenty of fat on them. There's
27 no indication of lung worm yet, and we'll see what the winter
28 brings. Questions? Comments?

30 CHAIRMAN O'HARA: Mulchatna Herd. Question, Larry.
31 You said you dropped down -- you have about a 17 percent
32 overall increase,.....

34 MR. VAN DAELE: Uh-hum.

36 CHAIRMAN O'HARA:but only 28 per 100 calves on
37 the production with the cows, is that right?

39 MR. VAN DAELE: Yes, sir.

41 CHAIRMAN O'HARA: From what number? From 33?

43 MR. VAN DAELE: No. It previously averaged around 70
44 per 100, so it was a dramatic decrease.

46 CHAIRMAN O'HARA: You mean 70 down to 28?

48 MR. VAN DAELE: Seventy calves per 100 cows. Last year
49 it was 75 per 100, this year it was 28.5 per 100.

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1 CHAIRMAN O'HARA: One of the problems they had, you
2 know, Ken Taylor is deputy director of Fish & Game down in
3 Juneau under Frank.....

4
5 MR. VAN DAELE: Frank Rue?

6
7 CHAIRMAN O'HARA: Yeah, Rue. And he had to deal with
8 the wolf problem, which became so blown out of proportion with
9 the media up in that area at the time, and he was in Fairbanks.
10 So I'm glad where he's at, because he does a very good job.

11
12 But they had a lot of cows that lost their calves in
13 February and March due to the drought which we've had now for
14 two years, which is beginning -- obviously is going to affect
15 us, and -- are you looking ahead to what might happens with
16 cows aborting their young come February and March, or is that
17 just a fear that we shouldn't worry about?

18
19 MR. VAN DAELE: I don't think we have any fear.
20 Actually I think it's good for the health of the herd to slow
21 down its productivity right now. You just can't sustain that
22 level of increase with the habitat. The fact of the matter is
23 there really isn't a whole heck of a lot we can do right now as
24 far as trying to stop them from aborting their calves in
25 February and March. You know, it's up to God. We really don't
26 have much say in the matter.

27
28 CHAIRMAN O'HARA: If we have an idea, we'll let you
29 know what it is.

30
31 MR. VAN DAELE: Yeah, appreciate it.

32
33 CHAIRMAN O'HARA: Yeah. Any other questions? All
34 right. One more? Okay.

35
36 MR. HEYANO: Not to his caribou report, Mr. Chairman.
37 If we could go back to the moose?

38
39 CHAIRMAN O'HARA: Sure.

40
41 MR. HEYANO: Primarily 17A. We've heard today a couple
42 of requests of having an unlimited hunt. I'd like to know what
43 your response is to that? And then also your response to
44 increasing it above ten at this time?

45
46 MR. VAN DAELE: Well, in my opinion, I think it would
47 be very unwise to have an unrestricted season in 17A right now.
48 A bit of history. We haven't had a moose season in 17A, a
49 legal moose season, since 1980, so it's been 17 years since

50 people have legally been allowed to take moose here.

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1 When I first came into the area in 1990, it was very
2 hard to find a large number of moose in Unit 17A. And the
3 Togiak Advisory Committee recognized that, the Nushagak
4 Advisory Committee recognized that, and responded in continuing
5 the closed areas here, and also closing adjacent areas in Unit
6 17C, with the idea that as moose populations built up in
7 adjacent areas, they would move to the west into vacant
8 habitat. We've seen that. In the last four years or so we've
9 seen a dramatic increase in the number of moose here in 17A, to
10 the point that we felt it biologically justifiable to have a
11 season.

12
13 The best information we have, and it's not hard core
14 scientific information, it comes more from our gut feelings,
15 and from talking to people that live out here, is that the
16 Togiak Valley can support from 600 to 1,000 moose. Our best
17 estimate is that the Togiak Valley currently has less than 200
18 moose in it.

19
20 Given those numbers, and understanding as I say they're
21 not precise numbers, they're more of a manager's number than a
22 researcher's number, we feel that it is possible, it's good for
23 people to have a season here. It's not possible, however, just
24 to go out and have an open season. We want to use the
25 resource, but we still want to build the resource up at this
26 time. So that's the justification and rationale we have.

27
28 CHAIRMAN O'HARA: Yeah. Sure, appreciate that.

29
30 MR. VAN DAELE: Does that answer your question, Robert?

31
32 MR. HEYANO: Thank you.

33
34 CHAIRMAN O'HARA: Any other questions? Larry, did you
35 have any other reports to give to us?

36
37 MR. VAN DAELE: Just very briefly, Nushagak Peninsula
38 Caribou were transplanted from Becharof Lake to the Cape
39 Constantine area just again to the southeast of here, just
40 south of Dillingham. We started with 147 animals, currently
41 have about 1200 animals in that particular herd. It is
42 comanaged as I mentioned by a group from the local villages as
43 well as Fish & Game and Fish & Wildlife Service. And that herd
44 seems to be doing just fine. It's healthy.

45
46 Fur-bearer populations and brown bear populations are
47 doing extremely well. The Board of Game liberalized both the
48 fur seasons out here and the brown bear seasons out here in
49 Unit 17 as a response to that.

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1 And last, but not least, as we speak the walrus season
2 is open on Round Island, again comanaged between Fish &
3 Wildlife Service, Fish & Game and the Kiosuk Walrus Commission,
4 and the Eskimo Walrus Commission. The Commission with
5 blessings from the Board of Game liberalized the harvest in
6 that from ten to 20 walrus, and included two new villages, New
7 Stuyahok and Egegik, in the villages allowed to go out there,
8 and they shifted the season by ten days, so now it's September
9 20 to October 20.

10
11 And that's pretty much what I have to say.

12
13 CHAIRMAN O'HARA: Any questions of Larry? Thank you
14 very much. We appreciate it.

15
16 MR. VAN DAELE: Thank you, sir.

17
18 CHAIRMAN O'HARA: You're going to be around until your
19 plane leaves, in case something comes up?

20
21 MR. VAN DAELE: I will be around. I need to catch an
22 airplane at 3:00 o'clock, so I'll be here for the next 45
23 minutes or so.

24
25 CHAIRMAN O'HARA: All right. Good. Thank you very
26 much.

27
28 MR. VAN DAELE: Thanks again.

29
30 CHAIRMAN O'HARA: Yeah. Helga, where are we out now on
31 the.....

32
33 MS. EAKON: You're on reports, on page one of the
34 agenda to Federal Subsistence Board meeting, April 7 to 10,
35 1997, Pete Abraham and Dan O'Hara.

36
37 CHAIRMAN O'HARA: Okay. I'll ask -- what happens,
38 members of the public, is we make the proposals and then we go
39 to Anchorage and the Federal Board -- we go before the Federal
40 Board and try to get our proposals passed. And we've been
41 fairly successful, and Pete here went to Anchorage for half the
42 time, and I was there for half the time, so I'd like to have
43 Pete go ahead and give a little report, and then I'll make some
44 closing remarks.

45
46 MR. ABRAHAM: On -- once in a while I take Dan O'Hara's
47 place to go to Anchorage for the meeting, because everybody's
48 lazy (ph) to go over there. Busy.

49

CHAIRMAN O'HARA: Busy, okay.

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1 MR. ABRAHAM: I found that the meeting in Anchorage
2 they have is a lot better than what we have over here. They're
3 more -- I mean, I was very impressed what they were doing,
4 although at the time I was -- I got sick, I got a little sick
5 so I had to go to the hospital a couple of times. I think when
6 we were on -- I'll have Dan O'Hara take the rest.

7
8 CHAIRMAN O'HARA: The proposals that we put in, and, of
9 course, all the proposals that we asked for, we got, with the
10 exception of one, and that was the Proposal #48, and that dealt
11 with same day as airborne hunting on the Nushagak Protection
12 Point Herd, and I think that went forward as a proposal from
13 our council, yes? And then the Federal Board, it's really
14 funny, they tied on their vote, and it couldn't go anywhere, so
15 that really was a fun proposal to deal with. And as chairman,
16 I had to be kind of careful, because it wasn't fully 100
17 percent both ways from our council, but we supported the
18 proposal, so I had to support it. But it's really fun to see
19 the Federal Board tie, and not be able to do anything. And
20 that's the only one we didn't get.

21
22 So we did -- we've had very good success in getting
23 what we think is important for our region, and it's due to the
24 hard work of the council. Helga does an excellent job. I
25 think our federal people have worked very well. Larry
26 mentioned the fact that we actually have entered into a good
27 comanagement with the State of Alaska, and it's worked pretty
28 well. So I'm really delighted to be able to report that that
29 turned out really good.

30
31 Next item, Helga? Go ahead, Peter.

32
33 MR. ABRAHAM: I'm going to say it in Eskimo.

34
35 CHAIRMAN O'HARA: Okay. Help yourself.

36
37 MR. ABRAHAM: (In Yup'ik) That's all.

38
39 CHAIRMAN O'HARA: Okay. Thank you.

40
41 MR. ABRAHAM: Yeah. Thank you, Mr. Chairman.

42
43 CHAIRMAN O'HARA: You bet. Thank you, Peter. On the
44 next page we have the Fish & Wildlife Service as our next
45 agenda item, and Tom Boyd's going to talk to us.

46
47 MR. BOYD: Chairman O'Hara, and council members, and
48 the people of Togiak, I'll say it's good to be here. this is
49 my first visit to Togiak, and I'm really pleased to be here,

50 and I want to thank Mr. Abraham for hosting us at this meeting.

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1 And it's always a pleasure I think to work in particular with
2 this council.

3
4 The Bristol Bay Region currently faces difficult
5 issues. I think the thoughtful and businesslike manner that
6 you deal with all of the issues that you deal with, that the
7 proposals that come before you results in quality outcomes both
8 for the wildlife resources and the people of the region. I
9 think I speak for the federal community as well as the Board in
10 complimenting you for the diligence, the care, the
11 thoughtfulness that you use when you address all the proposals
12 that you deal with, that you either develop or hear from the
13 public. You look at them, you think about them, you ask
14 thoughtful questions. You deliberate them, you debate them,
15 and I've always been impressed when I've watched this happen,
16 and I just want to commend you for being a model council.

17
18 And I would interject here, I was listening to
19 Mr. Van Daele speak, and I was actually encouraged by many of
20 the opening remarks he made about cooperation. And I think
21 he's right. Clearly in this region that cooperation is sort of
22 the hallmark of your success, and I also want to echo those
23 sentiments, and I won't belabor them. Larry spoke to them much
24 more eloquently than I could.

25
26 We're now in the eighth year of the federal program.
27 Helga, correct me if I'm wrong, but I think we've got five
28 years with the councils under our belts? Four or five years
29 anyway.

30
31 MS. EAKON: September 1993 was the first meetings.

32
33 MR. BOYD: Yeah. We've come a long ways. I think
34 there were some initial tensions between even the councils and
35 the federal community and the Board, but we seem to have worked
36 through those. We're a lot more comfortable with each other
37 now. There've been a lot of good things happening. The
38 program is maturing, evolving, and many of the new issues that
39 we're dealing with today are a result of the maturing of that
40 -- the program.

41
42 I'm going to just speak briefly here, because I've got
43 -- I'm going to be up here a couple more times probably later
44 today, and so I don't want to hog the microphone here. But I
45 do want to just touch on something. Right now the federal
46 subsistence program is at kind of a crossroads. Most of us
47 know what it's all about. October 1 is looming, and we've read
48 the media and kind of the exaggeration and the hyperbole that's
49 in there, but certainly there's a cloud of uncertainty hanging

50 over us. We could face a significant program expansion by

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1 assuming and extending jurisdiction into federal navigable
2 waters, or we could be facing the decline of the federal
3 subsistence program if a solution is found within the state to
4 comply with federal law. I'm not going to elaborate on that,
5 but I do want to point it out, so we're kind of here, and we're
6 at a crossroads, and nobody should be surprised about that.

7
8 I don't have to tell you that subsistence and solving
9 this dilemma is one of the most critical issues that we face in
10 the state right now. There's a lot at stake.

11
12 I'm going to be talking more a little later on about
13 where we are, providing you an up date of where we are on our
14 efforts to comply with the courts in the Katie John case, so I
15 won't elaborate any further on that now.

16
17 Just to touch on a few of the other issues that you're
18 going to be hearing about as we progress in this meeting, we're
19 going to provide you some information and update and seek your
20 input on some other items, and these are later in your agenda:

21
22 Federal Subsistence Board restructuring.

23
24 Another effort to interact with the State Department of
25 Fish & Game in developing a mechanism for formal cooperation if
26 you will. You already Larry talk about the cooperation that's
27 on-going and has been on-going probably since day one in the
28 federal program. But I think as we begin to move into this
29 arena of expanding our jurisdiction, it's become critical that
30 we seek a formal mechanism with the State to do a variety of
31 things. Peggy Fox is going to be addressing that issue. She's
32 on a task force on the federal side working with the State to
33 formulate ideas and to develop some mechanism for cooperation.
34 So she's going to be addressing that a little bit later on.

35
36 Also I'll be presenting a proposed change in the
37 regulatory process to you that we would like to have your input
38 or feedback on before a decision is made, and essentially that
39 has to do with changing the timing in the process. It will
40 affect your winter meeting and the timing of the Board meeting,
41 so you'll hear more about that later.

42
43 I guess with that -- well, before I close, I know Helga
44 prompted me before to talk about the compensation letter. As
45 you know, the council chairs have been meeting with the Board
46 annually for the last two years. One of the issues brought by
47 the -- and they've been meeting kind of in executive session to
48 air concerns, and to try to work out some of the difficulties
49 and concerns that the councils have expressed. One of the

50 concerns that has been expressed by the councils is the need

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1 for compensation beyond the per diem, if you will, the lodging
2 and meals and travel expenses that you incur, recognizing that
3 many of you leave jobs to come to these meetings, and it costs
4 you money.

5
6 We did prepare a letter last year that went back to
7 Washington outlining this issue. When the councils met last --
8 the council chairs met with the Board last April, there was,
9 I'll just say, disappointment with the content of that letter
10 expressed. And the disappointment centered around I think the
11 lack of any solid justification for the compensation. It was
12 more of a matter of fact letter, and it didn't try to convince
13 the Secretary of Interior that you should be compensated. The
14 chairman of the Federal Subsistence Board, Mitch Demientieff
15 took it upon himself then to prepare a response that met that
16 need, and that concern expressed by the council chairs. You
17 have that letter in your -- well, I think passed out in front
18 of you, and we do have copies back on the table if anyone is
19 interested in seeing that. Hopefully that met your concerns,
20 and it's obviously a lot more positive about trying to justify
21 this compensation than what we sent in earlier.

22
23 With that, I'll stop, and then let the other people
24 report. Pause, if you have any questions?

25
26 CHAIRMAN O'HARA: Any questions of Boyd? Okay. Thank
27 you, Tom. All right. Alaska Peninsula -- are you going to --
28 you've dealt with the subsistence issues on that, your
29 presentation, too, so we'll ask Steve Hill from the Alaska
30 Peninsula/Becharof National Wildlife Refuge.

31
32 Yes, you have a question there?

33
34 MR. NELLS: Yes, the gentleman over here said about --
35 yeah, something about the.....

36
37 CHAIRMAN O'HARA: Give us your name so she'll have a
38 record of you, Ken? She needs your name so that she can have a
39 record.

40
41 MR. NELLS: Oh, Kenneth Nels.

42
43 CHAIRMAN O'HARA: Yeah.

44
45 MR. NELLS: Kenneth Nels from Togiak. The gentleman
46 that just previously testified, my -- he touched on a base of
47 navigable waters. In the case of navigable waters, since there
48 is the question of noncontinuity, would the color of blue water
49 which applies and the separation of noncontinuity in the --

50 noncontinuity applies, such as the case of Alaska, and where

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1 would your navigable waters begin and start?

2

3 MR. BOYD: I'm going to address that more fully, if you
4 want me to elaborate now, I will?

5

6 CHAIRMAN O'HARA: Just a very brief comment, if you
7 would, and then we -- in case Kenneth is gone when you address
8 it.

9

10 MR. BOYD: Okay. The court, the Ninth Circuit, if you
11 will, ruled in the -- the Ninth Circuit Court ruled in the
12 Katie John case that the Federal Government should extend its
13 jurisdiction to those navigable waters for which the United
14 States have reserved water rights. Now, it's a lot of legal
15 phraseology if you will.

16

17 CHAIRMAN O'HARA: How far off land?

18

19 MR. BOYD: It's inland navigable waters, fresh waters.

20

21 CHAIRMAN O'HARA: Oh, inland, not.....

22

23 MR. BOYD: We're not talking marine waters, if that's
24 what he's -- I didn't understand the question.

25

26 CHAIRMAN O'HARA: Okay. Good. Thank you. Welcome,
27 Steve.

28

29 MR. HILL: Mr. Chairman, council members, I'm happy to
30 be here. It's taken me probably ten years. I visited Alaska
31 ten years ago, and finally have gotten a chance to come back
32 here to work, and I'm very eager to work with every- -- all the
33 various entities and groups in this area.

34

35 MR. ABRAHAM: Excuse me, Steve, can you speak up a
36 little louder so the audience can.....

37

38 MR. HILL: Uh-hum. (Affirmative) Sure. I'm currently
39 the deputy refuge manager at Alaska Peninsula/Becharof Refuge,
40 and acting manager. I'm going to just briefly go over a few
41 things that's going on at the refuge, and if I can, I'm going
42 to defer some of these species, the caribou and moose issues,
43 to Ron Squibb who's our biologist at the refuge.

44

45 Probably the biggest thing, and maybe not everybody is
46 aware of, but Ron Hood has retired. Ron Hood was the refuge
47 manager for the past ten years, and his retirement was
48 effective last week, and he's returning to Texas.

49

The other thing at the refuge there is this refuge has

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1 come to the point where there's major staff turn over. There's
2 actually seven positions that are going to be turned over, and
3 many of those positions are already with new individuals, have
4 been hired. In the minutes there is a listing of the various
5 individuals who have been hired. Ron Hood's position as refuge
6 manager is -- I'm expecting that that position will be filled
7 shortly, and unofficially they've looked and made -- have made
8 a selection, and I have been told that hopefully before
9 Christmas, we should have a new manager on board.

10
11 The other issue I just was going to touch on briefly is
12 law enforcement activities over this summer. Part of -- the
13 moose season has ended, and we have had several cases where we
14 have issued citations dealing with guiding, unauthorized
15 guiding, and we've also had many cases, it seems like it's been
16 nonstop, as far as wanton waste, and we've made several cases
17 on that. Again, me being new to this area, I'm really not sure
18 if there's been an increase, but, you know, it's an on-going
19 thing.

20
21 The other thing is we did have a fire at Ugashik
22 Narrows this summer, and we have issued a citation to the
23 individual, the guiding service that has caused that fire. The
24 outcome of that ticket has yet -- I don't have an update on
25 that, and we're going to be doing a complete investigation to
26 look at possible collection of fees for the suppression
27 activities that were conducted by the State. It was a small
28 fire, five acres, but yet it was still -- has ramifications as
29 far as the activities that are going on as far as with the
30 guiding.

31
32 The other thing that I'll briefly touch on, we've done
33 the typical surveys. We've got several -- since we're
34 co-located with a fisheries resource office, there's several
35 fisheries projects that are on-going on the refuge, also some
36 hydrological surveys dealing with water resources, and those
37 are on-going. A variety of partnerships, and all I can see out
38 in the future is that our programs on the refuge, working
39 actively with various groups in this area.

40
41 If you have any specific questions, if I can't answer
42 them at this time, I'll be -- more than gladly write them down
43 and get them back to. And if I can, I can defer some specifics
44 with moose and caribou to Ron Squibb.

45
46 CHAIRMAN O'HARA: Any questions of Mr. Hill? Yes?

47
48 MR. HEYANO: Thank you. Two or three years ago we
49 closed a portion of Unit 9E to caribou and moose hunting for

50 everybody at the request of the people in Ivanoff Bay and

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1 Perryville. Can you give a little report of how those
2 populations are doing on the lower end of 9E?

3
4 MR. HILL: If I may, if I could defer that to our -- to
5 Ron Squibb, he'll answer that question for you. And I
6 apologize for not having these answers. I've been here for
7 probably approximately two months, so I'm still catching up.

8
9 MR. HEYANO: Okay.

10
11 MR. HILL: And have quite a bit of catching up to do in
12 the next year.

13
14 CHAIRMAN O'HARA: Any other questions, council members?

15
16 MR. BOSKOFISKY: What was the question on that season
17 they opened down there, you mean?

18
19 MR. HEYANO: We closed a portion of.....

20
21 MR. BOSKOFISKY: Closed it, yeah.

22
23 MR. HEYANO:9E two or three years ago.

24
25 CHAIRMAN O'HARA: All the way from just -- Black Lake
26 all the way across the Peninsula and down to the lower end of
27 -- below Ivanoff Bay, and we sectioned that all off for
28 caribou. And I think all that happened was the guys moved out
29 on the state lands and kept hunting. So it -- I don't think
30 it's done much -- I'm sure it didn't put any -- it sure didn't
31 put any more caribou into the Chigniks or Ivanoff/Perryville
32 area.

33
34 MR. BOSKOFISKY: I haven't heard anything.

35
36 CHAIRMAN O'HARA: Yeah. I have a question, Mr. Hill.

37
38 MR. HILL: Sure.

39
40 CHAIRMAN O'HARA: You have one protection officer for
41 the whole refuge?

42
43 MR. HILL: We have two.

44
45 CHAIRMAN O'HARA: You have two? How many square miles?

46
47 MR. HILL: We have 4.5 million acres.

48
49 CHAIRMAN O'HARA: And two people?

0040

1 MR. HILL: Two agents.

2

3 CHAIRMAN O'HARA: Have you ever thought about
4 reshuffling your staff and putting more protection people on
5 board?

6

7 MR. HILL: Yes, we have. We've got -- currently we
8 have two, and one of those individuals is a pilot, very
9 effective. Most of the law enforcement is done by that
10 individual. We also have myself. I have a commission. I'm
11 not a pilot, but I do -- have worked with our pilot/law
12 enforcement officer.

13

14 CHAIRMAN O'HARA: Will you be staying here at King
15 Salmon?

16

17 MR. HILL: Yes.

18

19 CHAIRMAN O'HARA: Uh-hum.

20

21 MR. HILL: I do reside in King Salmon.

22

23 CHAIRMAN O'HARA: You'll be residing at King Salmon
24 then.

25

26 MR. HILL: Orville Lind was hired several years ago,
27 and he's here now in the Chignik Unit. He is slated to attend
28 law enforcement training in 1999, and he will have a commission
29 also.

30

31 Last year Ron Hood did look at trying to hire a
32 permanent additional law enforcement individual, and that did
33 not go through. My efforts are going to be, if that -- should
34 it continue to fail, is to try and hire to somebody in here
35 seasonally for the time of the year that we have these
36 problems.

37

38 But it is tough. As I discussed with one of the
39 council members, it's hard to be everywhere, and we have
40 targeted even this year certain areas where we've had known
41 problems. The outcome of that, I don't have an update on.
42 That was done in conjunction with the special agents out of --
43 with law enforcement in Anchorage Fish & Wildlife Service.

44

45 CHAIRMAN O'HARA: I picked up on Larry Van Daele's
46 comment where he said that they have made a -- Larry -- a
47 concerted effort to increase protection by Department of Public
48 Safety, especially in the Nushagak area. I know they have,
49 because I know Scott Quest has been up there from King Salmon,

50 living in the Nushagak area. He just moved up. A good -- a

0041

1 pilot, too. And I think that the concern I have from the
2 villages, Manokotak and the Park Service is going hear this as
3 you give us your reports today or tomorrow, whenever you get
4 around to it, but the concerns in the village is that, you
5 know, there's such a vast amount of area, and, boy, you almost
6 have to have protection -- pilots who are protection officers,
7 or else just hire pilots to fly protection people around under
8 all kinds of circumstances, because in many cases you guys do
9 make your own rules, so you can fly in a lot of different
10 conditions.

11

12 MR. HILL: Right. It is difficult. We do work in
13 conjunction with the state officers on many cases.

14

15 CHAIRMAN O'HARA: Yeah, that's understandable, but we
16 need -- I think we're going to push you for more protection in
17 the area, because the villages are coming in with the
18 complaints of wanton waste and.....

19

20 MR. HILL: Right.

21

22 CHAIRMAN O'HARA:same day as airborne hunting by
23 sports people, and it's not an easy thing to deal with, but
24 it's something we can't ignore, it's something we're going to
25 have to push for. Since you're part of management, we're going
26 to be coming to you and saying, hey, you better do something
27 here to put more protection on. We're looking at that, so,
28 yeah.

29

30 MR. HILL: Exactly. The information that I have as far
31 as looking into the future, five, six years at this refuge, is
32 to establish another office at Chignik Bay and have a presence
33 there. We did -- we have hired an individual, Charles
34 O'Diamond from Chignik Lake, and he'll be coming on in October.
35 So hopefully looking down the line is to have an office at
36 Chignik, in the Chignik Unit with individuals there. Have it
37 staffed by another pilot, another law enforcement officer. But
38 also, my answer to the needs next year and immediate is to try
39 and get seasonal law enforcement individuals here. I've had
40 that experience, and it's worked out where I have been before,
41 so I'm hoping that it's something that we can utilize.

42

43 CHAIRMAN O'HARA: We are not going to micromanage your
44 business for you, but Chigniks is a very difficult place.
45 Alvin's from there. It's hard to fly out of there. You might
46 have a protection officer stuck there for five days with
47 another Pen Air pilot. And where your pressure is coming in is
48 the Meshik and Ugashik, so you need to look, you know -- all of
49 us have flown those areas. We know those areas. We've been

50 there in good and bad weather, and just prayed to God that we

0042

1 made it out of there in one piece. So we appreciate your
2 thoughts on that.

3

4 Any other questions?

5

6 MR. BOSKOFISKY: On that -- I believe you said Charles
7 O'Diamond?

8

9 MR. HILL: Yes.

10

11 MR. BOSKOFISKY: You better look into that, because
12 that's -- you may have to look for somebody else as he moved
13 out.

14

15 MR. HILL: Right. We were aware that he had moved out,
16 but as far as the reasons,.....

17

18 MR. BOSKOFISKY: I don't -- from the sounds of it, it
19 sounded like he wasn't coming back, so.....

20

21 MR. HILL: We have been looking into that. If that is
22 the case, then we will be announcing and trying to do another
23 rehire then.

24

25 MR. BOSKOFISKY: Uh-hum.

26

27 CHAIRMAN O'HARA: I believe we have a question over
28 here?

29

30 MR. HILL: Yes?

31

32 MR. HEYANO: How much longer are your linology studies
33 in Becharof Lakes scheduled to go on?

34

35 MR. HILL: At least a ten-year study. These are not
36 trying -- you know, these are long-term studies trying to
37 answer several questions over many years. They were just
38 initiated last -- I believe last year or the year before, and I
39 see us carrying them out again, and I can't speak for the
40 fisheries resource office that's there, but they're doing a
41 number of studies that look to be long term.

42

43 CHAIRMAN O'HARA: Does that take in King Salmon River,
44 too?

45

46 MR. HILL: Yes.

47

48 CHAIRMAN O'HARA: Uh-hum. That's the same -- any
49 questions? Well, we've been going for almost two hours now.

50 Well, a little over -- not quite two hours, but we probably

0043

1 should take about a ten, 15-minute break and be back by about
2 3:00 o'clock.

3

4 (Off record - 2:45 p.m.)

5

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

7

8 CHAIRMAN O'HARA: Okay. We'll like to call the meeting
9 back to order. And we are going to have, if the Council would
10 allow it, we have a couple of people that need to be out of
11 here by 3:45, and one of them is the manager, Aaron.....

12

13 MR. ARCHIBEQUE: Right here.

14

15 CHAIRMAN O'HARA:Archibeque, yes, from the Togiak
16 Refuge, and Lee Fink from the Lake Clark and -- no, it's --
17 Lee, you represent the Lake Clark Park and Preserve?

18

19 MR. FINK: Yes.

20

21 CHAIRMAN O'HARA: Okay. So -- and you're leaving here
22 at 3:45?

23

24 MR. ARCHIBEQUE: I've got time, if you need to push it
25 back. I'll just try to get back at some point tonight and get
26 back here early in the morning, so I've got time, if Lee needs
27 to go.....

28

29 CHAIRMAN O'HARA: No, we can take you now, it doesn't
30 matter, you know, and.....

31

32 MR. ARCHIBEQUE: I think we're next on the agenda,
33 so.....

34

35 CHAIRMAN O'HARA: Okay. And then we'll take you then
36 -- how long do you think your presentation will take with
37 questions and answers?

38

39 MR. ARCHIBEQUE: Just a couple minutes thanks to Larry.

40

41 CHAIRMAN O'HARA: Oh, a couple of minutes? Oh, yeah?
42 Okay. All right. You're on. After this,.....

43

44 UNIDENTIFIED VOICE: We're timing you, Aaron.

45

46 CHAIRMAN O'HARA: Okay.

47

48 (Laughter)

49

MR. ARCHIBEQUE: Well, Mr. Chairman, council members, I

0044

1 appreciate you letting Larry go first, 'cause like I said, he's
2 taken the majority of our report and already given you that
3 information. There's a few things that I'll go over that are
4 happening on the refuge that you might be interested in, and
5 maybe want to comment on.

6
7 The first thing, and I think, Dan, you alluded to some
8 issues on the Alagnak as far as increasing public use. The
9 same thing's going on on the refuge in the Togiak area. The
10 Togiak River, the Goodnews and the Kanektok River. We've had a
11 public use management plan in place now for a little over five
12 years, trying to address some of those concerns. We're right
13 now in the process of revising that public use management plan.
14 We have an internal draft, and we expect to have a final draft
15 out for public review within the next couple months. Each of
16 the council members will get a copy of that, and we look
17 forward to your comments and your input. And I think that's --
18 this is a good opportunity for you to address some of those
19 concerns at least in this area.

20
21 This year we had our river ranger program on the three
22 main river, the Kanektok, Goodnews and Togiak. We had seasonal
23 employees that were stationed on all three rivers. That's part
24 of what came out of the public use management plan to try to
25 address some of these concerns about littering, trespass, you
26 know, sport fishing violations and so forth. It was a real
27 successful program. We were able to get them back on the
28 Togiak this year. They weren't there last year given some
29 funding constraints.

30
31 This was the first year that we initiated a cooperative
32 agreement, it was kind of a pilot program, with the Village of
33 Quinhagak, where the Service the funds for one of our seasonals
34 to the village, and they hired a tribal employee to work with
35 us as a partner, and so it was actually a tribal employee and a
36 seasonal Fish & Wildlife Service employee that were on the
37 Kanektok River. They decided to split it between two
38 individuals, so that if someone had to go back to the village
39 to help their family or friends with subsistence needs or
40 whatever, we would always have at least two folks on the river
41 at any given time. It worked extremely well, and we look
42 forward to doing a similar type of program here on the Togiak
43 and also on the Goodnews.

44
45 Some of our fisheries programs, we're continuing to do
46 some more baseline inventory work throughout the refuge,
47 looking at age, length and movements of resident fish in a lot
48 of the Togiak tributaries and some of the Kuskokwim drainages.

49

We also contributed about 40 hours of aerial salmon

0045

1 surveys that the State can no longer afford to do for some of
2 the lower priority streams within the refuge, and those were
3 conducted this year. In fact our fisheries biologist will be
4 flying some of the last coho surveys here tomorrow.

5
6 The refuge provided Quinhagak, the village, with
7 \$25,000 through a cost-share program this year to operate a
8 combination counting tower and weir on the Kanektok River. It
9 was an effort that the village basically got some funds from
10 the Bering Sea Fishermen's Association, the Alaska Department
11 of Fish & Game, Com Fish, and we contributed an additional
12 25,000 to allow them to continue the monitoring through the
13 coho run, because that's never -- they've never had enough
14 funding to do that, and that was part of a cooperative
15 agreement. For the most part, that was staffed by folks from
16 the Village of Quinhagak. And again that was a pretty
17 successful program.

18
19 Early -- or just recently we've completed kind of an
20 assessment of the Togiak char. We intend to try to implement
21 some type of a study. There's been some concern from the
22 village that the char, dolly varden population here in the
23 Togiak drainage is either below historic levels, or the size
24 structure's been affected somewhat. It's a real important
25 resource. I think the last fresh water fish survey indicated
26 that there were at least 11,000 fish that are harvested
27 annually for subsistence use. So we're trying to work with our
28 King Salmon fisheries office, Alaska Department of Fish & Game,
29 and the Village to try to implement a long-term study to look
30 at that population and see if there is some concerns there.
31 Again, we intend to try to work with the Village of Togiak and
32 see if it's possible to hire someone from the village to work
33 with us for that field effort for next year if we're successful
34 in getting funds for that project.

35
36 Larry pretty much covered the Mulchatna Caribou and the
37 Nushagak Peninsula. One thing that he didn't mention that I'd
38 -- for the Nushagak Peninsula Caribou Herd, was this last year
39 we collared or recollared 20 animals. Some of the older cows
40 and some of the older radios that have already tied off, so
41 we've gone ahead and put on an additional 20 radio collars to
42 keep track of where those animals.

43
44 And like you mentioned, there is a small group that's
45 outside of the Twin Hills area here that have kind of become
46 resident animals in this area, and we're hoping to continue to
47 protect those at least for now. And I think the village has
48 supported that by, you know, really working to leave those
49 animals alone.

0046

1 One thing Larry didn't touch on was a brown bear study.
2 The refuge is working as part of the Kuskokwim brown bear
3 study. It involves the area biologist from here, the refuge,
4 Yukon Delta Refuge in Unit 18, and the area biologist there.
5 This year 25 radio collars were put on those bears. Basically
6 they were recollared. The old radios were starting to go out.
7 And the agreement with the Association of Village Council
8 Presidents and the area villages were to go back in and
9 recollar those previously collared 25 animals.

10
11 Residents from different villages were given the
12 opportunity to go out on that effort. Frank Fox from the
13 Village of Quinhagak was involved in that capture effort, and
14 he reported it went real well, and really enjoyed the
15 experience.

16
17 Some of our environmental education and outreach
18 efforts, this year we continued with -- it's the fourth year of
19 our Cape Peirce marine science and Yup'ik culture camp. There
20 were 11 students from the Village of Togiak that participated.
21 We had two sessions where kids went out with local elders and
22 some teachers and worked with a biologist from the refuge to
23 incorporate some of the local traditional knowledge about
24 walrus and some of the other marine resources, as well as with
25 the western sciences. It went -- again, it was a real positive
26 experience, and we look forward to continuing to do that.

27
28 We had hoped to involve students from the Village of
29 Goodnews, but given some logistics problems, we weren't able to
30 do that, so we took all the students from the Village of
31 Togiak.

32
33 Another camp that we put on this year, this is the
34 first year of it, was the Nushagak Peninsula Caribou and Yup'ik
35 culture camp. Again it involved elders from the Village of
36 Manokotak and Dillingham. And we took students from the
37 Village of Manokotak and Dillingham, and they participated in a
38 caribou -- basically a caribou education camp. It was out on
39 the Nushagak Peninsula. They were given the opportunity to see
40 how radio collaring works, looking at some of the range
41 evaluations that are going on, and working with the elders as
42 far as what's important there, how to harvest an animal. I
43 believe one caribou was taken and then the meat was distributed
44 in the village, so it was again a real positive experience for
45 the kids there, and we're looking forward to continuing that
46 effort.

47
48 That's pretty much all I have at this point. I think
49 Larry touched on a lot of the other, the moose and caribou

50 issues in the area. Unless there's any specific questions?

0047

1 CHAIRMAN O'HARA: Okay.

2
3 MR. ABRAHAM: Mr. Chair, a couple of questions. ON the
4 public use management, I don't think you had -- or you had
5 mentioned that, a couple of things anyway. I think 20 years
6 ago sports people had requested use of tributary lakes like
7 Fishend (ph) Lake and Ponzo (ph) I think on -- I think it was
8 unguided or guided. Did the numbers go up on the use of those
9 lakes?

10
11 MR. ARCHIBEQUE: Yeah, there were requests to operate.
12 Right now the refuge has had a cap on the level of guided use
13 that's allowed within the refuge, and those offerings are made
14 available to the commercial operators on a competitive basis.
15 They have to submit a prospectus based on the use that we're
16 allowing. They essentially compete for that use and are
17 awarded a permit. There are some systems where there was no
18 use going on at the time, and we did not authorize any
19 activities, like the Ponokpuk, and at this point, we have not
20 allowed any additional use. Those requests are being looked at
21 in this revision, and the village will have a chance to comment
22 on that, as well as anyone else. And as to whether or not they
23 want to see additional use allowed or not. So those requests
24 were not taken up at that point. They've been put into this
25 revision.

26
27 MR. ABRAHAM: Yeah. Another question, have the
28 unguided use of the rivers and stuff like that from Togiak Lake
29 on, how is that part being managed, you know, the use of it and
30 how many this year have used the river? Do you have those
31 numbers?

32
33 MR. ARCHIBEQUE: I don't have those numbers with me at
34 this point, but I can get them for you. One thing i can say is
35 the Togiak has not seen the level of unguided use, the increase
36 that we've seen on the Kanektok and the Goodnews. On the
37 Goodnews River, it's increased over the last four years
38 probably 300 percent, of unguided use. The Togiak's a little
39 different system. Most people don't like to fly in there and
40 float the river, because it's a bigger river. But there is a
41 pretty good level of guided use that occurs on the lower river,
42 and I think that's what people in the village tend to see. And
43 that's -- below the wilderness boundary on the Togiak River, we
44 do not regulate that use. The uplands adjacent to that are
45 corporation lands, or either native allotments, so we don't
46 have the authority to regulate that activity there.

47
48 MR. ABRAHAM: Yeah, that's the reason why I asked that
49 question, because that was a concern of the corporation, of

50 people -- or actually the people over here, because if there

0048

1 was more unguided, how can we prevent the people or unguided
2 people not to use or drift or use the corporation land. I
3 think.....

4
5 Oh, a third question I have is the coho salmon has
6 never been accurately counted in Togiak River over here, and
7 then there's always a question in the falltime when the people
8 do their commercial fishing down at the base over here, and
9 then the commercial fishing's cut short, and then not only
10 that, going to be cut short, that the salmon season, they cut
11 short on coho season, too, 'cause there's always wonder, is
12 there -- are these numbers right, or is possibility of late
13 numbers that are coming in? There's -- 'cause we're -- there's
14 -- it's almost blind, right? Blind numbers. Is there a
15 possibility with you people and ADF&G and not only that maybe
16 with some help to put a weir up there in the falltime to
17 monitor the coho? I mean, that's something to think about in
18 the near future.

19
20 MR. ARCHIBEQUE: Yeah, I can't answer that -- those
21 specific questions. I think Jim might.....

22
23 MR. ABRAHAM: Well, you mentioned that you.....

24
25 MR. ARCHIBEQUE: be able to better address the
26 commercial and the.....

27
28 MR. ABRAHAM: You.....

29
30 MR. ARCHIBEQUE:escapement levels. I.....

31
32 MR. ABRAHAM: You participated on the.....

33
34 MR. ARCHIBEQUE: Right. Those were efforts that were
35 initiated by the village that we've come in and tried to
36 supplement. I think there's a lot of questions as to whether
37 or not a weir can even be used in the Togiak drainage, because
38 it is such a large river, and late in the fall is when you do
39 get the high water levels that tend to be a little murkier and
40 harder to count fish.

41
42 One other thing, on the Goodnews River, they went to
43 putting in a -- on the middle fork of the Goodnews, which is a
44 lot smaller system, we contributed some funds there to put in a
45 floating weir, and I think this is the first year it's actually
46 still operating today. And it's working pretty well.

47
48 But I think the Togiak, there would be some real
49 questions there. I really can't address that, but I think

50 we'll -- if that was in place, I think we'd be willing to try

0049

1 to work to keep it going through the coho season, but I don't
2 know if that's even possible.

3

4 MR. ABRAHAM: Well, I'll ask that question with the
5 proper people. Thank you.

6

7 CHAIRMAN O'HARA: Any other questions of Aaron today?
8 Yeah, Robert?

9

10 MR. HEYANO: Your Cape Peirce and your Nushagak
11 Peninsula, what's the word?

12

13 MR. ARCHIBEQUE: Education camps?

14

15 MR. HEYANO: Yeah, education camps. Is the intent of
16 the program to include students from various villages to
17 participate?

18

19 MR. ARCHIBEQUE: Right. Yeah, the idea is to get
20 students from the different villages within and adjacent to the
21 refuge, and for some of the key programs that have been real
22 successes, like, you know, the marine science camp. Kids
23 really enjoyed going out there. It's very few opportunities
24 for them to get out to Cape Peirce given the logistics. And
25 getting some of the elders out there to keep some of those
26 cultural things going has been real important, and I think
27 they've really enjoyed that, so -- and we've had real good luck
28 with Togiak at both -- at Cape Peirce over the last four years.
29 We wanted to expand that, but there was some liability
30 questions that came up with the school there in Goodnews of
31 whether or not they wanted to send kids out there, so -- I
32 think we're going to hopefully try to overcome that for next
33 year.

34

35 CHAIRMAN O'HARA: Any other questions?

36

37 MR. HEYANO: One more.

38

39 CHAIRMAN O'HARA: Okay. Help yourself.

40

41 MR. HEYANO: What were the number of caribou taken on
42 the north peninsula for the past season?

43

44 MR. ARCHIBEQUE: On the Nushagak?

45

46 MR. HEYANO: Yes.

47

48 MR. ARCHIBEQUE: All we got for the last season I
49 believe was three reported for the fall hunt.

0050

1 MR. HEYANO: How about the.....

2
3 MR. ARCHIBEQUE: For this recent -- for now in August?

4
5 MR. HEYANO: No, no, the winter hunt.

6
7 MR. ARCHIBEQUE: Oh, last year's winter hunt?

8
9 MR. HEYANO: Right.

10
11 MR. ARCHIBEQUE: I'd have to ask Andy what the

12 actual.....

13
14 MR. ADERMAN: Probably 20 or less.....

15
16 MR. ARCHIBEQUE: Yeah.

17
18 MR. ADERMAN:by the time we got all the permits
19 back, Robert, but about ten confirmed, and based on the number
20 of permits that were issued in Manokotak, (Indiscernible, away
21 from microphone) with the tagging and reporting of harvest, and
22 what I've gotten back from them, I just figure another ten
23 more, about 20 for the winter hunt.

24
25 MR. HEYANO: Thank you.

26
27 CHAIRMAN O'HARA: Any other questions?

28
29 MR. HEYANO: No.

30
31 CHAIRMAN O'HARA: A couple of questions, Aaron. What
32 are the rivers that have been seeing increased pressure on --
33 by the sports fishermen?

34
35 MR. ARCHIBEQUE: What are they?

36
37 CHAIRMAN O'HARA: Yeah. The Togiak and what other
38 rivers were they?

39
40 MR. ARCHIBEQUE: The real increases have been on the
41 Goodnews and the Kanektok.

42
43 CHAIRMAN O'HARA: Oh, I see.

44
45 MR. ARCHIBEQUE: Both the middle fork of the Goodnews
46 and the main step of the Goodnews.

47
48 CHAIRMAN O'HARA: Uh-hum. And are those navigable
49 waters?

0051

1 MR. ARCHIBEQUE: Yeah, obviously,.....

2 CHAIRMAN O'HARA: So then there's nothing.....

3 MR. ARCHIBEQUE:they're floating those rivers.

4
5 CHAIRMAN O'HARA: We don't have much to say about it
6 until -- if we do take over the -- begin the permitting effect
7 the numbers on the.....

8
9 MR. ARCHIBEQUE: Well, if it's affecting subsistence
10 resource or the ability to harvest, I guess we would, but
11 we're.....

12 CHAIRMAN O'HARA: I think we would.

13 MR. ARCHIBEQUE:the plan has been a cooperative
14 effort with the State.

15 CHAIRMAN O'HARA: Sure.

16
17 MR. ARCHIBEQUE: You know, both ADF&G, DNR, the local
18 villages, the commercial operators, and the refuge. Where
19 we're at now is we now have some commercial operators that are
20 saying this is a navigable waterway, we have no need for your
21 permit so long as we stay on state and state waters, so we're
22 going to operate anyway. The plan has been pretty successful,
23 because everyone has agreed to abide by what was set out there
24 initially. But right now we have a few operators, especially
25 here on the Togiak, that are saying we don't need to abide by
26 this plan. So we're now looking at trying to work with the
27 State to see if there's some way they can address those issues.
28 And if not, then it may lead to us taking additional action.
29 But that's the big issue that we're facing right now. So I
30 think it's real important, if you have those concerns, that you
31 comment on that plan.

32
33 CHAIRMAN O'HARA: Oh, yeah. I mentioned, you know,
34 that Alagnak, the Branch over there, because I look at that
35 every week, and we see the numbers increasing and growing, and
36 the subsistence user being pushed off to the side and harassed,
37 and it's just going to have to be addressed. You know, it's
38 going to have to.

39
40 We'll get to public comment here in about a few
41 minutes, so, no other questions? Enforcement. How are you
42 doing on that?

43
44 MR. ARCHIBEQUE: Pretty good. Something I'd like to

50 add to Steve's comments is we also have two commissioned

0052

1 officers, myself and the assistant manager, Donna Stovill who
2 is going to be moving. She actually accepted a position in
3 Hawaii, so she's going to be leaving here in another month. So
4 we'll be looking for a replacement there as well, but in
5 addition to that, we do work with the local protection officer.
6 And there are special agents that are strictly law enforcement
7 officers for the Fish & Wildlife Service, and any time we need
8 assistance, they're there. They'll come out from either
9 Anchorage, or there's an agent that's stationed out of Bethel
10 that helps us in the Kuskokwim side.

11

12 CHAIRMAN O'HARA: You can do seasonals then maybe?

13

14 MR. ARCHIBEQUE: And there's the opportunity to do
15 seasonals.

16

17 CHAIRMAN O'HARA: Yeah. Good.

18

19 MR. ARCHIBEQUE: It's a little tougher, but.....

20

21 CHAIRMAN O'HARA: Yeah.

22

23 MR. ARCHIBEQUE:there are a fair number of
24 officers in the area if there are specific issues that need to
25 be dealt with.

26

27 CHAIRMAN O'HARA: Okay. Thank you very much.

28

29 MR. ARCHIBEQUE: One more thing that may be.....

30

31 CHAIRMAN O'HARA: Sure.

32

33 MR. ARCHIBEQUE: It just made me -- reminded me of it,
34 that it doesn't necessarily deal with subsistence, but it's
35 something that people may want to look into or be concerned
36 about, every year during the herring fishery outside of Togiak,
37 there are a number of spotters and camps that are set up along
38 the refuge and along corporation lands. And one of the big
39 problems in the last several years has been the fact that folks
40 come in bringing lots of fuel. Fuel drums, whatever have you.
41 And when the fishery is over, it's not economical for them to
42 take that out, so they're leaving either half-empty or full
43 drums, or even the empties that are out all along the beach.
44 And this year was the first year we were able to get some
45 contaminants money to go in there and look at how extensive the
46 problem was, and to try to clean up some of that.

47

48 Unfortunately, for us to do anything, we have to
49 sample. We have to have someone come in and sample each

50 individual barrel before they can be touched or moved, given

0053

1 the concerns that it might be something that's unknown. So all
2 the funds that we had were used just to come out and sample,
3 randomly sample barrels. And it's pretty extensive. We're
4 talking about, you know, hundreds of drums that are scattered
5 throughout here, and there were several that were found with
6 things that we weren't sure what was in them, that are waiting
7 for the results now before we can go in there and clean them.

8
9 I know the village has been trying to do things on
10 their own along corporation lands, and I think they've cleaned
11 up quite a few of the drums that are out there, but one of the
12 things we're going to -- we've been trying to do is to educate
13 these spotter pilots and the fishermen that, you know, this is
14 affecting their resource. If those drums of fuel are left out
15 there and they start leaking, and they're getting onto these
16 kelp beds or whatever, that's going to affect their fishery and
17 their ability to harvest these fish. So if there's some way
18 that, you know, folks can help out and get that word out that
19 they need to be taking that out of there, all the better. And
20 I think we are going to have an increased enforcement effort
21 this up-coming herring season to try to address those concerns.

22
23 CHAIRMAN O'HARA: Uh-hum. Yeah, that's something that
24 needs to be addressed. Yeah, go ahead, Pete.

25
26 MR. ABRAHAM: Maybe if you work with the corporation
27 over here, local Togiak Native, Limited, write them a letter,
28 what your concerns are, maybe you could latch (ph) it up with
29 them.

30
31 MR. ARCHIBEQUE: Yeah, actually what we're hoping to do
32 is to through a cooperative agreement is actually even work
33 with the village to help us with a clean-up effort once we know
34 what's in these drums, to try to keep that money at least in
35 the local area.

36
37 CHAIRMAN O'HARA: Aaron, do you have all of your guides
38 have six-pack licenses? Do you check that? If they're
39 supposed to?

40
41 MR. ARCHIBEQUE: It's.....

42
43 CHAIRMAN O'HARA:By law, they're supposed to have
44 to?

45
46 MR. ARCHIBEQUE: If they're in tidally influenced
47 waters, they're supposed to. If they're on inland waters, I
48 believe it's different, but, yeah, they're required to have all
49 the state requirements to operate as a commercial operator.

50 They have to submit all of that to us.

0054

1 CHAIRMAN O'HARA: Did you have any questions?

2

3 MR. ABRAHAM: Yeah. I think, well, this is a
4 suggestion. If you're -- we had this problem for a long time,
5 and not only that, it start off with the people leaving their
6 nets, herring nets out there, because the closure or whatever.
7 Maybe just to have it, even though the smaller companies, you
8 know, what your concerns are, and then if the cleanup begins,
9 you bill those people, those companies, ever the corporation
10 can bill them for the time and effort. Maybe that will stop a
11 lot of that leaving garbage and barrels behind them. Thank
12 you.

13

14 CHAIRMAN O'HARA: No other questions?

15

16 MR. HEYANO: Just one other comment maybe on the fuel
17 drum problem, maybe a letter to the Alaska Fish Spotters
18 Association.....

19

20 CHAIRMAN O'HARA: Yeah.

21

22 MR. HEYANO:might go a long ways to at least
23 highlighting the problem and getting them to take some internal
24 action to police themselves.

25

26 CHAIRMAN O'HARA: There's a real fine line. As a
27 marine surveyor, I look for this thing on the side of the
28 vessel called Marpol, M-a-r-p-o-l. That means no discarding of
29 these type of things. And that -- years ago on the Kvichnankek
30 (ph) section of Kvichak section, many of the beaches were
31 strewn with plastic and oil cans and filters and garbage, and
32 all kinds of things. And when this began to be enforced, all
33 of a sudden the beaches are very clean. You can find a crab
34 buoy now and then, and that's about all. I mean, it really
35 has. And they'd floated in from a long ways. So, yeah, we
36 need to work on that. We'd be glad to do any support we could.

37

38 Okay. Thank you very much, Aaron. Lee Fink with --
39 and then we had a couple of comments out in the audience.
40 We'll take public comment right after Lee. He has a 3:45 time
41 frame here. Lee, if you'd give us your name and your report,
42 where you're at on the agenda?

43

44 MR. FINK: Mr. Chairman, council members, my name is
45 Lee Fink, chief ranger at Lake Clark National Park and
46 Preserve, and I'd just like to go over -- I think in your
47 booklets you have subsistence update that highlights a few
48 issues that are on-going at Lake Clark, and I'll just briefly
49 go over them in summary and then if there's any questions about

50 what's in the booklet there, I'd be happy to answer it.

0055

1 We attempted to have a subsistence resource commission
2 meeting several times this February and into March.
3 Unfortunately, mostly due to weather, we were never able to
4 establish a quorum, and we had a few good workshops with the
5 commission members that did attend, basically discussing the
6 new subsistence issue paper that the National Park Service has
7 recently concluded.

8
9 One thing we were not able to accomplish at our
10 meetings, we were supposed to -- the commission was going to
11 review c&t for Igiugig and Kokhanok and kind of look into that
12 issue a little further. And that's on the agenda for tomorrow.
13 John Branson will present a presentation on that. But we were
14 not able to get a definitive position from the SRC at this
15 time, and if the council wishes, we could put that on the
16 docket. We have set a meeting date for October 23rd, next
17 month, in Pedro Bay is the next time that the subsistence
18 resource commission will meet, and if it's the council's wishes
19 after tomorrow's presentation, we could add that to the agenda
20 for our October meeting.

21
22 We have an on-going moose survey that we began last
23 fall. We collared 31 moose cows, and to kind of look at
24 productivity and get a handle on just what our moose population
25 in the upper end of 9B is -- how that population is
26 progressing. We continue to have, you know, additional
27 stresses put on the resource with more people moving into the
28 area, and expanded hunting season. More than an expanded
29 season really is just an increased number of hunters over all.
30 Sport hunters in the preserve, and with some of the increase in
31 population in Port Alsworth, we've had an increase of
32 subsistence users in the area. I think most of the other
33 villages have remained more stable than Port Alsworth. It's
34 kind of increasing a little more rapidly than some of the other
35 villages in the area in numbers.

36
37 Some of the indications we've received from that moose
38 survey are not real encouraging. During the calving season
39 when moose were relocated at least once a week with radio
40 collars, we would go out and visual fly them with the Super Cub
41 and track and then identify the cow and then try to identify if
42 the individual cow had a calf. And at one point in time we
43 observed a maximum number of 14 calves, and as of August 20th,
44 only one calf still survives.

45
46 CHAIRMAN O'HARA: Out of how many?

47
48 MR. FINK: One out of 14.

49

CHAIRMAN O'HARA: Out of 14?

0056

1 MR. FINK: Yeah. So it's possible -- you know, it's
2 possible there were more, but that's what we were able to
3 visually identify. So that -- those aren't real good
4 statistics for calf recruitment.

5
6 Currently though, we do only have a bull season for
7 subsistence as well as sport in the area, and as far as our
8 biologist has been able to determine, the bull/cow ratio is
9 still in pretty good shape. Sixty-nine bulls per 100 cows at
10 the last figures we had. Because of the collaring program, we
11 were unable to do our unit-wide moose survey last fall.

12
13 Through the council and the Federal Board's efforts, we
14 have several federal registration hunts taking place in the
15 park. To date this year we've issued six federal registration
16 permits for Dall sheep and unofficially there's been three
17 harvested so far. We haven't got the cards all in for this
18 season.

19
20 Brown bear, we have four of the brown bear, federal
21 registration permits issued, and to date I don't know of any
22 harvests that have taken place. We've had two DLP kills in the
23 Lake Clark area.

24
25 CHAIRMAN O'HARA: What's a DLP?

26
27 MR. FINK: Defense of life and property. And we have
28 not issued any potlatch moose permits.

29
30 CHAIRMAN O'HARA: Has there been any requested? None
31 have been requested?

32
33 MR. FINK: None requested, yes. None requested.

34
35 CHAIRMAN O'HARA: Okay.

36
37 MR. FINK: We've discussed brown bear populations
38 extensively in previous meetings, and our biologist who
39 actually just transferred back to Cape Cod National Seashore,
40 one of the last things before he did was put together a brown
41 bear study package and we will be, you know, actively pursuing
42 funding for this project to try to get a more definitive handle
43 on just exactly what our brown bear population is doing, and --
44 because as we discussed in previous meetings, we've been
45 working off some of the data is a few years old, and most of it
46 was put together by the State, you know, good data, but we've
47 been kind of extrapolating it up into the Park area, and
48 hopefully in the future we'll be able to develop a plan to
49 study the brown bears locally there and get an idea on just

50 what their population is doing.

0057

1 CHAIRMAN O'HARA: Anything else, Lee?

2
3 MR. FINK: That's it I have on this paper, unless
4 there's any questions?

5
6 CHAIRMAN O'HARA: Any questions you have on the Lake
7 Clark Park and Preserve?

8
9 MR. BALLUTA: How many sheep you said was -- how many
10 permits you had for sheep hunting you said?

11
12 MR. FINK: There were six permits issued and three --
13 unofficially I know of three that have been harvested to date.
14 The season is still opened until October.

15
16 MR. BALLUTA: They're from the both the local villages
17 or just one local village?

18
19 MR. FINK: Actually all six permits I believe have been
20 issued to residents of Port Alsworth.

21
22 MR. BALLUTA: It's all with airplanes.

23
24 MR. FINK: Well, technically.....

25
26 MR. BALLUTA: Subsistence use to me is without an
27 airplane. These sheeps have been spotted with airplane and
28 then went after it. I don't think that's subsistence. I'd
29 like to say this, because I know. I've seen this.

30
31 CHAIRMAN O'HARA: They own airplanes?

32
33 MR. FINK: Well, you know,.....

34
35 CHAIRMAN O'HARA: You've got to give us an explanation
36 why (indiscernible - laughter) out there.

37
38 MR. BALLUTA: Yeah. Uh-hum.

39
40 MR. FINK: I suppose some of the people that -- not
41 everybody that has received a permit owns an airplane, but
42 whether or not it is legal to use aircraft for subsistence
43 purposes in the Park, period. Whether or not people spot, and
44 it's illegal to spot sheep and then go hunt them, but it's very
45 difficult to regulate whether or not it actually takes place,
46 you know, officially. I mean, I have no idea. And even if it
47 did, it would be a very, very difficult thing to regulate.

48
49 CHAIRMAN O'HARA: It.....

0058

1 MR. FINK: They can't fly and shoot the same day, and
2 they can't.....

3
4 CHAIRMAN O'HARA: We have an airborne law that.....

5
6 MR. FINK: Yeah.

7
8 CHAIRMAN O'HARA:they've got to abide by just
9 like we do, yeah.

10
11 MR. FINK: And they cannot access the sheep areas with
12 an airplane. Now, I think what Andrew was alluding to, that
13 quite possibly people fly a day or two before they go hunting
14 and get an idea of where the sheep are, and then they have to
15 hike in or boat, and then hike in.

16
17 CHAIRMAN O'HARA: But that is legal? You can go fly
18 and look, but you can't hunt same day as airborne? You're not
19 talking?

20
21 MR. FINK: Yeah.

22
23 (Laughter)

24
25 MR. FINK: You can, you.....

26
27 CHAIRMAN O'HARA: If that's not a good question, and
28 you can't answer it, that's okay.

29
30 MR. FINK: Yeah.

31
32 CHAIRMAN O'HARA: Yeah, that's fine.

33
34 MR. FINK: You're not supposed to use an aircraft in
35 support of subsistence hunting in the park, period.

36
37 CHAIRMAN O'HARA: Oh, I see. Okay. I see. That's the
38 point.

39
40 MR. FINK: That's it.

41
42 CHAIRMAN O'HARA: All right. Okay. Now I understand
43 what he's talking about. Okay. Good. Thank you. Appreciate
44 it.

45
46 MR. FINK: Yeah.

47
48 CHAIRMAN O'HARA: Any other questions of Lee? Yeah?

49

MR. HEYANO: A couple of questions. On the brown bear,

0059

1 there's been a request for reconsideration I think. People who
2 propose the reconsideration had some concerns with the brown
3 bear populations, that with the high number of bear that were
4 taken in defense of life and property, plus the additional
5 potential 12 that can be taken under the permitting system. To
6 date, those 12 have never been fully harvested, have they?

7
8 MR. FINK: That is correct.

9
10 MR. HEYANO: In any given year?

11
12 MR. FINK: In any given year. The maximum number of 12
13 have never been harvested. Last year we had no brown bear
14 harvested under the federal subsistence program in the park,
15 and there were I believe seven official and possibly eight
16 defense of life and property kills in the Lake Clark area. So
17 it still was under the harvest quota that would -- that the
18 biologist believe will sustain a healthy population.

19
20 So I guess in addressing the RFR, I was going to speak
21 to the request for reconsideration just briefly in that as you
22 know, there is one submitted. I believe the council has
23 addressed most of the issues that were brought up in the
24 request for reconsideration, but if during this meeting, if the
25 council has anything further to add on any of those points, we
26 will be drafting a response to that request for
27 reconsideration.

28
29 CHAIRMAN O'HARA: Well, that kind of leads -- go ahead.

30
31 MR. HEYANO: Well, my concern was with the brown
32 population, but, you know, as I went through your report and
33 looked at your data, what they were saying that could
34 potentially happen hasn't happened, so.....

35
36 MR. FINK: That.....

37
38 MR. HEYANO:we're still under the 12 with the two
39 females.

40
41 MR. FINK: That is correct.

42
43 MR. HEYANO: And do you recom- -- is it -- are you
44 prepared to make a recommendation that we need to take action
45 to correct that or -- at this particular time?

46
47 CHAIRMAN O'HARA: Helga has a.....

48
49 MS. EAKON: Mr. Chair, the RFR that is being referred

50 to come from the Sierra Club, and it will be fully considered

0060

1 by the regional council at their winter meeting.

2

3 CHAIRMAN O'HARA: Okay.

4

5 MS. EAKON: Okay.

6

7 MR. HEYANO: Oh, we have that? I'm sorry.

8

9 MS. EAKON: Yes.

10

11 MR. HEYANO: Okay.

12

13 CHAIRMAN O'HARA: But talking about the brown bear
14 population, we might be a little more -- we might have more
15 freedom to talk about the brown bear increase in population
16 than you might have as a refuge manager, which is
17 understandable. And I have talked to you, Lee, about this, and
18 I think we really have a serious predator problem with the
19 brown bear, and to be honest with you, I think they're the ones
20 that are getting the moose. Maybe you've had a lot of sport
21 effort come in and I don't see where the local people have
22 taken too many more moose. But have you had a lot of
23 permitting come in where they -- did I miss that in the report
24 where a lot of other people from the outside have come in and
25 taken a lot of big -- big volumes of moose, or what's happened?

26

27 MR. FINK: We have seen significant increases in our
28 sport hunting usage over the years. We have -- in the park,
29 because it is a national park, we have a clear -- there's a
30 clear delineation in the -- our park, there is no sport hunting
31 period. The only hunting that takes place is subsistence
32 hunting. Most of the -- most of this data, the majority of the
33 moose that have been collared, and that we're looking at right
34 now are in the park, there's a small segment of that.

35

36 CHAIRMAN O'HARA: And there's a continual decline of
37 that animal in the park just on whatever subsistence use is
38 without an outside effort pressure at all. So obviously either
39 more of your local people are taking animals, the animals are
40 dying off, or the bears are killing them. And I would venture
41 to say that you've got a bear problem.

42

43 MR. FINK: Well, it's most likely that the low calf
44 survival is probably accredited to predation.

45

46 CHAIRMAN O'HARA: Unless Andy are eating the calves.
47 Are you eating the calves, Andy?

48

49 MR. BALLUTA: No.

0061

1 CHAIRMAN O'HARA: Okay.

2
3 (Laughter)

4
5 MR. FINK: A particularly, you know, harsh winter, as
6 Larry -- you know, as Mr. Van Daele attested before, and
7 so.....

8
9 CHAIRMAN O'HARA: We need a bear refuge. Okay. Well,
10 Lee,.....

11
12 MR. HEYANO: One.....

13
14 CHAIRMAN O'HARA: Go ahead.

15
16 MR. HEYANO: One more follow up on the moose.
17 Apparently the problem is the low recruitment of calves into
18 the population. I guess the -- and you expressed some concern
19 in your report. At what point in time do we take some action
20 to attempt to correct the problem?

21
22 MR. FINK: Well, I guess we're hopeful that if we can
23 establish a bear monitoring program to try to get a good handle
24 on just what exactly the bear population is, I guess if that's
25 what we're attributing the problem to, then we'll at least have
26 some more scientific data to help determine whether or not the
27 low calf recruitment is indeed a problem of predation from
28 bears or wolves. I guess certainly the local sentiment is that
29 the -- that the predation problem is predominantly bears.
30 Scientifically, there's not much data to prove that, other than
31 the bear population seems relatively stable right now, and --
32 but there's a lot of factors to consider.

33
34 This year we've seen some significant concentrations of
35 brown bears in certain areas, but we've also had concentrated
36 salmon runs. Andrew and I were speaking a little earlier that
37 some of the smaller salmon streams are particularly dry this
38 year, and so where those salmon went, you know, there's other
39 rivers like Kvichak that has a relatively high bear population
40 right now, but is that because that's where the salmon happen
41 to be concentrated, so the bears are concentrated there? And
42 without a scientific study, it's kind of -- there's certainly
43 some guesswork in definitely saying, oh, look, there's a whole
44 bunch of brown bears here, so the population is extraordinarily
45 high. And as managers, you know, we have to try to do the best
46 job we can to gather accurate data.

47
48 CHAIRMAN O'HARA: That's understandable. We're talking
49 off the top of our head, and you're dealing with scientific

50 research and information. Do you have anything else, Robert?

0062

1 MR. HEYANO: Is the game biologist going to be here
2 throughout the whole meeting? I know you have to take off.

3
4 MR. FINK: Unfortunately, we -- at the bottom of my
5 little report here, we've had some significant changes in
6 staff, and we no longer have a biologist. We are going to be
7 hopefully recruiting this winter for a new biologist. Our
8 biologist transferred back to some place back East, so.....

9
10 MR. HEYANO: Well, I guess these.....

11
12 CHAIRMAN O'HARA: Where they don't have bears.

13
14 MR. HEYANO: Mr. Chairman, part of the agenda is to
15 consider proposals.

16
17 CHAIRMAN O'HARA: Yeah.

18
19 MR. HEYANO: And since Lee isn't going to be here,.....

20
21 MS. EAKON: I have a very important, late breaking
22 announcement here. I'm sorry we misinformed you. The Sierra
23 Club RFR needs to be addressed at this very point in time,
24 because the Federal Subsistence Board is going to consider the
25 Regional Council recommendation in November. So while you're
26 here, Lee, you need to talk about it. And the information is
27 in your book.

28
29 CHAIRMAN O'HARA: What tab?

30
31 MS. EAKON: Tab J.

32
33 CHAIRMAN O'HARA: Well, did you have a plane waiting
34 for you at 3:45?

35
36 MR. FINK: I'll just make other arrangements. I'll get
37 to Dillingham some time this evening. Maybe I can go with Andy
38 if he hasn't left.

39
40 CHAIRMAN O'HARA: Aaron?

41
42 MR. FINK: Or Aaron. Aaron, if he's going to.....

43
44 (Off record conversation)

45
46 MR. FINK: Okay. Well, I guess if we're going to dive
47 into the RFR, are we done.....

48
49 CHAIRMAN O'HARA: Here we are.

0063

1 MR. HEYANO: Well, I guess, Mr. Chairman, from my
2 personal perspective, I think you answered my question to the
3 request for reconsideration on the bear populations. I do have
4 some additional questions on the moose populations, but I think
5 if he needs to catch a plane, I can do that over the phone or
6 something.

7
8 MR. FINK: No, this is fine.

9
10 CHAIRMAN O'HARA: Yeah, let's just go ahead and do it.

11
12 MR. FINK: I'm here. I'm not going to catch this
13 plane. It's 3:45. I'll just -- I'll get to Dillingham later
14 today.

15
16 MR. HEYANO: Okay.

17
18 MR. FINK: I'm here. That's why I came here, to make
19 sure that.....

20
21 CHAIRMAN O'HARA: There's one here about 5:30. Can you
22 stay in Dillingham tonight, or are you going to make it home
23 tonight?

24
25 MR. FINK: I'm trying to go to Anchorage, but.....

26
27 CHAIRMAN O'HARA: Oh, okay. All right. Okay.

28
29 MR. FINK: So we'll work it out.

30
31 CHAIRMAN O'HARA: All right. Good.

32
33 MR. FINK: I want to be here to make sure I answer all
34 the questions.

35
36 CHAIRMAN O'HARA: Good. All right.

37
38 MR. FINK: That's why I came all the way down here,
39 so.....

40
41 CHAIRMAN O'HARA: You've got the floor, Robert. You've
42 got the floor.

43
44 MR. HEYANO: No, I'm.....

45
46 CHAIRMAN O'HARA: Oh, you're all done?

47
48 MR. HEYANO: Well, are we going to do the re.....
49

MR. FINK: Well, we might as well stay on the moose if

0064

1 you have a couple more moose questions. We might as well -- if
2 you want try to.....

3

4 CHAIRMAN O'HARA: I have a couple more moose questions.
5 I don't know if anyone else has or not, but what -- how many
6 protection officers do you have in the Lake Clark Park and
7 Preserve? That preserve comes all the way down to the Alagnak,
8 Branch, doesn't it?

9

10 MR. FINK: Not quite. It stays on the north side of
11 Lake Iliamna, but Lake.....

12

13 CHAIRMAN O'HARA: How far down the lake?

14

15 MR. FINK: It goes all the way to the end of Lake
16 Clark.

17

18 CHAIRMAN O'HARA: Okay. Not on up to the lake up above
19 there?

20

21 MR. FINK: All the way on up to two lakes past Merrill
22 Pass, up into the Stoney, upper Stoney River drainage.

23

24 CHAIRMAN O'HARA: Okay. The lower one then is that
25 lake up above Igiugig, Klukuk?

26

27 MR. FINK: No, Tazimina?

28

29 CHAIRMAN O'HARA: No.

30

31 MR. FINK: Tazimina Lake would be the lower end of.....

32

33 CHAIRMAN O'HARA: The park.

34

35 MR. FINK: The park, the.....

36

37 CHAIRMAN O'HARA: The preserve, how far does the
38 preserve go down, Lake Clark Preserve?

39

40 MR. FINK: The preserve goes over to Lake -- to
41 Tazimina Lake, and then down to just about the Tazimina River.

42

43 CHAIRMAN O'HARA: Oh, okay.

44

45 MR. FINK: So Lake Clark National Park and Preserve is
46 4 million acres, the total unit. There's two of us that are
47 protection officers.

48

49 CHAIRMAN O'HARA: Uh-hum.

0065

1 MR. FINK: We're both pilots, and this year I had two
2 seasonal law enforcement protection officers also.

3
4 CHAIRMAN O'HARA: You have what? Two seasonals?

5
6 MR. FINK: Two seasonal law enforcement.

7
8 CHAIRMAN O'HARA: Do they fly?

9
10 MR. FINK: They do not fly. There's only two of us
11 that are pilots, and we do the flying, and then they fly along
12 with us, or we put them out at various locations, floating
13 rivers or whatever.

14
15 We had a fairly extensive and -- law enforcement
16 campaign this year. Actually I think we contacted over 90
17 percent of all the hunting camps that were established in the
18 preserve. We have a few on-going cases dealing with illegal
19 guiding, some same-day-airborne, and we've issued a few minor
20 citations. Our main focus usually is wanton waste. We try to
21 work pretty hard to make sure that all the salvage regulations
22 are complied with and we had good success with that this year.

23
24 We also had as I think Mr. Van Daele indicated earlier,
25 we had a fairly low moose harvest rate this year. Last year we
26 had considerably more moose harvested than we did this year. I
27 don't know if it was -- what to attribute it to.

28
29 CHAIRMAN O'HARA: All right. If there are no other
30 questions.

31
32 MR. HEYANO: Moose?

33
34 CHAIRMAN O'HARA: Moose. Okay. Here we go with moose,
35 Lee.

36
37 MR. FINK: Okay.

38
39 MR. HEYANO: Do we start restricting the subsistence
40 hunt in the park to protect the moose?

41
42 MR. FINK: I discussed that with our biologist just
43 before he left, because he'd been there for a while and has a
44 good handle on our resource, and at present, with a bull-only
45 season, there doesn't seem to be a problem with what we are
46 currently doing as far as subsistence activity. As you know,
47 we've talked several times before about cow seasons, and, you
48 know, for the same reasons that we continue to -- or that we
49 see in this data, you know, we don't have a good enough

50 population to consider any harvest of cows. But with the bull

0066

1 -- as long as the bull/cow ratio remains as high as it is, what
2 we need to just look at is that recruitment, and monitor that
3 recruitment, and hopefully that will come up, you know, even if
4 it takes a cycle in predator/prey relationships or if it's --
5 well, we don't have a good handle on just what exactly the
6 cause of that is, but that is certainly the big problem right
7 now, not the harvest of the number of bulls that we're probably
8 seeing.

9
10 MR. HEYANO: One more. I guess you say at an annual
11 rate of three percent of decline. To me it's inevitable unless
12 something changes around in the -- the moose population is in
13 serious trouble. They're not even maintaining.

14
15 MR. FINK: That -- the data certainly indicates that
16 our moose population is in a decline. The National Park
17 Service generally manages for natural and healthy populations,
18 and if that indicates some cyclic activity, you know, if --
19 this is kind of conjecture on my part, but if the bear
20 population is high, and predators in general are affecting the
21 moose population, there may need to be a cycle, a swing in
22 populations before they stable out -- stabilize. We have, you
23 know, a fairly -- We have opportunities to harvest bears in the
24 park, you know, so if that indeed is the problem that many
25 people perceive, there is a -- not that we're into predator
26 control, but there is a mechanism there for bears to be
27 harvested through subsistence use and fill a number of roles.
28 But how we step in and change the course of nature if the moose
29 population is in decline right now, I don't know that there's a
30 mechanism that we have to go in and alter that.

31
32 CHAIRMAN O'HARA: I don't think -- you know, we --
33 Congress has said things. Brown bear management people have
34 said things, and now I think it's up to this council to say if
35 we've got a problem there with predators, and we're not able to
36 eat, the animals are going away because of it, we've got to
37 balance this out. That's how simple it is, Lee. Government
38 people and Congress and Sierra Club and everybody else has got
39 their say-so about it, but we're just going to have to deal
40 with the issue if it comes down to that. We may not be on the
41 council next year, but I don't -- you can't back away from the
42 issue of -- both has to be balanced out. You can't destroy an
43 animal, but you can't destroy other animals because of animals.
44 It's our job to manage, good management, take care of the
45 resource. Just tough to come to Togiak and say you can only
46 have so many moose, because you've got to get up to a certain
47 population number before you go get them. That's just common
48 sense. It doesn't take a degree from Harvard to figure that
49 out. And you're in a tough position there. I'm not. I just

50 will go out here and go home. All these other people have got

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1 to go back to their jobs, you know. But that's a tough issue
2 we're going to have to deal with. And I think we're going to
3 have to let it rest a year until we get more information,
4 because we can't go off and say let's go kill a bunch of bears,
5 but we're going to have address the issue. It's on federal
6 lands.

8 MR. ABRAHAM: Mr. Chairman, well, you know, we see all
9 these management programs, stuff like that, but as far as we
10 can remember, nobody I don't think in the world can control
11 nature. Nature controls itself. If one side of population
12 goes up and the other side goes down, you know, what can you
13 do? You'll just -- yeah, like Dan said, you just can't go out
14 and kill a bunch of opposing animals. We just cannot control
15 nature. We seen it everywhere else when the people try to
16 control nature here and there, who lost? Who lose all the
17 time? The people. Because nature take care of itself. But
18 you've got to manage something when you're put in a position
19 like this here, you've got to do the best you can.

21 CHAIRMAN O'HARA: Any other questions?

23 MR. HEYANO: One.

25 CHAIRMAN O'HARA: Yeah, help yourself.

27 MR. HEYANO: What kind of additional information can we
28 expect a year from now on the moose population in the park?

30 MR. FINK: Well, I'm not a biologist, so when it comes
31 to statistics and crunching numbers, that's not my forte so to
32 speak, but, you know, we have a relatively small sample size I
33 think. We are putting out 13 more collars in March that will
34 give us a larger sample size, so, you know, we're basing these
35 numbers that we have here on, you know, a total of 31 moose out
36 of -- the total population is, you know, several hundred. And
37 as part of this report indicates, there is probably a little
38 migration. There's probably some local moose that hang around
39 the lake, Lake Clark itself, that are more susceptible to
40 hunting, and then there's another sub population of moose that
41 travels further. They go back up over the hills and into less
42 accessible areas. So there possibly is some recruitment into
43 the higher pressure areas. You know, we've looked at maps, and
44 I have one here if we need to pull it out again of Lake Clark,
45 and the pressure whether it be human pressure or even some of
46 the predator pressures, are channelled in this corridor.
47 There's a corridor of activity through Lake Clark, and the
48 bears move through back and forth as they go from their winter
49 to summer food sources. People, whether they be subsistence

50 hunters or recreational people that are in the area, they tend

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1 to stay in this corridor that is more readily accessible than
2 moving off into some of the more difficult terrain that we
3 have. So we see movement from -- of these moose populations.
4

5 So our numbers are based in this kind of a bowl, so to
6 speak, area of the Lake Clark and its immediate drainages.
7 That's where most all of the moose were collared. And so
8 that's where this data is coming from. As we get a bigger
9 pool, hopefully -- it will be nice to see new statistics come
10 that show a little higher recruitment rate than these numbers
11 have shown, 'cause, you know, certainly these numbers show less
12 than adequate recruitment. That's, I guess, all we're going to
13 be able to know.
14

15 That's the intent, the idea of this study is to try to
16 predict the recruitment or project the recruitment based on the
17 sample size that we're able to -- it's a difficult process. If
18 Mr. Van Daele was here, he could probably speak more
19 articulately to sampling moose and trying to determine
20 population numbers than I could, because he's done it
21 throughout the whole area, and our biologists, they've kind of
22 worked some of these things out together. But we have a fairly
23 limited sample size in kind of a confined area, and the idea is
24 to just over three years -- at the end of the survey, hopefully
25 we'll have our best information on what exactly the population
26 is doing.
27

28 CHAIRMAN O'HARA: Okay. Any other questions for Lee?
29 What's the next step, Helga?
30

31 MS. EAKON: Before we go to the Sierra Club RFR, could
32 I ask you if you're going to put on your October 23 agenda
33 Igiugig and Kakhonak?
34

35 CHAIRMAN O'HARA: Yes. You will, Lee?
36

37 MR. FINK: Yes.
38

39 CHAIRMAN O'HARA: Yeah.
40

41 MS. EAKON: Okay. Okay.
42

43 CHAIRMAN O'HARA: Good.
44

45 MR. FINK: We will put that on there.
46

47 CHAIRMAN O'HARA: All right. And John is going to be
48 addressing that later on, too, probably tomorrow.
49

MS. EAKON: Okay. Thank you.

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1 CHAIRMAN O'HARA: And we're going to go back to public
2 comment here as soon as we finish Lee, so if you have something
3 to say, we would like to let them comment, yeah. Okay. We can
4 do that once in a while. Yeah. Okay.

5
6 MR. ABRAHAM: And I think, yeah, there's one lady right
7 there that's been waiting until after we're done.

8
9 CHAIRMAN O'HARA: Pete.

10
11 MR. ABRAHAM: (In Yup'ik)

12
13 CHAIRMAN O'HARA: Okay. Helga?

14
15 MS. EAKON: Sierra Club RFR?

16
17 MR. FINK: Sure. Okay. Everybody has a copy?

18
19 CHAIRMAN O'HARA: The letter?

20
21 MR. FINK: Of the letter.

22
23 MS. EAKON: Yes, you do.

24
25 CHAIRMAN O'HARA: Yeah.

26
27 MS. EAKON: Under tab J in your books, there's a letter
28 dated July 24, 1997 from Jack Hession who is the Alaska
29 representative of Sierra Club.

30
31 CHAIRMAN O'HARA: Second page under J.

32
33 MS. EAKON: Saying that this letter is a formal request
34 for reconsideration of Proposal 40. As you may recall, the
35 Federal Subsistence Board did adopt the regional council
36 recommendation regarding Proposal 40, which allows for year-
37 round hunting of brown bears. It retains a current annual
38 quota of 12 bears, drops the previous regulation that the front
39 claws and skin of the skull be removed from brown bear hides
40 intended for shipment out of the area.

41
42 And the reason the Sierra Club would like the Federal
43 Subsistence Board to reconsider their action: First of all,
44 they have a concern that the regulations jeopardize the bears
45 during their critically important hibernation period. Their
46 concerned about a conflict between subsistence hunters and the
47 majority of park visitors who are visiting the park and seeing
48 hunting. They're saying that by counting only two defense of
49 life/property bear kills against the annual quota of 12 bears,

50 that the new regulations fail to take into account the high

0070

1 number of such kills registered. Ta-da-da-da. Okay. Excuse
2 me.

3
4 CHAIRMAN O'HARA: There's a possibility of a tourist
5 being killed by hunter or something? Is that what it.....

6
7 MS. EAKON: Well, aesthetically, and, yeah, there's a
8 -- I guess they're -- maybe they see it as being incompatible,
9 in so many words.

10
11 CHAIRMAN O'HARA: I think so. That's probably what
12 they're getting at. Are we at the place where we consider
13 proposals now?

14
15 MS. EAKON: This is a place where you want to consider
16 this request for reconsideration, because the Board is going to
17 consider your recommendation at their November meeting when
18 they take this up. So now is the time to talk about and now is
19 the time to say what you think of this request for
20 reconsideration.

21
22 CHAIRMAN O'HARA: Robert?

23
24 MR. HEYANO: Well, and I think because Lee is.....

25
26 CHAIRMAN O'HARA: Yeah.

27
28 MR. HEYANO:attempting to leave tonight, so we
29 need to get his.....

30
31 CHAIRMAN O'HARA: Yeah. Okay. We'll do it right now
32 then. That's great.

33
34 MR. HEYANO: His input.....

35
36 CHAIRMAN O'HARA: Yeah, fine.

37
38 MR. HEYANO:on the proposal. I guess a question
39 to you, Lee, do you have concern for the brown bear population
40 in the park?

41
42 MR. FINK: Well, I think we've talked -- yeah, I think
43 most of these points that are brought up in this RFR, we've --
44 the council has deliberated on before. I don't think there's
45 anything new here that the council hasn't discussed. Our quota
46 as we said earlier, the number of 12 bears, that we feel --
47 that biologists felt very comfortable with, to date has not
48 been attained. That's based on bear population data that we
49 are not certain of. But we hope to get a new proposal funded

50 to get a better handle on the population, but from the

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1 information we have now, we've not yet attained the target
2 number where we feel the population is safe. So, you know,
3 unless the council has any new information or would like more
4 information, most of these areas we've discussed and we've
5 addressed in the past at previous meetings when this proposal
6 was forwarded to the Federal Board.

7
8 I guess in -- one thing that I've looked at, and one of
9 the comments where we eliminate the provision of removing the
10 claws and the hide of the head and skull, -- well, two things I
11 guess have occurred that kind of tie together. The State
12 enacted a subsistence season for one bear every year by state
13 permit. So not only does the park -- and their season is I
14 believe nine months long. It goes from September to May. I
15 need to double check that, but it's a relatively long
16 subsistence season, and it lifts the every other year current
17 season for subsistence purposes that is addressed in one of the
18 other points in the RFR. At the same time they -- this is the
19 first year that the State has enacted a subsistence season with
20 a yearly harvest in that manner. But they also did adopt the
21 Western Brown Bear Management Plan policy of removing the head
22 and claws.

23
24 So those are just a couple of things that the council
25 may want to consider, but I don't know that I have any really
26 new information unless you have specific questions.

27
28 CHAIRMAN O'HARA: I think this is an issue we have to
29 deal with.

30
31 MR. HEYANO: One question I guess. Didn't -- When we
32 agreed to allow those bears that were taken in the park, to
33 leave the claws and the head, skull on, wasn't there some
34 mechanism to tag that hide so it could be tracked if it went to
35 a place to get tanned outside the region to distinguish it some
36 way from one that was taken in a general hunt for instance?

37
38 MR. FINK: We've talked -- we talked about looking into
39 that, and we haven't really gotten very far. It's not a simple
40 process. There's no federal sealing process in place, and I
41 think as I recall we decided that the numbers were limited
42 enough that it was not a -- you know, we have this harvest
43 quota which has been a significant -- and the council has
44 pointed that out in several instances, that the federal
45 registration permit and the sealing that is -- ten bears that
46 is established there, is a pretty good tracking device. It's
47 not a wide-open hunt where large numbers of bears are going to
48 be taken from a huge, large user group. We're looking at a
49 very specific area, and a very small number that could

50 effectively be harvested. And whether or not it would be, in

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1 my mind I guess, beneficial to try to establish a federal
2 sealing process for such a small number is probably
3 questionable at best.

4

5 MR. HEYANO: Thank you.

6

7 CHAIRMAN O'HARA: Okay. Any other questions or
8 comments? The issue before the council right now is whether or
9 not we want to go back and reconsider the proposal that we had.
10 Was there a number to that proposal?

11

12 MR. BOSKOFISKY: 40.

13

14 MS. EAKON: Proposal 40.

15

16 MR. BOSKOFISKY: Number 40.

17

18 CHAIRMAN O'HARA: 40? Okay.

19

20 MS. EAKON: Which is recapped on page three of the
21 minutes of the February meeting. And as regards Robert
22 Heyano's question to Lee, the Regional Council has just
23 expressed the wish that the Federal Subsistence Program look
24 into a federal sealing tag or some mechanism to allow the
25 sealing of bear hides without removing the skin of the skull
26 and claws if the hide is sent outside the region for tanning.
27 Okay?

28

29 CHAIRMAN O'HARA: Yeah. And that was ten bears? Is
30 the number ten?

31

32 MR. HEYANO: I think it was.....

33

34 CHAIRMAN O'HARA: Twelve?

35

36 MR. HEYANO: Twelve.

37

38 CHAIRMAN O'HARA: Twelve bears. Okay.

39

40 MR. HEYANO: That was the number that.....

41

42 CHAIRMAN O'HARA: Okay.

43

44 MR. HEYANO:I've seen.

45

46 CHAIRMAN O'HARA: I'm still looking. Okay. So what
47 the Sierra Club is asking us to do is to take back the action
48 on what we did last year, and apparently it's this part of the
49 agenda, Helga, that we need to address this on?

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1 MS. EAKON: Yes.

2
3 CHAIRMAN O'HARA: And this is an action item?

4
5 MS. EAKON: This is an action item.....

6
7 CHAIRMAN O'HARA: Okay.

8
9 MS. EAKON:which requires a formal motion and a
10 vote, Mr. Chair.

11
12 CHAIRMAN O'HARA: All right. Okay. I just might
13 mention that I don't think there's been a request from any of
14 these villages, Lee, for the 12 bears at all? None of them
15 taken?

16
17 MR. FINK: This year, none have been harvested out of
18 the ten.

19
20 CHAIRMAN O'HARA: No, none of them have been harvested.
21 And there's been no requests for the animals at all?

22
23 MR. FINK: Well, yeah, we'd had requests. We have --
24 to date we have four permits issued.

25
26 CHAIRMAN O'HARA: When did you issue those? Just this
27 fall?

28
29 MR. FINK: I've issued those this fall, and.....

30
31 CHAIRMAN O'HARA: Okay. But no animal has been taken
32 as far as you know?

33
34 MR. FINK: As far as I know, no animals have been
35 taken.

36
37 CHAIRMAN O'HARA: Okay. Fine.

38
39 MR. FINK: And only two defense of life and property
40 bears. Now, two is the number -- you know, the number 12 is
41 kind of the number that our biologists indicated was the
42 maximum number. Ten are available for federal registration
43 permits in the park, and that left two to be taken as DLP bears
44 to reach that number 12. And we have had the two DLP bears
45 harvested.

46
47 CHAIRMAN O'HARA: Okay. Defense of life and property
48 is not an issue in the ten bears we're dealing with. This is a
49 subsistence issue. If they want to go out and get a bear and

50 eat it, they get a permit from you, if they go get one, they've

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1 got to go eat it.

2

3 MR. FINK: That's correct.

4

5 CHAIRMAN O'HARA: Okay. And we said because of the
6 brown bear management from Western Alaska, just to bring the
7 board up to speed again from last year, they wanted -- if you
8 took it out of region, you cut the head and claws off, and we
9 had an extensive discussion on that, and we acted on it as a
10 council that if that person wanted to take that hide to town,
11 Anchorage, and have it tanned, or a head mount, that's their
12 privilege. We don't cut the head and feet off because of that,
13 and that's the action that we passed. The Federal Board
14 supported that regulation -- I mean, that request or that
15 proposal. The Sierra Club wants us to take that proposal away.
16 So what's the wishes of the council?

17

18 MR. HEYANO: Well, Mr. Chairman, I move that we stand
19 by our original decision, and we urge the Federal Subsistence
20 Board to do likewise and deny the request for reconsideration.

21

22 CHAIRMAN O'HARA: Is there a second to that motion?

23

24 MR. BOSKOFISKY: I'll second the motion.

25

26 MR. BALLUTA: I'll second that.

27

28 CHAIRMAN O'HARA: Okay. Alvin Osterbeck -- I mean,
29 Osterbeck. Excuse me, I'm sorry. Boskofsky. Is there a
30 difference? There's a difference. Osterbeck.

31

32 MR. BOSKOFISKY: Yeah.

33

34 CHAIRMAN O'HARA: Second the motion. Any further
35 discussion?

36

37 MR. ABRAHAM: Question.

38

39 CHAIRMAN O'HARA: All those in favor, say aye?

40

41 IN UNISON: Aye.

42

43 CHAIRMAN O'HARA: Opposed?

44

45 (No opposing votes.)

46

47 CHAIRMAN O'HARA: Let the minutes show that it's
48 unanimous. Okay.

49

MR. HEYANO: I think, Mr. Chairman, in speaking to the

0075

1 motion for the.....

2

3 CHAIRMAN O'HARA: Oh, I'm sorry.

4

5 MR. HEYANO: Just for the record is that.....

6

7 CHAIRMAN O'HARA: I should have asked.

8

9 MR. HEYANO:I would urge the Federal Subsistence
10 Board to review our minutes, to review the report from the Lake
11 Clark Subsistence Resource Council, and based on the comments
12 from the Lake Clark people, the brown bear population appears
13 to be in a healthy condition. We've -- the information also
14 further includes that we have never reached a maximum number of
15 bears either through the federal permitting system or
16 combination with bears taken in defense of life and property.
17 So -- and this is a very limited hunt for very few people, and
18 it's through a permitting process, that that should take care
19 of the concerns about bear hides ending up in the trophy
20 market.

21

22 CHAIRMAN O'HARA: Yeah. If I could stand corrected on
23 that, Meredith, that should have gone under addressing the
24 motion prior to us voting on it. As the chair, I should have
25 put the motion out for -- let the maker of the motion address
26 the motion first. And I apologize for that, Robert, and I
27 thank you for making that.

28

29 Anything else from Lee today? Have a good trip home.

30

31 MR. FINK: All right. Thank you.

32

33 CHAIRMAN O'HARA: We'd like to take at this time public
34 comment, if you would like to come up and give us your name?

35

36 MS. ARNARIAK: Yeah. (In Yup'ik) We can no more fish
37 around the kelp. We don't pick the kelp this year, but
38 important, we didn't pick (In Yup'ik) this year. (In Yup'ik).

39

40 MR. ABRAHAM: Yes, she says -- what she has to say is
41 very important. This year they didn't use the kelping permits,
42 because there was no permit -- I mean, kelp. And she says the
43 people from outside come around and fished everything out in
44 the bay and leave them with nothing.

45

46 I guess does it concern us, or does that not fall under
47 Jim Browning?

48

49 CHAIRMAN O'HARA: Alaska Department of Fish & Game?

0076

1 MR. ABRAHAM: Yeah.

2

3 CHAIRMAN O'HARA: Is that where that comes under?

4 Yeah. We can.....

5

6 MR. ABRAHAM: (In Yup'ik)

7

8 MS. ARNARIAK: (In Yup'ik) They really cleaned out

9 kelp. All of us, I didn't fish nothing. Yeah.

10

11 MR. ABRAHAM: (In Yup'ik)

12

13 MS. ARNARIAK: (In Yup'ik) We don't eat bear. I don't

14 eat bear. I don't like it.

15

16 CHAIRMAN O'HARA: What's her name?

17

18 MS. EAKON: Her name?

19

20 CHAIRMAN O'HARA: The name?

21

22 MR. ABRAHAM: What's -- Marie Arnariak.

23

24 CHAIRMAN O'HARA: Marie Arnariak?

25

26 MR. ABRAHAM: Arnariak.

27

28 MS. ARNARIAK: I want to go for kelp, for -- that's

29 what I'm fishing, no more fishing around there from out of

30 state.

31

32 CHAIRMAN O'HARA: Any other -- would anybody else like

33 to make a public comment at this time? We've been kind of

34 going on with our reports here, and we're going to -- not right

35 now, but we're going to take a break at 5:00 o'clock until

36 7:00, to have dinner. And then we'll come back from probably

37 7:00 until about 9:00, if that's okay with council members?

38 And so -- I guess Lee has gone, and we've got to go back to our

39 agenda items here.

40

41 Where are we at here, Helga, on the.....

42

43 MS. EAKON: We are now at.....

44

45 CHAIRMAN O'HARA: Aniakchak?

46

47 MS. EAKON: I think Lee and.....

48

49 CHAIRMAN O'HARA: Lee did Lake Clark.

0077

1 MS. EAKON: Did someone -- was someone going to cover
2 Aniakchak?

3
4 CHAIRMAN O'HARA: Yes.

5
6 MS. EAKON: Shirley?

7
8 CHAIRMAN O'HARA: Karen.

9
10 MS. KELLY: Steve Bill said that our biologist was
11 going to cover the Alaska Peninsula section on the animals, and
12 we haven't heard from the.....

13
14 MR. SQUIBB: If you had any questions, I could address
15 those. Going way back to.....

16
17 MS. EAKON: Yeah.

18
19 CHAIRMAN O'HARA: What happened?

20
21 MS. EAKON: Steve Hill who is the deputy manager for
22 Alaska Peninsula/Becharof Refuge said that biology questions
23 would be handled by Ron Squibb, and the refuge information
24 technician just reminded us that it's still kind of hanging
25 there. So if we want to close it out, is that okay?

26
27 CHAIRMAN O'HARA: Sure. Okay.

28
29 MR. SQUIBB: Thank you. I'm Ron Squibb with the Alaska
30 Peninsula/Becharof Refuge.

31
32 CHAIRMAN O'HARA: State your name louder, please?

33
34 MR. SQUIBB: Ron Squibb.

35
36 CHAIRMAN O'HARA: Ron Squibb.

37
38 MS. DOWNING: Speak up.

39
40 MR. SQUIBB: Sorry. Ron Squibb, Alaska
41 Peninsula/Becharof Refuge. Excuse me. And I can't -- you guys
42 didn't ask later if there any specific questions, I didn't hear
43 any, so I thought there would be none. But yours.....

44
45 MR. HEYANO: I had one.

46
47 MR. SQUIBB:was regarding 9E, the area closed, if
48 I remember correctly?

49

MR. HEYANO: To subsistence hunting,.....

0078

1 MR. SQUIBB: Right.

2
3 MR. HEYANO:to all hunting.

4
5 MR. SQUIBB: Right.

6
7 MR. HEYANO: What's the condition I guess of the moose
8 and caribou populations?

9
10 MR. SQUIBB: Yeah. Basically the answer is we don't
11 know. The -- we have had no surveys of the Chignik unit, which
12 is that unit of the Alaska Peninsula Refuge in the last two
13 years for caribou. This year and last year we only got down to
14 Aniakchak on the Pacific side.

15
16 I know Orville Lind's comment earlier asking how far
17 down Dick Seller's surveys went. I believe -- I wish Larry Van
18 Daele were here, although I guess Larry Van Daele did not know,
19 I believe in talking to Dick that he did go all the way down
20 through the Chignik units, you know, down to the Unit 9D
21 boundary on the northern herd. And so his numbers include
22 that. So specifically for that, for the effects that that
23 closure has had, we have no data specific to that, so.....

24
25 MR. HEYANO: Is there a survey being scheduled?

26
27 MR. SQUIBB: I guess on the Pacific side -- I just
28 arrived on the refuge in March, so I apologize for not having
29 as much knowledge as I would like. I, too, was glad that Larry
30 Van Daele went first, because he was the most knowledgeable
31 one, having Dick's full report.

32
33 Normally we try to get at least Becharof Refuge and the
34 Ugashik unit of the Alaska Peninsula done, and then as time,
35 basically aircraft time, pilot availability allow, we will do
36 -- try to do Chignik. And like I say, to my know- -- well, I
37 know it was not done the last two years, and I'd have to look
38 at records I brought to see if we -- the last time we did that.
39 It may have '94 or '95 was the last time we got that unit.
40 And, further, I don't know if our data at that level of survey
41 would really be sufficient to detect a change -- excuse me, to
42 detect a change, unless it were very dramatic, you know, with
43 our aerial surveys. I do know -- I have the reports of the
44 interviews done in the villages I believe in '93, and at
45 present I don't know that we have -- at present I know we have
46 no plans to redo a more intensive survey down there. So I --
47 if you have any, you know, input as to how we should -- you
48 know, the relative importance of that, we, you know, certainly
49 would like to hear it. As I'm learning, you know, we can try

50 to plan accordingly.

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1 MR. HEYANO: I don't anything else at this time,
2 Mr. Chairman, but I think it's a topic I'd like this council to
3 come back to some time later on in the meeting, maybe when
4 we're considering proposals.

5
6 CHAIRMAN O'HARA: Any other questions of Ron?

7
8 MR. BOSKOFISKY: How come it takes them so long to do
9 surveys? There's so many years in between before surveys are
10 being done.

11
12 MR. SQUIBB: Again, as I'm new and I hesitate somewhat
13 to speak, you know, in other words take what I say with a grain
14 of salt, but I believe it's a matter of competing -- you know,
15 competing projects basically, and need for pilot and plane to
16 do then. You know, it's -- we can only do so much. And, for
17 instance, one day when we were surveying the caribou on Dog
18 Salmon River, that's when the fire at Ugashik Narrows happened.
19 We got 30 minutes of survey, and we spent the rest of the day
20 on the fire. Had we flown that entire day, we may have had
21 time to go south Aniakchak. That's the practicality of it.
22 And we -- like I say, we try and get Becharof and Ugashik,
23 because we have been consistent in doing those areas. And the
24 Pacific side, the Chignik, as I say, we just haven't done the
25 last two years. So that.....

26
27 MR. BOSKOFISKY: Yeah, it makes it kind of bad, because
28 you go so many years and you see that, you know, herds are
29 stable at they were telling us at 12,000. Now all of a sudden
30 to find out they're -- you're lucky if you've got 10,000. And
31 it's the subsistence user that gets hurt on it. And then all
32 these sport hunters coming in all the time, and they're being
33 allowed to take all these caribou out of these places, and we
34 get hurt on it.

35
36 CHAIRMAN O'HARA: Okay. Any other questions?

37
38 MR. SQUIBB: Would it be possible, could I ask? My
39 knowledge of the closure in 9E was basically as -- if I
40 understand correctly to see if there was a response to closing
41 all hunting in that area? Again, I'm new, so I'm -- that's my
42 understanding. Is that your understanding as well?

43
44 MR. HEYANO: No, my understanding was is that the
45 concern for the moose and caribou populations in that
46 particular area, that at the request -- I think it came from
47 Ivanof, primarily from Ivanof Bay and Perryville that we close
48 those areas to all hunting for that particular hunt in 9E, and
49 that's what we did, for the conservation of the resource. And

50 that's a pretty serious -- in my opinion a very serious action,

0080

1 so.....

2

3 MR. BOSKOFISKY: Yeah, that runs from I think Seal Cape
4 down.

5

6 CHAIRMAN O'HARA: Uh-hum. All the way to below Ivanof
7 to -- what's that big lake there?

8

9 MR. BOSKOFISKY: Stepovan, somewhere.

10

11 CHAIRMAN O'HARA: Yeah. Stepovan, yeah.

12

13 MR. SQUIBB: Seal Cape to Ramsey Bay I think is the
14 wording. Yeah.

15

16 CHAIRMAN O'HARA: Any other questions? Well, Ron, I
17 guess -- I don't know if some kind of a -- I know that -- I
18 talked to Dick Sellers this summer, and he went all the way
19 down to probably almost to Bear River, which is way below Black
20 Lake on the Bering Sea side, and he did the observation of the
21 calving season down in there, so I know that he looked at
22 animals in there, and that's where a big majority of the cows
23 do their calving, and I've seen them down in there. That's
24 pretty easy to look at.

25

26 I think Becharof Lake is pretty accessible from your
27 office, and a lot of people don't want to fly to Chignik,
28 because it's tough flying. And I don't know if you guys are
29 going to have to do something different, but I think we're
30 going to have to get back a report some time on what's going on
31 over there.

32

33 MR. SQUIBB: Right.

34

35 CHAIRMAN O'HARA: If you've got to skip Becharof Lake
36 for a year and concentrate on going to the Chigniks and camp
37 out with somebody down there, or do something to spend enough
38 time on a decent day with your pilot, maybe you can borrow Tom
39 from the National Park Service. He'll fly it for you in a
40 heartbeat. And get some data on that, because when that whole
41 system has been shut down to federal -- I mean to subsistence
42 and sports because the people know that nothing is -- and they
43 may not go there any more. It may not be a -- we don't know if
44 it's a -- they don't like the route, or if there's a lack of
45 food or what it is that prevents them from going. We don't
46 know that, and we may never know that. But I guess if we don't
47 know what's in the area. I mean, we need to know I guess if
48 there are any animals in the area, I guess is my concern.

49

MR. SQUIBB: Yes.

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1 CHAIRMAN O'HARA: And that's what I would say. If you
2 get -- if the State can take one side, and you can take the
3 other side, I don't know if that's a cooperative effort that's
4 even going to do anything, or I don't know if we, you know,
5 cooperatively deal with them or not to help us out, or if we
6 can do something for them in exchange for information, or what,
7 but -- have you dealt with Dick Sellers at all?

8
9 MR. SQUIBB: Oh, yeah. In fact, we fund a large part
10 of the survey effort on the caribou. I don't know what
11 proportion of his total budget, but we contribute significantly
12 to it. In order -- on the -- those particular surveys, the
13 June surveys, we contribute to as well as his project studying
14 the collaring of the female calves that's on-going. We
15 contributed to that.

16
17 CHAIRMAN O'HARA: Okay. When you collar the animals,
18 it's by helicopter?

19
20 MR. SQUIBB: Yes.

21
22 CHAIRMAN O'HARA: Uh-hum. So you have to dart them and
23 then.....

24
25 MR. SQUIBB: Yes.

26
27 CHAIRMAN O'HARA:go down and get them? So it
28 would have to be pretty decent weather and -- I mean, that's
29 tough flying down there, really tough flying. You've just got
30 to pick a few days.

31
32 MR. SQUIBB: I'm not -- I believe most -- again, I've
33 helped on this this spring, but to my knowledge, most of the
34 collaring of the calves has been on the Bristol Bay side.

35
36 CHAIRMAN O'HARA: Yeah. Yeah. And there may not be
37 any animals over there. I guess we'd have to go find out.

38
39 MR. SQUIBB: Right.

40
41 CHAIRMAN O'HARA: So we just don't know that. I guess
42 that's what we're looking for.

43
44 Any other concerns you might have? Well, thank you
45 very much, and I realize being fairly new in the area, we asked
46 you pretty hard questions, but by the next time we meet, you'll
47 be up to speed, right?

48
49 MR. SQUIBB: Well, I'll try and know more next time.

0082

1 CHAIRMAN O'HARA: Okay. Good.

2
3 MR. SQUIBB: Thank you very much.

4
5 CHAIRMAN O'HARA: Yeah. Okay. What do we have now,
6 Helga?

7
8 MS. EAKON: Okay. We are still on reports, 8.A.3,
9 National Park Service, Aniakchak and Katmai, and I believe
10 that's going to be presented by.....

11
12 CHAIRMAN O'HARA: Karen Gustin?

13
14 MS. EAKON:Bruce Clark? Rick Clark.

15
16 CHAIRMAN O'HARA: Oh, Rick?

17
18 MS. EAKON: Rick Clark for Bill Pierce, right?

19
20 UNIDENTIFIED VOICE: Rick's going to (Indiscernible,
21 away from microphone).

22
23 UNIDENTIFIED VOICE: He's going to stretch.

24
25 MR. CLARK: The National Park Service at Katmai
26 repeated -- completed the annual report the day after it went
27 to your booklets, so we're distributing those now as we speak,
28 which encompasses both Katmai National Park, Aniakchak National
29 Monument and Preserve, and the Alagnak Wild River. So I'll be
30 reporting upon Aniakchak and Karen will follow in reporting on
31 Katmai and the Alagnak.

32
33 CHAIRMAN O'HARA: You're doing Aniakchak?

34
35 MR. CLARK: Yes, sir.

36
37 CHAIRMAN O'HARA: Okay. Great.

38
39 MR. CLARK: Page five of the report that was just
40 distributed covers the Aniakchak section that I'll be
41 summarizing right now. The majority of what I'm going to
42 report relates to a Aniakchak Subsistence Resource Commission
43 meeting back in February, and I'll try and cover this point by
44 point, and paraphrase as much as much as possible to shorten
45 some of the administrative bullets.

46
47 There was an Aniakchak SRC meeting held back in
48 February at Chignik Lake, and several recommendations and
49 motions came out of that meeting, one of which was to appoint

50 or recommend the appointment of Mr. Boskofsky, Johnny Lind, Sam

0083

1 Stepanof, and Afonie Taknak to the SRC commission. Those
2 appointments were confirmed in a letter by you, Mr. Chairman,
3 in May 28th. Those members were in fact confirmed, and are now
4 serving on the SRC.

5
6 At that same meeting, Harry Kalmakoff was appointed
7 chair, and Robert Christensen was appointed vice chair.

8
9 Other items included at that meeting on the agenda were
10 for the SRC to adopt a draft November 1992 hunting plan
11 recommendations and have agreed to forward that to the Bristol
12 Bay RAC for consideration. Whether that's been done at this
13 point, I am not sure, but that was an agenda item discussed.

14
15 Two motions were passed at that meeting, one of which
16 has been followed up on, the other one of which is currently in
17 limbo. The first motion was to submit to the State Board of
18 Game a request to close Unit 9E to the taking of moose and
19 caribou by nonresident hunters. The Park subsequent to that
20 motion has acted upon that, and we just received confirmation
21 in yesterday's mail that the State has acted upon that, and
22 will address that as part of their 1999 meeting agenda.

23
24 The second motion was to submit to the Federal
25 Subsistence Board a request to close Unit 9E to all
26 nonsubsistence taking of moose and caribou. A proposal has
27 been drafted to that effect. The SRC has not been in session
28 to officially endorse that proposal, so that will be brought
29 before them at their next meeting in November to officially
30 endorse that. It has also been provided to the chair, vice
31 chair of the SRC for consideration to perhaps submit on an
32 individual basis before the October deadline.

33
34 The SRC also supported the establishment of a new
35 Bristol Bay RAC under ANILCA Section 805 guidelines to address
36 federal management of subsistence fishing within the region.

37
38 The SRC has requested the National Park Service, Katmai
39 National Park, Aniakchak National Monument to conduct a moose
40 and caribou population survey within the national monument and
41 preserve. A request was put forward to our regional office to
42 conduct those surveys in 1997, but that was not funded through
43 discretionary dollars available from our regional office. We
44 hope to revisit that in 1998, and are fairly optimistic that
45 we'll be able to get that for Aniakchak beginning in 1998, and
46 also Katmai National Preserve.

47
48 The SRC also asked that the National Park Service
49 monitor visitor use in the national monument and preserve and

50 report the findings to the SRC. This past summer we deployed

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1 two seasonal rangers for 17 days in the Amber Bay area for
2 purposes of monitoring commercial use activity and generally be
3 aware of activities within the Aniakchak National Monument and
4 Preserve. We hope to report upon those findings at the next
5 scheduled SRC meeting in November.

6
7 One point of note was there was a fairly significant
8 kill of black-legged kitiwakes that we're in the process of
9 investigating in cooperation with the U.S. Fish & Wildlife
10 Service, and again hope to have some more data and information
11 to share at our November meeting with the SRC.

12
13 The SRC also requested that the National Park Service
14 issue a new hunting guide prospectus for the national monument
15 and preserve. Unfortunately, because we've been involved in a
16 personnel transition, that has not been done, but we hope to
17 address that in 1998 as our new staff come on board and can
18 look at that specifically.

19
20 As I mentioned, the next SRC meeting hopefully will be
21 held in November. We hope to get up with Mr. Boskofsky as a
22 result of this meeting to identify a possible location, and
23 also share some other insights as it relates to Aniakchak
24 National Monument.

25
26 And that's pretty much the summary for Aniakchak.

27
28 CHAIRMAN O'HARA: Any questions? They want all of 9E
29 closed to caribou hunting?

30
31 MR. CLARK: Yes, sir.

32
33 CHAIRMAN O'HARA: That's a big area.

34
35 MR. CLARK: That's a big area. Yes, the Park Service
36 has yet to form an agency opinion on that until such time as we
37 can acquire additional data to make a more informed decision,
38 of which conducting some of the surveys as we hope in 1998
39 should give us a lot of insight whether or not that is even a
40 valid option. So it's premature at this point to make any
41 determination, but on behalf of the SRC, we would like to work
42 with them and represent those interests as expressed at that
43 February meeting.

44
45 CHAIRMAN O'HARA: Okay. Any other further questions?
46 Yes, go ahead.

47
48 MR. HEYANO: You have information that would show what
49 numbers of moose and caribou were taken by nonsubsistence users

50 in the area, and the same information for the number taken by

0085

1 subsistence users in the area?

2

3 MR. CLARK: We're in the process of compiling that
4 information. Again, as a result of the change in personnel at
5 the park this year, we haven't had a person, if you will, to
6 put those statistics together, but it is a very high priority,
7 and we hope to at least have some preliminary information for
8 the November meeting, and we'll be in a much better position in
9 1998 to address that very issue.

10

11 MR. HEYANO: And that information is available for past
12 years also?

13

14 MR. CLARK: Yes, sir.

15

16 MR. HEYANO: You'd be able -- thank you.

17

18 CHAIRMAN O'HARA: And you're meeting again in November
19 in the Chignik Lakes maybe?

20

21 MR. CLARK: Possibly, yes, that's one area that we may
22 meet, and we're certainly entertaining other suggestions, and
23 working with the SRC committee members.

24

25 CHAIRMAN O'HARA: Okay. All right. Well, if there's
26 no further questions, I guess I probably need to ask again the
27 level of protection that you have from law enforcement officers
28 in the Aniakchak area. Is that only residents of certain
29 communities that can hunt and fish in there? Or is that open
30 to guides and everybody else?

31

32 MR. CLARK: Right now there are some permittees that
33 are allowed to go into the area.

34

35 CHAIRMAN O'HARA: Gil Clutch and.....

36

37 MR. CLARK: I'm sorry?

38

39 CHAIRMAN O'HARA: Gil Clutch and other guides?

40

41 MR. CLARK: I believe those are a couple that have been
42 using that area historically, yes, and.....

43

44 CHAIRMAN O'HARA: Do you have people -- do you have a
45 protection officer routinely checking those camps, or how are
46 you handling that?

47

48 MR. CLARK: Yes, we've made a pretty aggressive stand
49 this year in looking at Aniakchak to a greater extent than

50 probably has been conducted in the last five years. Combined,

0086

1 we've probably had people in the Aniakchak area well over a
2 month, month and a half as far as combined time, staff, et
3 cetera. Some of that time, as I mentioned, has been protection
4 people monitoring activities, commercial and otherwise within
5 the monument, and we expect that we'll continue that activity
6 into next year.

7
8 CHAIRMAN O'HARA: Okay. Do you have an increased
9 pressure? Is there a bear season in that area where guides go
10 in for bear hunting, or do you know?

11
12 MR. CLARK: I'm not entirely sure on that, but.....

13
14 CHAIRMAN O'HARA: I don't know either if they go for
15 bear,.....

16
17 MR. CLARK:my inclination is.....

18
19 CHAIRMAN O'HARA:I know they do caribou.

20
21 MR. CLARK:no, there's not.

22
23 MR. BOSKOFISKY: I don't think bears out there.

24
25 CHAIRMAN O'HARA: No bears?

26
27 MR. BOSKOFISKY: It's out the other way, over at.....

28
29 CHAIRMAN O'HARA: On the Bering Sea side? I mean on
30 the Chigniks? I mean,.....

31
32 MR. BOSKOFISKY: West.

33
34 CHAIRMAN O'HARA:yeah,.....

35
36 MR. BOSKOFISKY: Toward Warner (ph) Bay, that way.

37
38 CHAIRMAN O'HARA: Yeah. Sandy River, Wild Man, Three
39 Hills, Chinoven (ph).

40
41 MR. BOSKOFISKY: And then on the Pacific side.

42
43 CHAIRMAN O'HARA: Yeah. Okay. All right. That's
44 good. Okay. So you have made a concerted effort. You have
45 seasonal people then that work that or.....

46
47 MR. CLARK: Yes, sir.

48
49 CHAIRMAN O'HARA: Okay.

0087

1 MR. CLARK: Yes, we've had a couple of seasonals that
2 were in that area for about two and a half weeks earlier this
3 summer, and we have another group going in later on this month
4 to continue those monitoring efforts.

5
6 CHAIRMAN O'HARA: Okay. Any other questions? Thank
7 you very much.

8
9 MR. CLARK: If I may, Mr. Council Chairman?

10
11 CHAIRMAN O'HARA: Yes.

12
13 MR. CLARK: We have a new subsistence resource
14 specialist who will be reporting to Katmai National Park in
15 November. His name is Donald Mike. He is with us today. He'd
16 like to share some information with the council as it relates
17 to a new subsistence issue paper recently prepared by the
18 National Park Service regional office in Anchorage. We do have
19 some papers for distribution to the council members as well as
20 to members of the public that are here today, so if you'd
21 permit, I'd like him to maybe give a minute summary on that
22 project, followed by Karen Gustin who will be addressing the
23 Katmai National Park and Preserve agency summary.

24
25 CHAIRMAN O'HARA: Okay. Great. All right. Let's do
26 that.

27
28 MR. CLARK: Thank you very much.

29
30 CHAIRMAN O'HARA: Thank you. Donald, how are you?

31
32 MR. MIKE: Donald Mike, I'm the new subsistence
33 specialist for Katmai National Park, and I'll be reporting to
34 my new duties in the last week of October, so.....

35
36 As Rick mentioned, he mentioned about the issue paper
37 that the National Park Service developed over several years,
38 and I gave Helga Eakon some copies for distribution for the
39 members up here. So did you get copies for the members, Helga?

40
41 MS. EAKON: Yes.

42
43 MR. MIKE: Just to briefly summarize, the National Park
44 Service formed a working group, or a task force, to look at the
45 National Park Service laws and NPS regulations that applies to
46 subsistence regulations on NPS lands in Alaska, so -- and what
47 they wanted to look at was the laws that -- for all the parks
48 in Alaska. Each park subsistence regulations that applied, and
49 they were going to apply the subsistence regulations that we

50 have on the books currently to all the parks, to apply them all

0088

1 the same in all the parks, but that wasn't the case. When you
2 try to regulate a subsistence use cabin, for instance, for
3 Denali, it won't work for Katmai or Wrangell-St. Elias, or
4 Aniakchak, so they looked at all the issues that relate to
5 subsistence, whether it be cabin, eligibility, c&t use, or --
6 c&t use, subsistence access, trapping and customary trade,
7 so.....

8
9 Anyway, the working group got together over several
10 years. They looked at the current existing subsistence regs
11 and ANILCA law and they tried to apply the regulations or apply
12 regulations where it's appropriate for each park or monument in
13 the State of Alaska. So -- and what they came up with was a
14 draft over several years, and they got the local SRCs involved
15 for input, and regional councils in Alaska. So -- and where
16 difference of use were -- for instance, different use of cabins
17 or trapping, you know, you want to apply those regulations --
18 you can't apply regulations like I said earlier that applies to
19 Wrangells or Katmai or Northwest areas, so, you know, they were
20 trying to articulate the different -- so and articulate the
21 differences between cabin use or subsistence access or whatnot
22 you have for subsistence uses in our national park area.

23
24 So all this document does is that it summarizes all the
25 subsistence uses relating to all the parks in Alaska, and this
26 document is not a National Park Service policy, nor is it a
27 National Park Service regulations. It is simply a document
28 that is dynamic and it will change over course and for each
29 issue that is -- we have trying to deal with in the parks in
30 Alaska, you know. These issues, whether it be subsistence
31 eligibility or access, you know, each park unit has different
32 subsistence eligibility and access, so this document will serve
33 as a guide for subsistence management purposes in national
34 parks in Alaska.

35
36 So before we release this document to the public, we
37 had a meeting with the SRCs back in August to discuss this
38 issue paper, and discuss this issue paper, what it was all
39 about, and we told them that this document is not an NPS
40 policy, nor is it a regulation. It's just living document
41 where it's able to change over time where needs may occur. And
42 the SRC chairs or vice chairs agree to -- they looked at -- we
43 went over t his document subject by subject, and, you know, the
44 feedback we got was pretty positive. You know, I personally
45 thought it was a NPS policy or NPS regs, but, no, it is not,
46 and it's a living document of where the subsistence managers
47 can use it as a guide to help them in making management
48 decisions for subsistence purposes.

49

So basically that's a brief summary, if you've got any

0089

1 questions, I'll entertain them.

2

3 CHAIRMAN O'HARA: Any questions of Donald? Donald,
4 this document that you've given us here today is -- maybe it
5 defers or moves over from what most national parks deal with as
6 far as subsistence, is that what you're saying?

7

8 MR. MIKE: No, this document is for all the parks in
9 Alaska. It's just.....

10

11 CHAIRMAN O'HARA: Oh, in Alaska, but not in Denver or
12 some place else? Okay.

13

14 MR. MIKE: No, it's just for Alaska parks.

15

16 CHAIRMAN O'HARA: Uh-hum. How do you get away with
17 doing a different subsistence in Alaska than you do in Denver?

18

19 MR. MIKE: You've got me lost there.

20

21 CHAIRMAN O'HARA: That's the thing. I mean, that's
22 really interesting, because, I mean, I could be wrong, and
23 Karen will probably slap me for this, but sometimes they
24 regulate Katmai National Park or some place else, preserve, by
25 what they do in Denver. And if we could get away from that,
26 and have a document like this where, you know, things are
27 different, I mean, that to me is a big step. A big step.

28

29 MR. MIKE: Right. Yeah, this document that was
30 produced by the task force, you know, they research the ANILCA
31 laws and the subsistence regs we have, and this is what they
32 came up with, and so this serves as a guide, and it has nothing
33 to with people down in Denver or any place like that.

34

35 CHAIRMAN O'HARA: Yeah. It's pretty hard to just hand
36 us 15, 20, 30 pages, or maybe more than that, and then talk to
37 it and expect us to say anything back to you, you know, without
38 digesting it. That's understandable. But we will digest it,
39 and.....

40

41 MR. MIKE: Right.

42

43 CHAIRMAN O'HARA:I think it's going to become a
44 real interesting item or point of interest for us. Yeah.

45

46 MR. MIKE: Yeah, if you have any comments or questions
47 about this document, you can, you know, write to the
48 superintendent of the parks.

49

CHAIRMAN O'HARA: Doesn't he have a 1-800 number?

0090

1 MR. MIKE: No.

2

3 CHAIRMAN O'HARA: My goodness, what's wrong with those
4 guys? Any other questions?

5

6 MR. HEYANO: Mr. Chairman?

7

8 CHAIRMAN O'HARA: Yes.

9

10 MR. HEYANO: This is still in draft form, is that
11 correct?

12

13 MR. MIKE: I think it is. Sandy, is it still in draft?

14

15 CHAIRMAN O'HARA: Yeah, Sandy? It's form the head man
16 himself, the letter is.

17

18 MR. RABINOWICH: I don't know about that.

19

20 CHAIRMAN O'HARA: Paul Anderson.

21

22 MR. RABINOWICH: If I can help answer that
23 question,.....

24

25 CHAIRMAN O'HARA: Give us a name so that Meredith
26 is.....

27

28 MR. RABINOWICH: Yeah. Sandy Rabinowich with the
29 National Park Service.

30

31 The document that Donald's explained to you, for those
32 of you that have been on the council for a number of years,
33 you've seen me sit here and explain the document. This is the
34 latest version of that document that I've been bringing to you
35 for a couple of years. I've lost track of how many times.

36

37 And so your specific question is, is it final? The
38 answer is, yeah, it's a final document, but it is not a
39 document that is going to stay exactly the way it's presented
40 to you forever. As Donald said, it's a working document, okay?
41 So we've tried to bring to a close the effort to go through the
42 issues, get all the comments and come to a position. And
43 that's what this does. It comes to a position on all the
44 issues that are in here. But they're not all locked in
45 concrete, okay?

46

47 CHAIRMAN O'HARA: Yeah.

48

49 MR. RABINOWICH: So, you know, the comments that you've

50 made in the past and all the other regional advisory councils,

0091

1 and all the SRCs, we've tried to bring those all together and
2 find as much consensus as we can. As you all know, there's not
3 always consensus on subsistence issues, so there's probably
4 things in here that you'll like and there's probably some
5 things in here that you might not like. But it's an open,
6 working document, and as you've got comments next meeting or
7 any time in the future, bring them up, and we'll do our best to
8 keep working on it.

9
10 MR. HEYANO: Thanks.

11
12 CHAIRMAN O'HARA: Thank you very much. We appreciate
13 that. I think, Karen, since we are going to take a break for
14 dinner?

15
16 MS. GUSTIN: Okay.

17
18 CHAIRMAN O'HARA: How about if we start with you at
19 7:00 o'clock? Excuse me, before we leave, go ahead?

20
21 MR. ABRAHAM: Yeah, just one quick question over here.
22 On your page two over here on National Park Service subsistence
23 and stuff, mission statement, it says to protect the
24 opportunity for qualified local residents to continue
25 traditional subsistence activities. What do you mean by
26 qualified local rural residents?

27
28 MR. MIKE: Well, in the National Park Service we have a
29 rural resident requirements which states that, you know, for
30 instance, for Katmai or -- I think it's Katmai, the National
31 Park Service I think they interpret local residents for the
32 Katmai National Park would be King Salmon, Naknek, South
33 Naknek, I mean, Levelock. So those are considered to be
34 qualified local residents for to hunt and harvest resource in
35 the national park.

36
37 MR. ABRAHAM: So in other words, if I happened to move
38 to King Salmon area tomorrow, I won't be qualified?

39
40 MR. MIKE: No, it is a resident zone community. You'd
41 be qualified to subsistence hunt. Well, I don't think Katmai
42 has any subsistence -- National Park, the old national park of
43 Katmai doesn't allow any subsistence, but, you know, in the
44 preserve area, you're eligible to subsistence hunt in that
45 area.

46
47 MR. ABRAHAM: In other words, they're talking about
48 native?

49

MR. MIKE: Well, it doesn't distinguish between native

0092

1 and non natives.

2

3 CHAIRMAN O'HARA: Resident domicile, yeah.

4

5 MR. ABRAHAM: Uh-hum. Yeah. Okay. Yeah. Thank you.

6

7 CHAIRMAN O'HARA: Yes?

8

9 MR. RABINOWICH: If I could add to what Donald said, in
10 the ANILCA legislation, in Title VIII, I could find the
11 section, but I can't do it from my memory, the park -- there's
12 language in the law where Congress added an additional
13 limitation for hunting in Park Service areas, and that's the
14 word local. When you look to refuge lands or BLM lands, I
15 believe that the word local is not a requirement, but for Park
16 Service areas it is. So it narrows down the group of people
17 who can hunt in those areas to the people who are local. And
18 so that's why it's in here, because it's in the law.

19

20 CHAIRMAN O'HARA: Yeah, Lee's got a problem with more
21 and more local people moving into an area like Port Alsworth,
22 and it just keeps increasing the numbers. I don't know. Yes,
23 was there any other questions? Well, how about if we take a
24 break from now until 7:00, and then we'll come back and do our
25 evening meeting. We'll recess until then.

26

27 (Off record - 5:00 p.m.)

28

29 (On record - 7:00 p.m.)

30

31 CHAIRMAN O'HARA: I'll call the meeting back to order.
32 We'll have everybody come in and start our meeting. Are we
33 ready to go on record here, Meredith?

34

35 MS. DOWNING: Yes, sir.

36

37 CHAIRMAN O'HARA: All right. We'll call the meeting
38 back to order. It's about a minute after seven. And we have
39 to change the agenda. We should change the agenda a little bit
40 here tonight for Jim Browning of Alaska Department of Fish &
41 Game who will give us a report on fish. He has to go back to
42 Togiak -- I mean to Dillingham tonight. So, Jim, if you'd like
43 to come up and.....

44

45 MR. ABRAHAM: What's that, number seven?

46

47 CHAIRMAN O'HARA: Number seven.

48

49 MS. EAKON: Seven, yeah.

0093

1 CHAIRMAN O'HARA: Yeah. And tomorrow it will be Mac.

2
3 MR. BROWNING: Tomorrow will be Mac, right.

4
5 CHAIRMAN O'HARA: Okay. Thank you, Jim.

6
7 MR. BROWNING: And I'm Jim Browning with Alaska
8 Department of Fish & Game, Commercial Fisheries Management and
9 Development Division. And I'll give you a brief run down of
10 the 1997 commercial fishing season.

11
12 I guess in this forum we might as well drop back and
13 give you a quick, very quick, synopsis of the herring fishery
14 as well. We had a successful herring fishery out here this
15 year, for the most part. Things came in pretty early and
16 strong, all age classes kind of made a rush for the beach at
17 one time. We saw the first fish on the 27th of April, saw a
18 large increase in bio mass, within two days had like 117,000
19 tons on grounds. The preseason forecast was 125,000 tons. So
20 we observe virtually all the forecasted bio mass very soon.
21 Started fishing on about the 3rd of May, and took -- I've given
22 you ballpark figures here, about 18,000 tons in the purse seine
23 fishery, about 5,000 tons in the gillnet fishery, roughly about
24 23,000 tons total.

25
26 The dark side of the fishery was that we didn't have a
27 kelp fishery. Normally we have a spawn on kelp fishery, and we
28 have an allocation to that fishery of 350,000 pounds of
29 product. That fishery occurs after spawning when there's been
30 a significant deposit of spawn on the fucus kelp that is found
31 in the inshore waters here. And, of course, not only does the
32 right amount of spawn have to be on the kelp, but then you
33 can't have any grit or any foreign matter in it to make it
34 marketable. It's got to be clean and a good product.

35
36 This year we started looking at kelp early on, and we
37 did have some deposition as far as spawn on the kelp, but it
38 was very thin, and for whatever reason, we never found any kelp
39 that was of marketable quality according to the buyers. It
40 looked very thin coating of spawn. So no kelp fishery, and the
41 kelp fishery as I might point out is a limited entry fishery.
42 It's about 300 permits in that fishery. And, of course, I
43 would say the majority of permits are right here in Togiak, and
44 therefore it was a pretty important event, not having a spawn
45 on kelp fishery as far as Togiak was concerned.

46
47 Everything else went off well. Over-all exploitation
48 of the preseason forecasted bio mass was right at. We're
49 supposed to harvest at 20 percent, it came out 20.5 percent

50 over-all exploitation in the herring fishery.

1 On to salmon. First, chinook salmon are the first
2 species that show up here. We don't forecast chinook salmon,
3 because we don't have the age structure and long-term data base
4 required to forecast chinook for the Togiak River. We do have
5 an escapement goal of 10,000 chinook in the Togiak River. And
6 the recent past, run strength has been declining. We had about
7 26,000 in 1994. That reduced to like 23,000 in '95, 18,000 in
8 '96, and '97 as it turns out was real similar, maybe a little
9 less than the '96 figure.

10
11 We curtailed the fishing periods. Togiak fishes a
12 weekly fishing schedule. We curtailed the weekly fishing
13 schedule down to two days a week for the last two weeks in June
14 to conserve chinook salmon, because their catch rates were
15 poor, and there wasn't much showing in the river. So we fished
16 the two -- there's really no effort in the fishery prior to mid
17 June, so the last two weeks of June we fished 48 hours each
18 week the last two weeks of June. Harvested a total of 5400,
19 5381 on the chinook, and did achieve the escapement goal, got
20 10,300 in the river. So achieved the escapement goal.

21
22 Sockeye fishing began the first of July. We had a
23 preseason forecast of 483,000 sockeye returning to the Togiak
24 River. Subtracting 150,000 goal, plus that 150,000 goal is
25 past the towers in Togiak Lake. When you get that many past
26 the towers at Togiak Lake, you also have some spawners in the
27 tribs below the towers. So on average you get another 20,
28 25,000 sockeye in addition to what you get past the towers.
29 Subtracting those two figures, we had a harvest forecast, or
30 projected harvest of about 308,000 sockeye going into the
31 season.

32
33 So we started fishing the 30th of June in the sockeye
34 management mode. Fished five and a half days straight, which
35 is part of the Togiak District Salmon Management Plan. The
36 catch rate for that first period were far below average, so we
37 curtailed the next weekly fishing schedule down to 48 hours and
38 fished one more time. We fished a total of 204 hours directed
39 at sockeye, and closed it on the 15th of July, and didn't fish
40 again until the 4th of August. So we were closed steady for
41 about 20 days or so for sockeye conservation.

42
43 We made 132,000, the escape goal through the towers is
44 150,000. We made 132,000 passed the towers. I counted another
45 roughly 14,000 in the trib below the towers, giving us a total
46 of 145 sockeye to the drainage. This is not the kind of -- on
47 a relative scale, it's not good to not achieve the escapement
48 goal. However, I feel that this will still be a pretty good
49 year production-wise. Five years from now, you'll see a

50 substantial return of fish from the sockeye that escaped this

0095

1 year.

2

3 We harvested a total of 144,000 sockeye districtwide,
4 92,000 of that was here in the Togiak River section. And as I
5 said, we closed down from the 15th through the 3rd of August.

6

7 Started fishing again on the 4th of August, directed at
8 coho. And we fished four 24-hour periods directed at coho.
9 Each weekly schedule I was hoping that coho would show up in
10 some strength. They never did. So on the -- after the 26th of
11 August we closed until further notice.

12

13 And so that was pretty -- over-all a pretty poor year
14 in the commercial fishery as far as a harvest point of view. A
15 very low chinook harvest of 5400, a low -- probably the third
16 lowest sockeye harvest in the last 20 years of 144,000, and a
17 coho harvest of something less than 3,000, which is also one of
18 the lowest in the last 20 years.

19

20 Any questions?

21

22 CHAIRMAN O'HARA: Yeah.

23

24 MR. ABRAHAM: Yeah, I have a question. You know, we
25 earlier today I talked about where the counting tower for
26 cohos, you know, because it's after the red season, a lot of
27 people look forward to, you know, fishing the cohos here. But,
28 you know, like you said, we never know the definite escapement
29 or definite catch -- I mean, we don't know for the years.
30 Maybe possibly with -- it's not a very long time to count
31 escapement. Is it possible that you some way, somehow to get
32 money in there to have a -- like get U.S. Fish & Wildlife get
33 involved in there, and maybe the corporation over here, because
34 when we have a poor season of red, the -- a lot of people here
35 rely on the coho season for a little bit of extra money for
36 their fuel and, you know, a lot of things that, you know, they
37 need to get. Maybe look into it? I'm pretty sure the City of
38 Togiak and traditional council over here will back you up and
39 give you a hand on that part.

40

41 MR. BROWNING: Yeah, Mr. Chairman, and Pete, if I can
42 just take a moment and comment on that. As far as Alaska
43 Department of Fish & Game is concerned, in the Togiak District,
44 a weir for the Togiak River is probably our number one
45 management priority as far as projects. In other words, we've
46 been in contact with U.S. Fish & Wildlife Service on various
47 funding sources, everything from Sultan (ph) style Kennedy (ph)
48 to challenge grants, various programs that are available,
49 trying to figure out some way to get a weir purchased. I mean,

50 the materials for the weir purchased. And then we as Alaska

0096

1 Department of Fish & Game would have to continue probably
2 running our counting towers for a couple of years concurrently
3 with the weir to see that our numbers were matching up, and
4 then we would put the operational funds that we currently
5 direct towards that tower, we would be able to put that towards
6 running the weir and manning the weir. We'd like to see, you
7 know, local folks on that weir. We had a technician from
8 Togiak on the counting tower this year, and so we would
9 certainly try to do hiring in that respect.

10
11 And as I said, it's our number one priority. It is
12 right now our most recent estimates are roughly 170,000 for the
13 first year of operation. That's to purchase the materials, get
14 one installed, and have it operating the first year. And then
15 after that it would be something on the order of 50 to run on
16 an annual basis. Forty to 50. So it's -- it is a chunk of
17 change, but it's a far better situation than buying into sonar
18 and trying to make sonar work on a system like the Togiak
19 River. So that's one of our main emphasis is looking for a
20 weir. That would greatly increase management -- in-season
21 management capabilities on all species. You'd know what you
22 had in every species as soon as it went through the weir, and
23 the weir, of course, would be much lower in the river than the
24 counting towers, and be able to give us more response time to
25 manage the fishery by.

26
27 CHAIRMAN O'HARA: 170,000, and then you'd need a salary
28 position or two? Or how does that work? Or is that the total
29 figure?

30
31 MR. BROWNING: Oh, it's, yeah, 170 for the first year,
32 and 40 to 50 operational after that.

33
34 CHAIRMAN O'HARA: So your salary personnel are included
35 in that?

36
37 MR. BROWNING: Yes.

38
39 CHAIRMAN O'HARA: Okay. Any other questions? Jim, you
40 just talked about Togiak and the herring. You know, this
41 council represents all the drainages of Bristol Bay from.....

42
43 MR. BROWNING: Yes.

44
45 CHAIRMAN O'HARA:Goodnews and Togiak to Ivanoff
46 Bay, and, you know, you have river systems that didn't get any
47 fish this year either, and just a bum deal. But you're not
48 representing Nushagak or Kvichak or Naknek or Egegik, Ugashik,
49 any of those?

0097

1 MR. BROWNING: I really didn't come with that role in
2 mind as far as addressing all those fisheries. I can tell you
3 which ones met their escapement goal, where they came out
4 escapement wise. Don't really have harvest numbers on the top
5 of my head for all the districts. I apologize for that. And I
6 guess I will certainly correct that situation as far as having
7 someone here the next time that can address all the fisheries
8 that you're interested in hearing about.

9
10 CHAIRMAN O'HARA: We'd like you here, too. That's not
11 the point. If you want to come back with all the information
12 next time, and as a biologist, I'm sure you can do that. You
13 can pull up that information and give it just as good as
14 anyone.

15
16 MR. BROWNING: Okay.

17
18 CHAIRMAN O'HARA: As good as Jeff or Rick or anybody
19 else.

20
21 MR. BROWNING: Okay.

22
23 CHAIRMAN O'HARA: But we would like to, you know, we'd
24 like to address the fact that 500,000 fish coming back to
25 Ugashik next year and what are we going to do about -- what are
26 you going to do about it if you maintain the.....

27
28 MR. BROWNING: Right.

29
30 CHAIRMAN O'HARA:navigable waters, or what do we
31 need to do about it if we maintain the navigable waters,
32 because something has to be done, and we can't overlook that.

33
34 MR. BROWNING: Okay.

35
36 CHAIRMAN O'HARA: And I think by the time when we meet
37 next time, it's going to be too late anyway. Well, it may not
38 be. It may not be.

39
40 MR. BROWNING: You have a Southcentral segment of this,
41 do you not,.....

42
43 CHAIRMAN O'HARA: No.

44
45 MR. BROWNING:coming up in the next -- you have a
46 Southcentral Alaska in.....

47
48 UNIDENTIFIED VOICE: Council.

49

MR. BROWNING: Council?

0098

1 MS. EAKON: Yeah, October 7 it meets in Anchorage.

2
3 MR. BROWNING: Okay.

4
5 CHAIRMAN O'HARA: Yeah, but that doesn't pertain to us.

6
7 MS. EAKON: That's a different council.

8
9 CHAIRMAN O'HARA: That's a different council.

10
11 MR. BROWNING: Right. Okay.

12
13 CHAIRMAN O'HARA: We don't have anything to do with
14 them at all.

15
16 MR. BROWNING: Okay.

17
18 CHAIRMAN O'HARA: We're just regional in Bristol Bay,
19 but we sure do appreciate you sharing this with us.

20
21 MR. BROWNING: All right.

22
23 CHAIRMAN O'HARA: It was very informative. Any other
24 questions now before -- anybody else? Oh, yes, Smiley?

25
26 MR. KNUTSEN: I was curious, were the weather
27 conditions the same here as they were in Naknek with the water
28 temperature being up, and the weather being hot and dry?

29
30 MR. BROWNING: Yes. Had tremendously warm water
31 temperatures both here and in Nushagak. Bay temperatures, sea
32 surface temperatures in the bay, about 15 degrees higher than
33 normal, up in the mid 60s. And then even in the more fresh
34 water environment, the lake shores were up in the 69 to 72
35 degree range, which is, you know, stressful to say the least to
36 fish.

37
38 CHAIRMAN O'HARA: Yeah.

39
40 MR. ABRAHAM: The lady out there.

41
42 CHAIRMAN O'HARA: Ask her to give her name.

43
44 MR. ABRAHAM: Marie Arnariak.

45
46 CHAIRMAN O'HARA: Marie?

47
48 MR. ABRAHAM: (In Yup'ik)

49

MR. DYASUK: (In Yup'ik)

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MR. ABRAHAM: Jim?

MS. ARNARIAK: My name is Marie Arnariak.

CHAIRMAN O'HARA: Uh-hum.

MR. ABRAHAM: Jon will translate for you.

MR. BROWNING: On? What are we translating?

MR. ABRAHAM: Whatever she's going to say.

MR. BROWNING: Okay.

MS. ARNARIAK: (In Yup'ik)

MR. DYASUK: A lot of times earlier he mentioned.....

MS. DOWNING: I need to get you closer to the microphone.

MR. DYASUK: You know, earlier he mentioned about, you know, regarding kelp, you know, that some time ago that, you know, he was maybe talking about that, you know, that a lot of times they're not making money out of the kelp any more. But yet they hear even mentioning (indiscernible) the people that came from different areas make money, and here they are unable to make money even out of the permit they have now kelping, and they pay \$50 for the kelp -- I mean, the permit, so yet they don't make money out of it any more. And some time ago when they do it before a permit, you know, and people was.....

MR. BROWNING: Before it was limited?

MR. DYASUK: Uh-hum. Before it was limited.

MR. BROWNING: Pre-88?

MR. DYASUK: Uh-hum. And before that time that they would be able to make money off of kelp, you know, kelp. Within four days, they would make \$6,000. And that's what she -- Marie was talking about. I don't know what (In Yup'ik) is?

UNIDENTIFIED VOICE: Fish buyer.

MR. DYASUK: Fish buyer.

MS. ARNARIAK: Cash buyer.

MR. DYASUK: Cash buyer.

0100

1 MR. BROWNING: North Coast?

2

3 MS. ARNARIAK: (In Yup'ik)

4

5 MR. DYASUK: We don't see them any more, see, a lot of
6 times we name people who they -- how they look like, and I go
7 to meet them over at (indiscernible) from.....

8

9 MR. BROWNING: Uh-hum.

10

11 MR. DYASUK: And I was asking my Uncle George,
12 (indiscernible) I believe (indiscernible) I don't even have a
13 -- I don't (indiscernible, coughing), but who the person is,
14 but we used to call him Abney,.....

15

16 MR. BROWNING: Okay.

17

18 MR. DYASUK:even though we don't know the name.
19 Anyway, that's kind of a summary of what Marie had to say.

20

21 MR. BROWNING: Okay. I have a couple of things to
22 reply to Marie. Number one, this year with -- when you paid
23 your money for the permit, when we got with CFEC and said we
24 didn't have a fishery, so CFEC was to refund all the monies
25 collected for renewal of the kelp permits. So I don't know if
26 Marie did that, but people were able to get their renewal fees
27 back, because the fishery didn't take place.

28

29 MR. DYASUK: (In Yup'ik)

30

31 MS. ARNARIAK: (In Yup'ik)

32

33 MR. DYASUK: Marie can talk English, but, you know,
34 that like a lot of us, you know, we have a little bit English,
35 so she could understand what you were talking about. But what
36 she was talking about is that, you know, a lot of times, you
37 know, this spring even, you know, that the other people went
38 out, because we subsist a lot for herring roe, I mean kelp, and
39 they went out to the -- across to the, you know, across there
40 where we normally subsist for kelp. There was hardly any --
41 you know, there was no -- the kelp was even -- hardly had any
42 kelp -- I mean, roe on it.

43

44 MR. BROWNING: Right.

45

46 MR. DYASUK: So they were just barren, and unable to
47 subsist for them, for the kelp, and I know that that happened a
48 lot over to see the fish of everyone.

49

MR. BROWNING: Yeah, we.....

0101

1 MR. DYASUK: But anyway.....

2
3 MS. ARNARIAK: (In Yup'ik)

4
5 MR. DYASUK: And it's no longer happening, subsisting
6 for village over there.

7
8 MR. BROWNING: Right.

9
10 MR. DYASUK: (Indiscernible) subsisting.

11
12 MR. BROWNING: I guess we kind of have had some
13 people.....

14
15 MR. DYASUK: And I think one thing that I forgot to
16 mention, but earlier what she mentioned when she was talking
17 that, you know, she would sure like to see fishery closed,
18 because a lot of times, you know, we as commercial fishermen,
19 we seem to overharvest three or four days, towards the spawn to
20 the kelp beds, and she expressed.....

21
22 MS. ARNARIAK: (In Yup'ik)

23
24 MR. DYASUK:expressed -- I mean, was saying
25 (indiscernible) gillnetters, but also seiners, that it really
26 affect the -- you know, the -- it doesn't help the village any
27 more.....

28
29 MR. BROWNING: Spawning, right.

30
31 MR. DYASUK:especially the kelper and also the
32 subsistence user.

33
34 MS. ARNARIAK: (In Yup'ik)

35
36 MR. DYASUK: (Indiscernible -- simultaneous speech) the
37 village any more.

38
39 MS. ARNARIAK: Yeah.

40
41 MR. DYASUK: The company (indiscernible).

42
43 MS. ARNARIAK: (In Yup'ik)

44
45 MR. DYASUK: You know, another thing that, you know,
46 the people from different places come over, load up like capkan
47 (ph), you know, seen that, the commercial out of this area, and
48 depart with, you know, everything. She never seen nothing,
49 benefit from that.

0102

1 CHAIRMAN O'HARA: Jon?

2
3 MR. DYASUK: And also.....

4
5 CHAIRMAN O'HARA: Oh, okay. Go ahead.

6
7 MR. DYASUK: And, you know, she's never gone outside
8 before. She never have gone to other, even outside of this
9 community, you know, never have gone to Lower 48 and all that.

10
11 CHAIRMAN O'HARA: Jon, I'm interested in.....

12
13 MS. ARNARIAK: (In Yup'ik)

14
15 MR. DYASUK: She state, too, that, you know, she had
16 opportunity to talk with the group over here, and.....

17
18 MR. DEMIENTIEFF: Koyana, Marie.

19
20 MR DYASUK:thanks you guys for coming over. But
21 also another thing that she mentioned was that, you know, a
22 long time ago, you know, that when she goes out kelping, the
23 thickness of the kelp, on the kelp itself is thick. It's not
24 that any more. And she mentioned previously that part of the
25 -- She mentioned that she jumped to another (indiscernible,
26 coughing) was sport fishery, that for a.....

27
28 MR. BROWNING: Uh-hum.

29
30 MR. DYASUK:long time that sport fisheries
31 happening, and a lot of time they're build (indiscernible) on
32 the fish, and that was the last one that she (indiscernible).
33 Have I forgotten anything?

34
35 CHAIRMAN O'HARA: Jon, did he, did Jim give her an
36 answer on why there wasn't any roe on kelp?

37
38 MR. DYASUK: What's that?

39
40 CHAIRMAN O'HARA: Did she get an answer on why there
41 wasn't any roe on kelp, Jim?

42
43 MR. BROWNING: I'm not -- did Marie understand that
44 there wasn't ever any marketable quality in the kelp is why one
45 wasn't held?

46
47 MR. DYASUK: No, she -- that was not her concern. Her
48 concern is that, you know, the kelp is never -- you know, that
49 it's overfishing's happening of the kelp. It's not the

50 (indiscernible).

0103

1 MR. CHYTHLOOK: They're not spawning like they use to.

2
3 MR. DYASUK: Their numbers are so low.

4
5 MR. CHYTHLOOK: They're exploited. They come and
6 exploit it to a point where any sustainable yield is not taking
7 place. There's no evidence that herring are spawning like they
8 used to in the past. What her concerns is.

9
10 MR. DYASUK: I think that's what.....

11
12 MR. CHYTHLOOK: So what (indiscernible, coughing) the
13 main message she wanted to get to Jim is that if nothing is
14 done about this, it may, you know, expire the future of the
15 fish resource, and it may not be feasible in the future to even
16 have a fishery. It's not feasible for the locals any more.
17 It's just going out of the area. That's what her main concern
18 was.

19
20 CHAIRMAN O'HARA: We weren't trying to hurry her up,
21 Joe, we just wanted to make sure she got the information back.

22
23 MR. CHYTHLOOK: Yeah.

24
25 CHAIRMAN O'HARA: That also that part of the.....

26
27 MR. ABRAHAM: Another thing she said was close the
28 herring fishing because the local people are not benefitting
29 from it any more.

30
31 MR. DYASUK: Either that or make it exclusive.

32
33 MR. BROWNING: There are, I guess just in response to
34 that, there are a number of proposals that deal with the
35 herring fishery before the Board and will be addressed in
36 November. One is a small boat fishery for Togiak gillnetters.
37 One is a super exclusive proposal making Togiak a super
38 exclusive fishery. The super exclusive proposal would reduce
39 effort in the gill net and seine gear types in the fishery we
40 think. The small boat fishery is one of several proposals
41 looking to realign the management plan for Togiak herring. So
42 those issues are being addressed.

43
44 The over-all health of the kelp resource is one that I
45 guess we haven't -- we don't have any hard evidence to indicate
46 that there's any decrease in the kelp resource. However, the
47 very work that was done to come up with a harvest plan was done
48 in the early 80s, and it is certainly time that we get some
49 kind of program in the water to be assessing kelp on a regular

50 basis. We did come through in August and get kelp samples. I

0104

1 did notice that kelp in the Medervik area had very little
2 growth while west of Right Hand Point, Nunavachuk, it showed
3 real good growth. And whether that's because of a large
4 concentration of boats in that area in May, we don't know yet.
5 There was -- the samples we sent off to the University of
6 Alaska, they came back and said there was no pollutants, no
7 diseases or anything bad showing on the kelp. So it gets a
8 clean bill of health as far as pollutants and that kind of
9 stuff, but I'm not sure that we're seeing the kind of
10 regeneration rates everywhere in the district that we should
11 be.

12

13 CHAIRMAN O'HARA: Yeah. Is that it, Jim?

14

15 MR. DYASUK: I think I kind of rely on Joe more over
16 when I'm translating, because he translated really good, and I
17 know that some concerns that I guess Marie has is that this
18 Togiak relies more on the coastal area than they do on the --
19 more on the land. But the caribou was absent for nearly 100
20 years, so they depend more on the coastal, seaside,.....

21

22 CHAIRMAN O'HARA: Uh-hum. Yeah. It's interesting.
23 Good.

24

25 MR. DYASUK:because -- and the subsistence is a
26 little different from other areas, we actually subsist off the
27 water. And when something like that is happening, Marie
28 (indiscernible).

29

30 CHAIRMAN O'HARA: She kind of told us that when she
31 said she didn't care about bears.

32

33 MR. DYASUK: Yeah.

34

35 CHAIRMAN O'HARA: We kind of got the picture.

36

37 (Laughter)

38

39 CHAIRMAN O'HARA: Thanks a lot, Jim, we really
40 appreciate you coming and helping us out.

41

42 MR. BROWNING: You bet. Thank you for the opportunity.

43

44 CHAIRMAN O'HARA: Have a good trip home.

45

46 MR. BROWNING: All right.

47

48 MS. FOX: Dan?

49

CHAIRMAN O'HARA: Yes?

0105

1 MS. FOX: We have a gentleman here who would like to
2 offer some comments.

3
4 CHAIRMAN O'HARA: Okay. Come on up and.....

5
6 UNIDENTIFIED VOICE: You can speak right there.

7
8 CHAIRMAN O'HARA: Right there at the table. Give
9 Meredith your name there so she'll.....

10
11 MR. EWAN: My name is Tommy Ewan (ph). I'm originally
12 from Manokotak, but my family and I moved here to Togiak
13 recently. And being a lifelong resident of Bristol Bay, I
14 participated in subsistence gathering or hunting. And I'm not
15 really up to date on the subsistence regulations that's been
16 going on, but I -- at one point I heard that the control of the
17 subsistence, correct me if I'm wrong, might be reverted to the
18 Federal Government. My own opinion is that I like that,
19 because as an Alaska native, I was heavily involved in
20 traditional councils, and I feel that if the -- if it was
21 regulated by the Federal Government, and because the Federal
22 Government recognizes traditional councils, and the State does
23 not, I believe that it would work out better, especially for us
24 natives, or locals.

25
26 And I was hoping to address, excuse me, an issue that
27 came up with the lady that spoke out on the herring. I purse
28 seine with a small 32-footer, and we also tried getting some
29 kelp, because we normally do that for subsistence purposes. We
30 were unable to. I don't gather any for commercial purposes. I
31 kind of missed out. I was a pilot during the days they were
32 passing out the permits, so I kind of missed out on it, but
33 nonetheless, I believe that because it is a part of our
34 lifestyle, our culture, it's very important that there be some
35 type of regulation or to that fact that a gathering of kelp for
36 subsistence purposes be recognized if it's not already in
37 place. There needs to be, I believe, a time set out
38 specifically, although there probably is already. Like I said,
39 I'm not too familiar with the regulations. But some of us go
40 out and get them anyway.

41
42 I wanted to speak more on the herring fisheries, but I
43 believe super exclusive is the way to go for the time being.

44
45 I don't have anything else. I appreciate the time and
46 consideration. Thank you.

47
48 CHAIRMAN O'HARA: Hey, Tommy? Maybe they have any
49 questions. Any questions, council members? Questions? Thank

50 you. Appreciate it very much. Uh-hum. Joe?

0106

1 MR. CHYTHLOOK: If I may, I'd like to go ahead and give
2 a quick report on the board process?

3
4 CHAIRMAN O'HARA: Okay.

5
6 MR. CHYTHLOOK: So my pilot won't leave me.

7
8 CHAIRMAN O'HARA: Is he your pilot?

9
10 MR. CHYTHLOOK: John. He's the pilot today.

11
12 CHAIRMAN O'HARA: Oh, we better get you on here then.
13 Okay. Joe.

14
15 MR. CHYTHLOOK: And then -- Mr. Chairman, my name is
16 Joe Chythlook. I work for -- I'm the regional coordinator for
17 Board of Fish/Board of Game in the area here. And presently,
18 as far as Bristol Bay is concerned, I work with five advisory
19 committees within the Bay, mainly Togiak, Nushagak, Iliamna,
20 Aknikvichak (ph), and lower Bristol Bay.

21
22 And the way, of course, some of you -- most of you are
23 probably aware of the board process, but for some that may not
24 be, the Board runs a cycle every three years where we come back
25 and address Bristol Bay fin fish issues, and this includes both
26 the salmon and the herring portion of the fisheries. Some of
27 the things that were addressed by and questioned by some of the
28 folks here are going to be taken up in a November meeting.

29
30 CHAIRMAN O'HARA: Over Naknek?

31
32 MR. CHYTHLOOK: Over Naknek, in your home country,
33 Mr. Chair. And some of the issues that were brought out as far
34 as the herring is concerned, some of them are going to be
35 addressed at that time.

36
37 And also one other avenue that the people in particular
38 have is to take advantage of their advisory committee. The
39 local advisory committee will be discussing these proposals
40 before they're brought before the Board, and they'll have a
41 chance to comment on individual proposals, and if the Togiak
42 folks here in particular have a burden, on an issue, they could
43 present their case to the committee, and then -- and get the
44 committee to endorse their position on the Board level, and at
45 that time the Board will be able to address some of the
46 concerns that I heard today.

47
48 Anyway, I just wanted to let the people be aware that
49 Bristol Bay is up again this year, and that meeting is going to

50 be taking place in King Salmon starting November 4.

0107

1 And then also I guess to kind of supplement the Board
2 process, the Bristol Bay Borough is having a fall fishery
3 conference October 17 through 19, and the theme that they've
4 chosen this year is making the most of public policy process,
5 which includes the Board of Fishery process and the
6 Legislature. And I have a flyer here that I'd be willing to
7 leave with your folks that describes what this is about, and
8 then also an agenda that they put out, and also Bristol Bay
9 Borough sent an open letter to different communities in the Bay
10 inviting them to be part of the board process, because they're
11 going to be hosting the Board of Fish meeting in their area
12 this year. So I'll leave this with you, and if there's any
13 questions on the process, I'd be glad to answer at this time.

14
15 CHAIRMAN O'HARA: Okay. Any questions, council
16 members? Joe, I think one of the concerns we have is you do a
17 good job, you know, and you're here tonight and you do a good
18 job, but I think one of the concerns we have, and I talked to
19 Fran Ulmer about this, Lt. Governor, and we were both at the
20 summit conference, you know, for subsistence in Anchorage, and
21 I saw you there, and I think that one of the things we probably
22 need to concentrate on is that we would have more of the Togiak
23 concerns like this coming to the advisory boards, and that the
24 Fish Board would be more responsible to the local advisory
25 boards, and that's what's happened in the federal program.

26
27 MR. CHYTHLOOK: Uh-hum.

28
29 CHAIRMAN O'HARA: And that's one of the things that's
30 making it popular is we're dealing from this issue on up, and
31 as you know, it's always been from the Commissioner on down. I
32 think in some cases that the -- and I sat on the Naknek/Kvichak
33 Advisory Committee for 20 years. I mean, I know what that
34 process is all about. But I think sometimes the guy off the
35 street has as much to say as your advisory councils have, and
36 sometimes the Board doesn't pay any attention. So I think the
37 State of Alaska is going to change that quite rapidly. I think
38 they're going to go back, and I'll bet you anything they will
39 probably even think in terms of comanagement of some issues,
40 and this is one of them where you hear that the local economy
41 is being stifled because it's so competitive, and I guess not
42 an easy issue to deal with. But I appreciate your thoughts on
43 it.

44
45 MR. CHYTHLOOK: Yeah. Well, as mentioned before I
46 think probably on the federal and state level our management
47 system is sort of at a crossroads. We realize that.....

48
49 CHAIRMAN O'HARA: Uh-hum. For all of us it is, yeah.

0108

1 MR. CHYTHLOOK: We realize that come October, there's
2 -- you know, people are seeking for a reply from the State as
3 to whether they're going to comply with ANILCA, and if that is
4 -- the Legislature allows the vote to take place to give the
5 people a choice of voting on the constitutional amendment, that
6 may happen. But at this point, you know, we're back to where
7 we have to still enjoy the luxury of having co-manage- -- or
8 two different management styles, and I think people after about
9 seven or eight years are getting used to that. I hear where
10 you're coming from, and I appreciate your.....

11
12 CHAIRMAN O'HARA: I think when we left the Anchorage
13 meeting, we just decided to go, that subsistence would go on
14 regardless of whether it's federal or state.

15
16 MR. CHYTHLOOK: Yeah.

17
18 CHAIRMAN O'HARA: It's going to go on. And if
19 everybody wants to catch up with us, let's get in line, because
20 we're going to do it anyway. Well, thank you very much.

21
22 MR. CHYTHLOOK: Okay.

23
24 CHAIRMAN O'HARA: We appreciate it. Jim, we thank you
25 for your time tonight.

26
27 MR. BROWNING: Thanks, Dan.

28
29 CHAIRMAN O'HARA: Too bad we didn't hear from Molly,
30 but I guess that will be another time? I said, too bad we
31 didn't hear from you, Molly, but I guess that will be another
32 time.

33
34 MR. CHYTHLOOK: Molly's going to be here.

35
36 CHAIRMAN O'HARA: Oh, she's going to stay here. Oh,
37 good. Okay.

38
39 MR. CHYTHLOOK: Yeah.

40
41 CHAIRMAN O'HARA: All right.

42
43 (General conversation)

44
45 CHAIRMAN O'HARA: All right. Katmai National Park is
46 next. Karen?

47
48 MR. ABRAHAM: Was that supposed to be by Bill Pierce?
49

CHAIRMAN O'HARA: No, Karen.

0109

1 MS. GUSTIN: I'm Karen Gustin, and I'm the unit manager
2 in King Salmon for Katmai National Park, and I'm just going to
3 briefly go through some of the highlights from the agency
4 report that we passed out to you prior to dinner.
5

6 A few things that have been going on in the last, oh,
7 six to eight months in King Salmon. First I'll just briefly
8 mention redfish, the harvesting of redfish was requested by the
9 descendants of Katmai, and enacted in a public law, that the
10 park look at subsistence harvest of redfish in Katmai National
11 Park, and three areas were identified in that request:
12 Trefon's Cabin, Johnny's Lake and Brooks River. And this fall
13 we have consulted with the Council of Katmai Descendants to
14 look at studying how redfish harvest will affect the resources,
15 specifically in Brooks River. And we've set up a permitting
16 process and a plan to accompany folks who are going out to
17 harvest redfish at Brooks River, and they contact our office
18 when they're ready to go, and we're going to monitor that
19 harvest on those occasions when people are out in the park at
20 Brooks. So -- And the purpose of that was to base any kind of
21 decision on future redfish harvest contingent upon the findings
22 of that study with people who are actively doing it, so that we
23 have some kind of data to base a decision for the future on.
24

25 The next issue dealing with off-road or ATV vehicles
26 for access for subsistence purposes in the preserve, we have
27 been asked to look at whether or not the use of ORVs or ATVs to
28 access the preserve are customary and traditional, and actually
29 to no one's surprise, this isn't a new issue, and has been
30 around for several years now. Because of personnel changes, we
31 feel that we are finally on the road I think to actually
32 working towards trying to make some kind of determination.
33 Rick is here now. Susan Savage, who was in the subsistence
34 position up until five months ago, went over to Fish & Wildlife
35 Service, and Donald Mike has taken her position. I'm there as
36 unit manager, and so we've got people consistently in place
37 now, at least for the near future, to look at this issue. And
38 this is a high priority for Donald as soon as he comes on
39 board, which will be in November.
40

41 So basically what we are going to do is formally start
42 a consultation process with the villages that are interested in
43 accessing the preserve with ORVs, specifically Kakhanok and
44 Igiugig, and ultimately make a recommendation as to whether or
45 not ORV access is compatible in the preserve. We realize that
46 this is a very high priority for you as council members, and
47 it's a very high priority for us. And we -- this is number one
48 on Donald's plate when he starts work, and we will move forward
49 on this particular topic.

0110

1 Let's see. A couple other things that have been going
2 on fairly recently at Brooks Camp specifically are the
3 remediation of old fuel spills at the camp itself, and a series
4 of monitoring wells, and what's called air sparging equipment
5 is being put in place over a two-year period, and the first
6 phase of that project was completed just about a week ago, and
7 that went real well.

8
9 We have removed the viewing platform at Brooks Falls,
10 and that is a part of the development concept plan for the
11 Brooks River area, that was identified to be worked on. The
12 old Falls platform accommodated about 20 people. The new
13 platform will accommodate about 40 comfortably. And we are
14 working on that right now. And that new platform will be up
15 before the summer of 1998.

16
17 We also have a big road project on the Valley of 10,000
18 Smokes Road, and that road is being rehabbed. Fill is being
19 put in to stabilize the road, curves are being straightened out
20 to a certain degree, and that is a Federal Highways project.
21 And that first phase of that is just starting. The camps are
22 being mobilized for that project, and the plan is to have it
23 finished at the end of next summer. Nugget Construction is the
24 main contractor on that project, and some of you may be
25 familiar with that, but they do a lot of work in the Naknek/
26 King Salmon area, so they're out there mobilizing their
27 equipment to get ready for next summer.

28
29 The Alagnak River corridor management plan is something
30 that we're very excited about getting to work on. Susan Savage
31 was instrumental in getting that plan together and securing the
32 money from that which came from our Washington office. It's a
33 chunk of change, almost \$400,000, to look at developing an
34 interagency cooperative management plan to deal with the
35 Alagnak. We deferred it for one year, because the chief of
36 resources position was vacant at Katmai, but now that Rick is
37 here, we will start scoping for that, and look at implementing
38 the beginning of that plan in October of 1998. And we're
39 excited about getting started on that.

40
41 Basically the purpose of the plan is to look at current
42 use on Alagnak, how that has increased over the years, how to
43 mitigate some of the resource damage on the Alagnak itself, and
44 do that in consultation and cooperation with other state
45 agencies and affected villages that have a vested interest in
46 that resource.

47
48 The other -- a couple other projects that we've been
49 working on just recently on the Alagnak specifically is a

50 rainbow trout study to assess the health of that fishery. It's

0111

1 a three-year project. This was the first year. We put a lot
2 of resources and people and money into that project this year
3 in conjunction with the biological resources division, BRD, you
4 may have heard it referred to, out of our Anchorage office, and
5 creel surveys were done, tagging of trout to monitor where they
6 went and when they went. Genetic sampling was done to
7 determine age of fish, and that as I said is a three-year
8 project, and we just finished the first year of that. And
9 that's going really well.

10
11 And that is it for Katmai National Park for right now.

12
13 CHAIRMAN O'HARA: Okay. Questions?

14
15 MS. GUSTIN: Yes?

16
17 MR. HEYANO: Did you have a higher than normal number
18 of human to bear confrontations in Katmai this year?

19
20 MS. GUSTIN: Oh, did we have a higher than normal? No,
21 I don't think so. We estimate between four to 500 what we call
22 incidents each year at Brooks Camp, and an incident ranges from
23 someone approaching a bear or a bear approaching a person too
24 closely, to us having to use aversive techniques to move bears
25 out of an area, like fire cracker rounds or rubber bullets or
26 something like that. So it's a very wide range of occasions.
27 But it was an active summer. We had more bears than ever this
28 year. We documented approximately 67 individual bears at
29 Brooks during the month of July, which is up about 20 bears
30 from last year. We had a fairly active monitoring program. We
31 had two people monitoring bears three times a day for two hours
32 each day at specific places along the river. And so it was an
33 active summer, and lots of people and lots of bears, but it's
34 more bears than we've had ever. People were about the same as
35 we've had for the last four or five years.

36
37 MR. HEYANO: Thank you.

38
39 MS. GUSTIN: Uh-hum.

40
41 CHAIRMAN O'HARA: Any other questions? Any questions?
42 Karen, there's several questions I'd like to ask you. One is
43 you -- on the redbird issue,.....

44
45 MS. GUSTIN: Right.

46
47 CHAIRMAN O'HARA:have you done this before yet in
48 the park? I know people have always been up there with
49 nets,.....

0112

1 MS. GUSTIN: Right.

2

3 CHAIRMAN O'HARA:and one form or another,

4 but.....

5

6 MS. GUSTIN: Right.

7

8 CHAIRMAN O'HARA:this is going to be more of a

9 controlled taking of redbfish?

10

11 MS. GUSTIN: Yes. Yeah, we have consulted closely with

12 the Council of Katmai Descendants, specifically Ralph Angasan.

13 And we talked with them and said, you know, we want to -- we

14 want to see what effect, if any, this will have on the

15 resource, because we have a responsibility as a land management

16 agency to do that. And so we met with Ralph and worked out

17 this permit system. It's not meant to control how often people

18 go out there. In fact, the season is -- that we are proposing

19 is wide open, from October 1st until December 31st. And all we

20 want to do is be out there when the harvest is taking place, to

21 just see what happens. And, of course, our major concern is

22 bear/people interactions, and how harvest of the redbfish will

23 either -- well, it probably will attract bears, so we just want

24 to see what happens. But we aren't controlling -- we aren't

25 controlling it in the sense that we are only allowing it at

26 certain times, except we are proposing that it occur during

27 daylight hours, but.....

28

29 CHAIRMAN O'HARA: My question was, it's not bear

30 relationship or.....

31

32 MS. GUSTIN: Right.

33

34 CHAIRMAN O'HARA:controlling the people. It's

35 you'll just kind of keep an eye on other species of fish being

36 caught, such as trout or lake trout or -- I understand they're

37 using -- probably going to use a certain size mesh and.....

38

39 MS. GUSTIN: Right.

40

41 CHAIRMAN O'HARA:picking spawned-out reds

42 and.....

43

44 MS. GUSTIN: Right.

45

46 CHAIRMAN O'HARA: So that's kind of what you'll be

47 looking at also?

48

49 MS. GUSTIN: Exactly.

0113

1 CHAIRMAN O'HARA: Dick Russell seemed to think there
2 wasn't a problem with -- you know, if you use a certain size
3 mesh, and.....

4
5 MS. GUSTIN: Right.

6
7 CHAIRMAN O'HARA:you would not be picking up
8 other species.....

9
10 MS. GUSTIN: Uh-hum. Right.

11
12 CHAIRMAN O'HARA:of fish, which is important.

13
14 MS. GUSTIN: Right.

15
16 CHAIRMAN O'HARA: Okay.

17
18 MS. GUSTIN: And biologically it probably will be okay.

19
20 CHAIRMAN O'HARA: Uh-hum.

21
22 MS. GUSTIN: We just need to see.

23
24 CHAIRMAN O'HARA: Okay. Protection wise, we've asked
25 this question of all the managers.

26
27 MS. GUSTIN: Right.

28
29 CHAIRMAN O'HARA: And we want to know, you have a big
30 area, Katmai and into your preserve up in the Alagnak above
31 that area where we have the map here to show us where your
32 boundaries are.

33
34 MS. GUSTIN: Right.

35
36 CHAIRMAN O'HARA: Are you pretty well covering those
37 areas?

38
39 MS. GUSTIN: Basically our protection folks are
40 concentrating on Brooks.

41
42 CHAIRMAN O'HARA: Uh-hum.

43
44 MS. GUSTIN: We have protection rangers that are
45 stationed along the coast of Katmai that kind of floated along
46 the coast this summer. We have a couple of main areas where
47 people were stationed, but depending on commercial activity and
48 use, those people rotated at various locations along the
49 coastline. We could use more help along the coast for sure.

0114

1 Along the Alagnak, we had a pretty good presence all
2 summer I feel with protection.

3
4 CHAIRMAN O'HARA: Yeah. Why do you need so many people
5 at Brooks? I mean, you have people and bears there. I mean,
6 you have to have -- you could use college students to keep the
7 people away from bears. You don't need.....

8
9 MS. GUSTIN: Right. Yeah.

10
11 CHAIRMAN O'HARA:You know, I'm talking about
12 people who can give a citation for.....

13
14 MS. GUSTIN: Right.

15
16 CHAIRMAN O'HARA:taking too many fish on the
17 Alagnak or killing a moose some place they're not supposed to
18 be killing a moose,.....

19
20 MS. GUSTIN: Uh-hum. Right.

21
22 CHAIRMAN O'HARA:or a guide that's doing
23 something wrong. That's what we want.

24
25 MS. GUSTIN: Right.

26
27 CHAIRMAN O'HARA: I don't think our concern is at
28 Brooks.

29
30 MS. GUSTIN: Right. Well, we only had two.....

31
32 CHAIRMAN O'HARA: Brooks.....

33
34 MS. GUSTIN:protection people anyway.

35
36 CHAIRMAN O'HARA: Okay. Well, you said you were
37 concentrating on Brooks?

38
39 MS. GUSTIN: No. No.

40
41 CHAIRMAN O'HARA: Oh, I misunderstood you.

42
43 MS. GUSTIN: I said the areas that we did concentrate
44 on are Brooks, the coast and the Alagnak.

45
46 CHAIRMAN O'HARA: Okay.

47
48 MS. GUSTIN: And then we also are keeping several of
49 our seasonals on later this fall.....

0115

1 CHAIRMAN O'HARA: Yeah.

2

3 MS. GUSTIN:for the fall bear hunt, and that will
4 be in the park, too.

5

6 CHAIRMAN O'HARA: I spent a great deal of time in
7 Kakhanok and Levelock,.....

8

9 MS. GUSTIN: Right. Uh-hum.

10

11 CHAIRMAN O'HARA:and Igiugig, and I think one of
12 the concerns that they have is you're probably getting a lot of
13 personnel in Anchorage, but we're not seeing those people on
14 the grounds, and I think that's probably a concern you should
15 take back.....

16

17 MS. GUSTIN: Yep.

18

19 CHAIRMAN O'HARA:to your upper management people
20 that.....

21

22 MS. GUSTIN: Okay.

23

24 CHAIRMAN O'HARA: Now, I would imagine, you know, we'll
25 be getting letters of support along that line, so we're just
26 not talking as a council here, but we want it to come back from
27 the people in that area.

28

29 The interagency thing that you're doing for \$400,000?

30

31 MS. GUSTIN: Right.

32

33 CHAIRMAN O'HARA: What is -- what do you mean by
34 interagency? Is that just your department, or are you
35 taking.....

36

37 MS. GUSTIN: No.

38

39 CHAIRMAN O'HARA:State of Alaska or.....

40

41 MS. GUSTIN: It will be the State of Alaska, it will be
42 U.S. Fish & Wildlife Service,.....

43

44 CHAIRMAN O'HARA: You've already begun it?

45

46 MS. GUSTIN: Well, no, we haven't really begun it.
47 Rick just arrived. We've started -- we've talked with BBNA
48 about possible partnering with them on certain aspects of it.
49 We already have a fairly good I think working relationship with

50 Levelock and the trespass officers that are already working the

0116

1 river, and that will continue.

2

3 CHAIRMAN O'HARA: Yeah.

4

5 MS. GUSTIN: We meet with them once a year to kind of
6 go over the program, so.....

7

8 CHAIRMAN O'HARA: That's good.

9

10 MS. GUSTIN:those are some of the partners.

11

12 CHAIRMAN O'HARA: Yeah. You have a big increase, of
13 course, in the pressure on the Alagnak, and we were.....

14

15 MS. GUSTIN: Uh-hum. Right.

16

17 CHAIRMAN O'HARA:you know about that, and I met
18 with the upper management on that in Anchorage a while
19 back.....

20

21 MS. GUSTIN: Yes.

22

23 CHAIRMAN O'HARA:and we're really concerned about
24 that.

25

26 MS. GUSTIN: Yep, we are, too.

27

28 CHAIRMAN O'HARA: And do you have some people -- do you
29 have anybody that gives citations on that.....

30

31 MS. GUSTIN: Uh-hum.

32

33 CHAIRMAN O'HARA:Branch at all?

34

35 MS. GUSTIN: Yes, we have.....

36

37 CHAIRMAN O'HARA: Brian?

38

39 MS. GUSTIN: Brian and Paula. Uh-hum.

40

41 CHAIRMAN O'HARA: Uh-hum. And he's someone that
42 patrols the river?

43

44 MS. GUSTIN: Right. Uh-hum. Yep. And he was there
45 most of the summer on the Alagnak.

46

47 CHAIRMAN O'HARA: Uh-hum. Tell us a little bit about
48 the ATV thing, and I think your serious area is probably
49 Kakhanok?

0117

1 MS. GUSTIN: Yeah.

2

3 CHAIRMAN O'HARA: Probably much more so than Igiugig.
4 Igiugig was pretty happy when Jim went up there and flew with
5 Mary Olympic and Dan Salmon, and.....

6

7 MS. GUSTIN: Right.

8

9 CHAIRMAN O'HARA:and, you know, they have a hard
10 time going from Igiugig up to the hills, because.....

11

12 MS. GUSTIN: Right.

13

14 CHAIRMAN O'HARA:swamp and the water and
15 everything. They're not getting up there with their four-
16 wheelers this time of year.

17

18 MS. GUSTIN: Right.

19

20 CHAIRMAN O'HARA: Right now regardless of what the
21 weather conditions are like, Kakhanok is up in there, and.....

22

23 MS. GUSTIN: Uh-hum.

24

25 CHAIRMAN O'HARA:they're going to be in your
26 preserve.

27

28 MS. GUSTIN: Uh-hum.

29

30 CHAIRMAN O'HARA: Probably already are, with their
31 ATVs.

32

33 MS. GUSTIN: Yeah.

34

35 CHAIRMAN O'HARA: And you say you're going to determine
36 if this is a c&t?

37

38 MS. GUSTIN: Well, we want to do more than we have up
39 to this point obviously as far as getting to know the people
40 that are in those villages and finding out where they are
41 going, what they want to do, when they're most likely doing it.
42 And I was looking over some notes before I came, and we did
43 try to get up with Gary Nealson several times, to talk to him,
44 too, before this meeting, and because of weather and his
45 schedule and our schedule, we have not been able to do that,
46 but we will continue to try this fall.

47

48 CHAIRMAN O'HARA: Yeah.

49

MS. GUSTIN: But we -- I don't think we've done enough

0118

1 as far as just talking with folks and finding out, you know,
2 one-on-one what their concerns are and what exactly they want
3 to do and where.

4
5 CHAIRMAN O'HARA: Uh-hum. Yeah. Okay. So it's an on-
6 going thing then that you were.....

7
8 MS. GUSTIN: Oh, yeah. In fact we're at the kind of
9 the beginning stages I think.

10
11 CHAIRMAN O'HARA: Yeah. I would think this council is
12 going to push for c&t finding in this area,.....

13
14 MS. GUSTIN: Right. Uh-hum.

15
16 CHAIRMAN O'HARA:if we can. And I think that
17 will be our goal,.....

18
19 MS. GUSTIN: Uh-hum.

20
21 CHAIRMAN O'HARA:to work with you on that. We'd
22 appreciate that a lot. Yes?

23
24 MR. HEYANO: Are you through?

25
26 CHAIRMAN O'HARA: Yep, I am.

27
28 MS. GUSTIN: And one -- just one thing, too. You may
29 want to think about a couple of members from the council
30 working with Donald once he gets here as a resource to sound
31 ideas off of.

32
33 CHAIRMAN O'HARA: Yeah. You bet.

34
35 MS. GUSTIN: We'd be certainly open to that.

36
37 CHAIRMAN O'HARA: Absolutely.

38
39 MS. GUSTIN: Uh-hum.

40
41 MR. HEYANO: I guess if ORVs are found to be customary
42 and traditional, and you do allow them within the preserve and
43 the park, have you thought far enough ahead in how you're going
44 to limit the impact?

45
46 MS. GUSTIN: Right. Well, that's a really good
47 question.

48
49 MR. HEYANO: Every heavy use or even partial use,

50 depending on the terrain,.....

0119

1 MS. GUSTIN: Yeah, I know.

2

3 MR. HEYANO:I've witnessed is a mud streak and
4 then it moves over a little bit.

5

6 MS. GUSTIN: Right.

7

8 MR. HEYANO: And then moves over a little further, and
9 suddenly you have this huge mud stream.

10

11 MS. GUSTIN: Right. No, that's an excellent question,
12 and we thought of that question, because that's the key. If it
13 is found to be customary and traditional, how do we mitigate
14 those impacts, whatever they may be? So we've thought, you
15 know, if that's in the plan, but we haven't quite gotten there
16 yet.

17

18 MR. HEYANO: Is there some idea we can get? I think in
19 the -- what's the one up in Anaktuvuk Pass?

20

21 MS. GUSTIN: Uh-hum.

22

23 MR. HEYANO: Didn't they allow OVRs.....

24

25 MS. GUSTIN: Uh-hum.

26

27 MR. HEYANO:in a portion of it?

28

29 MS. GUSTIN: I believe so, but I don't know enough
30 about that specific issue to answer questions about it.

31

32 MR. HEYANO: Yeah. Well, I think it might be
33 interesting to see what the impacts were, if any.

34

35 MS. GUSTIN: Uh-hum.

36

37 MR. HEYANO: And what the terrain was like. Because I
38 think that needs to be -- a concern that needs to be addressed
39 if they are allowed in there.

40

41 MS. GUSTIN: Yep. Yeah, I agree. And it will be.

42

43 CHAIRMAN O'HARA: Any other questions? Thank you very
44 much.

45

46 MS. GUSTIN: Okay.

47

48 CHAIRMAN O'HARA: Oh, excuse me. One here before we
49 leave.

0120

1 MS. GUSTIN: Yeah.

2

3 CHAIRMAN O'HARA: Sorry, Smiley?

4

5 MR. KNUTSEN: Actually two questions. My name is John
6 Knutsen from Naknek.

7

8 MS. GUSTIN: Yeah.

9

10 MR. KNUTSEN: How did you determine descendants of
11 Katmai is the first question. And the second question is, is
12 there enforcement on the Brooks River as far as fishing goes?

13

14 MS. GUSTIN: Well. let me answer the second question
15 first. Yeah, there's enforcement. I mean, we check people's
16 fishing licenses, and we check to make sure they aren't
17 exceeding limits, and we check to make sure, for instance, that
18 rainbow trout is only catch and release, and salmon don't
19 exceed their limit. As far as how the Council of Katmai
20 Descendants was put together, I have no idea to be totally
21 honest with you. but maybe Sandy or anyone could help?

22

23 MR. CLARK: I think it started with Ralph Angasan and
24 Mary Jane Nealson.

25

26 MS. DOWNING: Please?

27

28 MR. CLARK: I've got to come up there, huh?

29

30 CHAIRMAN O'HARA: Yeah, you might as well. We can't
31 hear you back there.

32

33 MS. GUSTIN: And maybe I misunderstood your question.

34

35 MR. CLARK: As best as I can tell in doing the research
36 in putting together the final redbfish study, predecessor Susan
37 Savage and some other Park Service staff consulted with
38 Mr. Angasan and Mrs. Nealson as far as looking at the lineage
39 and people that would be Katmai descendants. So largely
40 through those two principal contacts is how that list was
41 developed.

42

43 MR. KNUTSEN: Is that list available?

44

45 MR. CLARK: Yeah, that's available from the
46 headquarters.

47

48 MR. KNUTSEN: Okay.

49

MR. CLARK: They'll be happy to.....

0121

1 MS. GUSTIN: Yeah.

2

3 MR. CLARK:get you a copy of the study and that
4 list of people.

5

6 MS. GUSTIN: Uh-hum.

7

8 CHAIRMAN O'HARA: Rick, I think Margie McCulley was a
9 pretty big play from BBNC in.....

10

11 MS. GUSTIN: She was, yes.

12

13 CHAIRMAN O'HARA:working that program all the way
14 down to the Chigniks, and they talked about descendants forever
15 and whatnot on it.

16

17 MS. GUSTIN: Right.

18

19 MR. CLARK: It's extensive research. That study effort
20 began about four years ago, so they've done a pretty thorough,
21 exhaustive search as best as we can tell. So -- but we'd be
22 happy to entertain discussion on it, if you'd like.

23

24 MS. GUSTIN: Uh-hum. Yeah.

25

26 MR. KNUTSEN: And the other question of citations, how
27 many.....

28

29 MS. GUSTIN: Yeah.

30

31 MR. KNUTSEN:about how many do you issue?

32

33 MS. GUSTIN: You mean total parkwide?

34

35 MR. KNUTSEN: No, just at Brooks.

36

37 MS. GUSTIN: Oh, at Brooks? I'm going to say maybe
38 four or five a summer. Most of our protection emphasis in that
39 area is visitor education. Our concern or our mission is to
40 educate people as to the proper way to act around bears, and
41 also while fishing, so I'm guess- -- just from reading case
42 incident reports from the summer, I'm guessing about four to
43 five, but I -- you know, I could get you an exact number.

44

45 CHAIRMAN O'HARA: Karen, in a small stream like that,
46 do you have any kind of an idea what the mortality rate is on
47 hook and release? Or have you thought about that?

48

49 MS. GUSTIN: Oh, yeah. Yeah. In fact, part of the

50 development concept plan identifies going for catch and release

0122

1 only for all species of fish on the Brooks River.

2

3 CHAIRMAN O'HARA: Uh-hum.

4

5 MS. GUSTIN: And we are working towards that for the
6 fall Fish Board meeting, getting feedback from fishing lodges
7 particularly, who take people to Brooks for that purpose. In
8 general I think a lot of the fishing lodges are philosophically
9 into catch and release. Not all of them, but many of them are.
10 Just we've heard that in casual conversation, but, yeah, that's
11 something we're definitely looking at.

12

13 CHAIRMAN O'HARA: Uh-hum. A lot of the guides seem to
14 think that the mortality rate on the silvers is pretty high,
15 much higher than any other.....

16

17 MS. GUSTIN: Species?

18

19 CHAIRMAN O'HARA:fish species on.....

20

21 MS. GUSTIN: Really?

22

23 CHAIRMAN O'HARA:hook and release, and it.....

24

25 MS. GUSTIN: Yeah. Uh-hum.

26

27 CHAIRMAN O'HARA:might be something worthwhile
28 looking into.

29

30 MS. GUSTIN: Okay.

31

32 CHAIRMAN O'HARA: Anyway, -- yeah, Ted?

33

34 MR. KRIEG: Excuse me. Ted Krieg, Bristol Bay Native
35 Association, Natural Resource Department. I seem to remember
36 that Ron Hood or somebody from the Alaska Peninsula/Becharof
37 Refuge saying something at a meeting about monitoring ATV
38 trails in the refuge for one of their, you know, management
39 plans, and I -- I mean, it's my recollection that -- I don't
40 know how the terrain compares to what you'd have up on that --
41 you know, the north end by Kakhanok, but I mean I seem to
42 remember that after monitoring it for one year, it really --
43 they didn't feel it was an issue, you know, as far as -- I
44 mean, things regenerated.

45

46 MS. GUSTIN: Uh-hum.

47

48 MR. KRIEG: But, you know, maybe somebody else can -- I
49 don't remember, you know, specifics, but I do remember that

50 coming up at one of these meetings previously.

0123

1 MS. GUSTIN: Uh-hum.

2

3 CHAIRMAN O'HARA: The ATV issue is Igiugig, Kakhanok,
4 and Levelock also.

5

6 MS. GUSTIN: Right.

7

8 CHAIRMAN O'HARA: Yeah. You said Igiugig and Kakhanok,
9 well,.....

10

11 MS. GUSTIN: Right. But.....

12

13 CHAIRMAN O'HARA:we want to make sure that.....

14

15 MS. GUSTIN: I will.

16

17 CHAIRMAN O'HARA:Levelock is part of that. Thank
18 you very much, Karen. Appreciate that.

19

20 MS. GUSTIN: Sure.

21

22 CHAIRMAN O'HARA: We have Sandy next?

23

24 MS. EAKON: Sandy.

25

26 CHAIRMAN O'HARA: Okay. All right. At this time we
27 continue with the National Park, and we have Sandy Rabinowich
28 to come up and talk to us?

29

30 MR. RABINOWICH: Hi again. I'm Sandy Rabinowich with
31 the National Park Service. And my colleagues have really
32 covered all my ground, so unless you have questions, I'll let
33 you move on to the next item on your agenda, and I'll be here
34 throughout your meeting, so call on me if I can help.

35

36 CHAIRMAN O'HARA: Well, you can't quite get off that
37 easy, Sandy.

38

39 MR. RABINOWICH: Okay.

40

41 (Laughter)

42

43 CHAIRMAN O'HARA: We met in town and I had about that
44 many things I want to talk to you about, and I just -- if
45 nothing more, for the record, you know, you and I talked about
46 some things that we don't necessarily have to jump into tonight
47 and say this is going to be binding, but I talked with you
48 about the amount of pressure on the Branch of the Alagnak, you
49 know. That's under navigable waters. Right now we don't

50 really have a say over it. I believe that's true. I don't

0124

1 even know if your department can put a limitation on the number
2 of boats and people on that river. I don't know the answer to
3 that.

4

5 MR. RABINOWICH: Would you like me to respond as you go
6 along?

7

8 CHAIRMAN O'HARA: Yeah. Uh-hum.

9

10 MR. RABINOWICH: I'm not sure I fully know the answer
11 to that questions either, because when you do regulations on
12 water bodies, it's very complex. And so on the one hand,
13 because the Park Service does have some management
14 responsibility for the river, there are probably some ways that
15 the Park Service can regulate use. And the one example that I
16 can think of, and I'm really copying something that I've
17 watched the Fish & Wildlife Service do rather effectively, is
18 through concession permits and licenses, that through ANILCA
19 810, that part of ANILCA which requires a review of disposal of
20 land, leasing of land, uses of land and so on and so forth.
21 There's a hook in that portion for subsistence that brings the
22 subsistence concerns into things like how the Park Service
23 hands out permits and so on for concession uses. And again I'm
24 really copying something here that I've heard Ron Hood tell you
25 about a couple of years ago in an area where, you know, there
26 were some problems, and this was a way that he came back to
27 you, and I believe did a little bit of regulating that you all,
28 you know, were happy to see. There may be some other ways
29 also. I can't do them off the top of my head.

30

31 In regards to your first question, I did do a little
32 homework since we talked last. And as I look at the existing
33 Federal Board fishery regulations, which contrary to common
34 knowledge, there are some in the blue book that you all have, I
35 don't see any specific language in there about the Alagnak. I
36 also looked at the proposed regulations that the Federal Board
37 put out, which you all got at your last winter meeting, to see
38 if there was any language in there, and again there was not.
39 So I think where that takes you is that one thing you could
40 choose to do, I'm neither advocating or discouraging you. I'm
41 just trying to share my thinking here. Is that you could, if
42 you want, make a recommendation to the Federal Board to have
43 some change with the seasons, bag limits, or whatever you might
44 want to focus on on the Alagnak River.

45

46 Now, exactly how that will work into the program, I
47 don't know yet, because none of us know exactly frankly where
48 we're going. October 1st hasn't arrived, so on and so forth.
49 But I do think that if you have a specific recommendation, and

50 if you, you know, make a motion and discuss it and so on and so

0125

1 forth, that we certainly will carry it to the Federal Board.
2 We know how to do that. And at an appropriate time, we can
3 make sure that it goes into the record on the potentially up-
4 coming federal fisheries regulations.

5
6 CHAIRMAN O'HARA: It will be in the millwork then if we
7 indicate before this meeting is over that we'd be interested in
8 doing that?

9
10 MR. RABINOWICH: I mean, I looked at Tom Boyd here to
11 my left to see if he agrees. We haven't constructed the mill.
12 I mean, we don't have the -- we don't have the program set up
13 here but, you know, we have a full transcript of the meeting
14 being made here. We can all remember some of these things, and
15 so I think it's safe to say that, you know, that we can -- if
16 you choose to take some action, that we can remember that, and
17 we can add it in to that pool of public comment and, you know,
18 at appropriate time. Again, that's if you all choose to do
19 something. There's no requirement that you do that.

20
21 CHAIRMAN O'HARA: Helga, did you get that?

22
23 MS. EAKON: No, I did not.

24
25 CHAIRMAN O'HARA: I did. I got it.

26
27 MS. EAKON: Okay.

28
29 CHAIRMAN O'HARA: Okay. All right. I see Tom is
30 inching up to the mike, huh? Are you getting pale?

31
32 MR. BOYD: Well, no, not at all.

33
34 CHAIRMAN O'HARA: All right.

35
36 MR. BOYD: It's just that the appropriate time is the
37 real critical part here, because as you know, Dan, if October 1
38 comes and goes and there's no Congressional moratorium, we're
39 going to be obligated to follow the court order, and I'm going
40 to be speaking to this in a minute. We will be then in a
41 process of setting up the framework to take care of annual
42 regulations like we do in the wildlife program. And I won't
43 elaborate much on that, because I don't know if I could if I
44 wanted to. But it may be -- the appropriate time may be the
45 '99 cycle before we can gear up, staff up, and have the
46 wherewithal to really evaluate proposals and provide
47 recommendations to the Board. And I'm just -- I'm even
48 speculating when I say that, but that's my best guess.

49

CHAIRMAN O'HARA: Yeah. I guess my main concern, Tom

0126

1 and Sandy, is that we're a week too early, but we're not going
2 to be meeting again, and it's going to be too late, so
3 therefore, if this council's going to do something to begin
4 addressing the tremendous pressure on that river system, you
5 know, we need to start doing it now, because I don't think the
6 State of Alaska is going to address it. They're just not going
7 to address it. They can't, because of the constitutional make
8 up, which I understand. So that's why I ask the question, Tom.

9
10 MR. RABINOWICH: If I could add that I believe twice
11 now the federal program has brought to this council an
12 opportunity to make some comments on what could become federal
13 fisheries regulations. A year ago in May and June where we had
14 an advance notice of proposed rule-making, and then I believe
15 last winter we brought back in front of the councils a copy of
16 the work in progress. So my comment to you is that if you, you
17 know, today or tomorrow want to make additional comments, you
18 can look at this as either being getting them in late from
19 those opportunities, or getting them in early for October 1st,
20 whichever way you want to look at it. And as Tom and I have
21 both said, we really don't quite know how this is going to
22 work, but in my opinion, if you want to come forth with a
23 recommendation, that's up to you all.

24
25 CHAIRMAN O'HARA: It doesn't work.....

26
27 MR. RABINOWICH: Again, that's just my opinion,
28 but.....

29
30 CHAIRMAN O'HARA: If it doesn't work by October 1,
31 that's fine.

32
33 MR. RABINOWICH: Yeah.

34
35 CHAIRMAN O'HARA: If it does work, then we've got
36 something in the millwork for -- you know, I talked to you,
37 Sandy about the horsepower that's taking place with 200
38 horsepower motors with jet units, and I fly that river every
39 week. Every week just like clockwork. I'm not looking at that
40 river, but I overfly that river every week, and I look at the
41 number of people there, and I'm in those villages, and they're
42 complaining about the problem they have with subsistence and
43 sports, and I don't know, -- well, we talk -- Mac is going to
44 be here tomorrow. He'll probably fill in a piece of the puzzle
45 that's going to be really important, and we'll probably hold
46 off I would imagine until we see what Mac has to say, because
47 my wife said, hey, let's just go to hook and release -- no hook
48 and release, and then somebody else says, well, you take away
49 hook and release, and everybody takes home a fish, and you take

50 out more fish than you have resource, and you're back to the

0127

1 same old problem. You better go with hook and release and not
2 take any fish. And that's another problem. And so we're kind
3 of getting the cart before the horse, but if we don't start
4 looking at it, we'll never know how to address that very
5 quickly overcrowding situation.

6
7 You know, you've got a lodge sitting there with a 500-
8 gallon fuel tank that could slough right off into your scenic
9 river, and that's a problem in itself, and it's on private
10 land. I mean, how -- can you imagine what would take place in
11 the press if 500 gallons of diesel fuel started floating down
12 that river? Yeah, we'd all be looking for a new job, guys.
13 We'd be in South America.

14
15 MR. RABINOWICH: Again if I might, I would just
16 reiterate what Karen was talking about, that the Park Service
17 planning effort which is still a good year away, but when it
18 gets here, it does have a pretty good stack of money behind it
19 to help make some things happen, so I won't sit her and make
20 you any false promises that it's the answer to all the
21 problems, but I think it is safe to say that that planning
22 effort can be a tool, that we all hope very strongly that you,
23 you know, participate in, and maybe some of these issues can be
24 addressed partially through that avenue, too.

25
26 CHAIRMAN O'HARA: Any other questions? Did you have
27 anything else to say, Sandy? Any questions of Sandy today?

28
29 MR. HEYANO: Yeah, Mr. Chairman.

30
31 CHAIRMAN O'HARA: Okay. You bet. Robert?

32
33 MR. HEYANO: I guess on the same token, Sandy, is that
34 if there's some concern about the fish resources in that river,
35 there's nothing to prohibit this board to ask the State Board
36 to take action in King Salmon in November. I think, if I
37 remember right, there is some state proposals dealing with it.
38 So, you know, if it's a resource problem, at this meeting we
39 could take some form of action and convey those thoughts or
40 those concerns to the State Board just to see if they will
41 react to it.

42
43 CHAIRMAN O'HARA: I think we.....

44
45 MR. HEYANO: And maybe with.....

46
47 CHAIRMAN O'HARA:ought to do both.

48
49 MR. HEYANO: And maybe with some input from you people,

50 it would carry a lot more weight.

0128

1 MR. RABINOWICH: Yeah. I see Tom with my peripheral
2 vision here, he's nodding up and down, and my mind is going up
3 and down, so I think we both agree that you certainly can do
4 that. Right.

5
6 CHAIRMAN O'HARA: Well, -- yeah, go ahead.

7
8 MR. HEYANO: And I guess one more question, maybe I
9 should address it to the lady before you, but when you go into
10 this planning or development for this river, are you going to
11 take in some of those private land holders? Because from what
12 I understand, part of the problem is from the private land
13 owners and the activity that's happening on private land. So,
14 you know, I don't know what the land composition is, but if you
15 have sufficient private in-holdings, and you restrict the
16 activity on the land you have jurisdiction over, and don't have
17 any kind of agreement or understanding with the private, my
18 experience is the effort just kind of shifts over, and your
19 problem is still the same. It just kind of moves.

20
21 MR. RABINOWICH: I've not played, you know, a direct
22 role in working up the material for -- to get those funds, but
23 I have read what Susan Savage and others have written and
24 provided. And with that, I think the short answer to your
25 questions is, yes, that's the goal. And, further, as Karen
26 pointed out, that the land ownership pattern along the river is
27 very mixed. Kind of everybody's got a piece of the action in
28 terms of the fact that they own, control some land. Private,
29 state, federal. I don't know if there's borough, but it's a
30 whole lot of interests. And so as we've put into our letter,
31 Park Service letter that's actually on your agenda a little
32 ways down, further down, we think the only way to succeed is to
33 get everybody together and on board.

34
35 And as Dan O'Hara has spoken to me privately, there's
36 maybe some analogies to the Kenai River on the Kenai Peninsula,
37 that it's large, it's complex, there's lots of people, and
38 really got to get everybody together, and it probably means
39 things go slowly, but hopefully in the long run you build a
40 consensus that lasts a long time. So that's our thinking, and
41 I think we put that in writing, and.....

42
43 MR. HEYANO: Thank you.

44
45 CHAIRMAN O'HARA: If the State does not come up with a
46 management plan by October 1 to deal with ANILCA, it's going to
47 become federal management from that point on unless Senator Ted
48 does a moratorium on funds, whatever, or am I wrong there?
49

MR. BOYD: Well, I'm going to address that in a minute,

0129

1 so.....

2

3 CHAIRMAN O'HARA: Oh, you're going to address it later,
4 okay. That will take off from where Sandy's at. Thank you
5 very much.

6

7 MR. RABINOWICH: You bet.

8

9 CHAIRMAN O'HARA: Okay. Because we need to understand
10 that, that it no longer will be state water, that will become
11 a.....

12

13 (Whispered conversation).

14

15 MS. EAKON: BLM, Jeff Denton.

16

17 CHAIRMAN O'HARA: Oh, BLM. Jeff?

18

19 MR. DENTON: Thank you, Mr. Chairman. My name is Jeff
20 Denton. I'm from the BLM district office in Anchorage for the
21 Anchorage District. And I guess for the benefit of the new
22 members here, if you look at these maps, the yellow portions
23 represent BLM lands that are in the Bristol Bay region, those
24 that are centered around the Kvichak, Koliganek, and between
25 the Nugashak and the Kvichak Rivers, and around the Branch
26 River, so the rest of Goodnews Bay is out of your region, and
27 so we're the minor federal land owner I guess in Bristol Bay,
28 but we still have a significant acreage.

29

30 The Anchorage District overlaps seven of the
31 subsistence council regions in the State, so we're spread a
32 little thin both enforcement-wise and personnel-wise, so -- we
33 go from Ketchikan clear to the Unalakleet drainage, so we cover
34 a lot of country.

35

36 Right now, the last two years the BLM land base in the
37 Bristol Bay region has been stable. We haven't have
38 relinquishments from the State selections under the Statehood
39 Act. That would be selected lands coming back into the federal
40 public land acreage. Or we haven't had from the corporation
41 selected lands. None of those lands have been either conveyed
42 to a significant amount or relinquishments back to the BLM to
43 go back into the federal public land base.

44

45 For subsistence purposes, the selected lands right now
46 are not -- BLM lands are not managed under the Federal
47 Subsistence Program. They're under the state program. So the
48 yellow up here is only the federal public lands that are under
49 the federal system.

0130

1 What we've been doing basically in Bristol Bay is we
2 work fairly closely with Larry Van Daele with monitoring of the
3 Mulchatna Caribou Herd. Part of our motivation for doing that
4 is that the Mulchatna herd affects two other major regions, and
5 a lot of subsistence users in the Western Interior as well as
6 the Y-K Delta regions, of which we both -- which BLM also, the
7 Anchorage District has considerable land holdings.

8
9 We also participate in the Kuskokwim Mountains, the
10 brown bear works that's being done. That's just kind of over
11 the hill from Bristol Bay, but we coordinate and cooperate in
12 that particular work as well.

13
14 We also have in terms of land actions, the native
15 allotments, BLM does a lot of the conveying and a lot of the
16 surveying and all the work to do with conveyance of those. In
17 recent -- in the last year Vietnam veterans have had an
18 opportunity to apply for native allotments, kind of a new
19 round. There will be considerable numbers of those that will
20 probably be processed over the next few years. So there will
21 be more of those to be dealing with BLM-wise.

22
23 We lost our pilot/enforcement individual. He went to
24 Arizona. However, we're having a new one who will be on board
25 here within the next month. Again bear in mind he's spread
26 very thin, not just for wildlife and subsistence type
27 enforcement, but every kind of enforcement action BLM deals
28 with, so he's spread terribly thin as well. But we do have an
29 enforcement person. We encourage you folks to let us know if
30 there is a problem, if you're seeing some problems on BLM
31 lands, that this person can coordinate with state and other
32 federal agents and so on to help resolve subsistence and game
33 protection types of laws.

34
35 And this summer, one thing that's come up that's fairly
36 important to subsistence users in portions of this area, we had
37 quite a fire year this year, and the BLM lands in this portion
38 of the state, we contract to the State Department of Forestry
39 out of McGrath. There are fire plans that are way out of date,
40 and there's the compacting of native allotments has occurred to
41 -- for a lot of the native allotment management type things
42 have been compacted by BIA out to Bristol Bay Native
43 Corporation or various other corporate entities. And the fire
44 plans are very far behind in terms of native allotments. If
45 there's new structures on those, they're not on the plans.
46 People that have those native allotments haven't been consulted
47 in many, many years, or a lot of them have been conveyed to
48 them in recent years without having those folks asked about
49 fire protection, whether they want it, whether they don't.

50 There's benefits both ways. If you have structures, of course,

0131

1 you want to have the structures protected. Other cases, if
2 it's subsistence activities like trap lines, you may want to
3 limit the amounts of fire. If you're looking for better moose
4 habitat or better berrying areas, you probably want them to
5 burn. We need to update those plans so when we have a fire
6 that's really ripping, we can -- we already have the
7 information and can make the decision to throw suppression
8 forces in there or not. Sometimes we don't have time to try to
9 run down an allottee that may be in Washington State, and it
10 makes it very, very cumbersome to fight fire up here. We have
11 -- we don't get fire years in Bristol Bay very often like we
12 did this year. And all these problems come to bear real quick,
13 that we get caught unprepared. So in the next few years I
14 would suspect the State and BLM will be probably trying to
15 contact the compacted corporations for them to get that
16 information to us so we can update those plans. It may be real
17 critical to either protection or of some -- probably some
18 fairly expensive properties.

19

20 Also, another thing that's happening, it's not so much
21 subsistence oriented, but there are native allotments that are
22 being sold to non native entities. When that happens, they
23 fall out of the protection that the Federal Government and the
24 BLM is basically responsible for for protection of suppression
25 on native allotments. We have no record of what those are,
26 where they are. We don't track native allotments after they
27 are sold to somebody else. We have no idea. But this is
28 getting to be a statewide problem.

29

30 Other than that, that's all I really have. We're not
31 -- we have much larger land blocks and probably a lot more
32 pressing issues in other regions of the state subsistence-wise
33 than here. I try to get down here about once every two years,
34 if the conflicts allow. We have a great deal of confidence in
35 the council here. They've always made very, very good
36 decisions, and we have a great deal of confidence in this
37 particular council, so.....

38

39 CHAIRMAN O'HARA: So do you want us to burn certain
40 amounts of things and save certain amount of things? Do you
41 have that much confidence, or no?

42

43 MR. DENTON: I have the confidence that when we ask the
44 people whose allotments they are, that they.....

45

46 CHAIRMAN O'HARA: No, I'm talking about burning off
47 habitat. Do you want us to start doing that, or do you want to
48 keep that under your own control?

49

MR. DENTON: We would rather control that,.....

0132

1 CHAIRMAN O'HARA: Okay. You can do it.

2
3 MR. DENTON:because there's a lot more to it.
4 You can do damage burning as well. So.....
5

6 CHAIRMAN O'HARA: Jeff, a question I have is, you know,
7 I just heard in the news the other day, and I don't know where
8 this comes from, but I'm sure that your department would
9 probably know more about it than anyone, and that is we may be
10 looking some pretty dry, hot summers in Alaska. That seemed to
11 be the weather pattern. I heard that on the news, and you
12 can't believe everything you hear in the news, but from what
13 we've had in the last two years, you know, we could be in
14 serious trouble with the animals because of the vegetation and
15 the lack of nutrients, and fires and -- that we don't want, so
16 you may have to -- you may have a different role here quite
17 quickly if the weather pattern changes. I mean, you know, the
18 guy who wrote that song It Ain't Going to Rain No More may have
19 had something there.
20

21 MR. DENTON: Well, and if that happens, our role may
22 change, but we may not -- we may not be able to do a whole lot
23 about the changes that occur. But like Larry was saying, the
24 dry summers have a very marked effect on caribou production.
25 They also have a great deal of influence on how much the
26 willows grow in terms of moose browse for the winter. There's
27 several things that are tied to -- your fisheries production
28 will very probably be affected by higher water temperatures.
29 There's a lot of things going on climatically that may be way
30 beyond our control that may have very marked effects down the
31 road on subsistence and natural systems up here in general.
32 Forest ecosystems may decline very rapidly.
33

34 CHAIRMAN O'HARA: Okay. Anything else?

35
36 MR. DENTON: No.

37
38 CHAIRMAN O'HARA: Any questions? Thank you very much.
39

40 MR. DENTON: Thank you.
41

42 CHAIRMAN O'HARA: We really appreciate your coming here
43 tonight and being here today. We've got all the way down
44 through the system, Helga, without Tom Boyd addressing us in
45 the beginning, because the opening part here was supposed to
46 have been by Mr. Boyd.
47

48 MS. EAKON: Yes, he did.
49

CHAIRMAN O'HARA: Well,.....

0133

1 MS. EAKON: Yeah.

2
3 CHAIRMAN O'HARA: But where does he address us on the
4 big issues of.....

5
6 MS. EAKON: Right after Bristol Bay gives their report,
7 then you talk about the.....

8
9 CHAIRMAN O'HARA: Good.

10
11 MS. EAKON:State dilemma, then Mr. Boyd comes in
12 with the data on the fisheries.

13
14 CHAIRMAN O'HARA: You're on, Ted.

15
16 MR. KRIEG: Thank you, Mr. Chairman. Ted Krieg,
17 Bristol Bay Native Association, Natural Resource Department.
18 I'll try to be brief. There's only -- there's three things
19 that I wanted to bring up.

20
21 First of all, we're nearing the end of our second go-
22 around of caribou, moose and brown bear subsistence harvest
23 surveys for the 12 Alaska Peninsula villages. This came about
24 through a cooperative agreement with Fish & Wildlife Service.
25 They provided the money, technical assistance and some of the
26 maps. We've worked with Subsistence Division, and with Molly
27 this year. Subsistence Division does most of the data
28 management. They compile the information, or the data, and in
29 that way we're assuring that this information is compatible
30 with work that the Subsistence Division has done in the past.
31 Out of the 12 villages, we had village surveyors in six of the
32 villages that did all of the survey work, or the majority of
33 it, which, you know, that's kind of one of our goals is to have
34 people in the villages actually doing the work. When this is
35 completed, we'll have subsistence harvest information for
36 caribou, moose and brown bear for those 12 villages for three
37 regulatory years. The 1994/95 regulatory year, 95/96, and
38 96/97.

39
40 The other cooperative agreement that we have is with --
41 for migratory birds, migratory birds subsistence harvest
42 surveys with -- this is with Fish & Wildlife also. And I know
43 we don't usually address migratory birds here, but it's with 13
44 villages, Nushagak Bay and Nushagak River, and Iliamna Lake
45 villages, and we're still working on this project.

46
47 And the last thing that I wanted to bring up is, you
48 know, it was real striking to me that -- well, I guess ever
49 since I've been working for BBNA and started working with this

50 council, I think I was at the first meeting, and I think the

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1 issue of wanton waste came up at that time. And it's something
2 that's been with us, you know, all the time and has been a big
3 issue. And this is the first time that I can say that I've
4 been at one of these meetings where I've actually heard
5 somebody say that there's progress being made with this, you
6 know, meat on bone regulation. And, you know, maybe it's
7 something that should be tried in Unit 9 also. And I mean, as
8 I see it, you know, I think I was at one of the meetings where
9 one of the enforcement officers said, well, it's a good
10 enforcement tool, because if the meat's still on the bone, then
11 they can -- you know, they can identify -- have a way of
12 identifying how much -- you know, if meat's been wasted. So
13 anyway, I mean, I just wanted to point that out, that this is
14 the first time that I've, you know, really ever heard of any
15 progress being made. I mean, we heard Larry Van Daele say
16 that, you know, more meat was going out than horns this year,
17 and then for the, you know, Unit 9, it sounds like nothing's
18 really changed. There's still a wanton waste issue.

19

20 That's all I have. Thanks.

21

22 CHAIRMAN O'HARA: Okay. Any questions? Will you be
23 here for the rest of the meeting.....

24

25 MR. KRIEG: Yes.

26

27 CHAIRMAN O'HARA:when we get into some of the
28 other issues?

29

30 MR. KRIEG: Uh-hum.

31

32 CHAIRMAN O'HARA: Thank you very much, Ted.

33

34 We have the agenda item here of the State subsistence
35 dilemma, information sharing with the regional council. And,
36 let's see, that would be tab E? Or, I'm sorry,.....

37

38 MS. EAKON: Actually, Mr. Chair, there's no tab for it.
39 Because the Federal Government is supposed to be neutral on
40 this issue, we felt we had better provide you the information
41 that's out there. You do have a copy of the matrix, where the
42 State falls in, where AFN falls in, where the Alaska Native
43 Summit. It gives you the positions of the different groups and
44 regional organizations on rural preference, the priority, a
45 definition of customary and traditional, customary trade, when
46 is a priority invoked, ta-da-ta-da. We just wanted to make
47 sure that you had -- that you did have this information. On
48 the sign-in table, there were copies of the native summit
49 resolution 97-01. We just wanted to make sure you had

50 information. But also keep in the back of your mind that the

0135

1 Federal Government has to be neutral on this. Okay?

2

3 CHAIRMAN O'HARA: Okay. Thank you very much. Any
4 questions by the council members? It's information available
5 to you. Okay. And so we'll go down to B, Helga?

6

7 MS. EAKON: Yes, that is correct.

8

9 CHAIRMAN O'HARA: Update on the implementation of
10 federal subsistence fisheries management. Tom.

11

12 MR. BOYD: Mr. Chair, are you sure you want to do this
13 at this hour?

14

15 CHAIRMAN O'HARA: Okay. This is a good time to do it.
16 Something to sleep on tonight. Speak in a loud, clear voice,
17 okay?

18

19 MR. BOYD: I'll do my best. I may fall asleep. I may
20 put myself to sleep.

21

22 Well, this is not news, but I'll try to bring you up to
23 date on where we stand with the process that's been in place
24 for probably the better part of a year or more for implementing
25 the Ninth Circuit Court's ruling in what's become known as the
26 Katie John case, and try to answer a question or two that's
27 come up previously as I make this presentation. As most of you
28 are aware, the Katie John decision essentially directed the
29 Federal Government to extend its jurisdiction for subsistence
30 management to include all navigable waters for which the United
31 States has reserved water rights. This would -- well, let me
32 just have you turn to tab F, I'm sorry. I should have started
33 with that. I'm going to be just highlighting portions of that
34 -- those notes that are before you, so that -- and, of course,
35 this would represent a fairly significant expansion of federal
36 jurisdiction from what it currently is.

37

38 Over the past year, we've been in a planning mode. We
39 prepared a draft proposed rule. That's the draft regulations
40 that would essentially fulfill the court's direction. And
41 we've also prepared an environmental assessment. Those
42 documents are currently in Washington, D.C. And I would
43 venture to say that they are on the threshold of being
44 published, but that call certainly will have to be made by
45 higher levels than me.

46

47 I will say that the key provisions in the proposed rule
48 I've covered in past meetings with this council and other
49 councils, but I'll go over them again just to put them in your

50 head and maybe elaborate a little bit on them. One of the key

0136

1 provisions, it essentially delineates the waters where federal
2 jurisdiction would apply, and if you'll look at your maps, it's
3 essentially the colored areas, all the waters occurring within
4 the colored areas on your map. And I'm over-simplifying a bit,
5 but for purposes of discussion right now. With the exception
6 of the BLM lands, of course, the gold or yellow lands on your
7 map.

8
9 A second provision would extend jurisdiction to those
10 lands within conservation system units that have been selected,
11 but not yet conveyed either to State or native corporations, so
12 this is an expansion of beyond just the waters, but the land as
13 well in refuges and parks and monuments and preserves and wild
14 and scenic -- well, I'm sorry, I'm used to saying this. It's
15 late, too. But in refuges, monuments, parks and preserves,
16 those lands that have been selected, but not yet conveyed,
17 federal lands, would be included under this proposed rule.

18
19 A third provision would be an acknowledgement of the
20 Secretary's authority to extend jurisdiction off the public
21 lands to protect subsistence uses on the public lands. This is
22 what's become known as sort of the extra-territoriality issue,
23 where we would be able to reach beyond federal lands if we were
24 able to make a nexus to subsistence uses on the federal lands,
25 and those activities off the federal lands causing something
26 that would result in a failure for subsistence uses on the
27 federal lands.

28
29 I think I might point out here that this is a departure
30 from the draft that you reviewed last -- the last time you met.
31 At that point that rule had that this authority would be
32 delegated from the Secretaries to the Federal Subsistence
33 Board. The current draft rule essentially acknowledges the
34 Secretary's authority without delegating it to the Board, but
35 provides a mechanism for the Board to evaluate any proposals
36 that would come up along these lines, and then pass them up to
37 the Secretary.

38
39 A fourth provision is acknowledging customary trade as
40 a legitimate subsistence use as long as it doesn't constitute a
41 significant commercial enterprise.

42
43 And a fifth is adoption of the current State
44 subsistence fishing regulations as it pertains to seasons,
45 harvest limits, methods and means, and so forth. I think the
46 rationale in general for adopting those State regulations was
47 similar to what we did when we started the federal program.
48 It's a place to start. It doesn't turn the world upside down.
49 We recognize that some of those regulations may change as we

50 move forward in future years, but we needed a place to start.

0137

1 And I think we recognize in many parts of the state that those
2 regulations are probably pretty good, but we didn't want to
3 throw them out and try to start from scratch.

4
5 Of course, the federal program has been prohibited from
6 preparing a final set of regulations and implementing those by
7 moratorium language passed by Congress in both the FY '96 and
8 '97 appropriations laws, the budget legislation essentially.
9 So we've been unable to do anything up until this point. And
10 so October 1's coming, the end of the FY '97 fiscal year, and
11 most of us have been reading that the Federal Government is
12 about to take over the management of fisheries in Alaska on
13 October 1.

14
15 And so I want to answer your question. You asked
16 what's going to happen on October 1? And I -- it's a little
17 unclear. There's several scenarios that could play out,
18 because obviously there are lots of discussions going on at
19 fairly high political levels, including the Governor, the
20 Secretary of Interior, as well as members of the Congressional
21 delegation. So there's a number of scenarios that we're
22 speculating on, and I'm not, nor is anyone close to me in my
23 office, privileged to what those discussions are, so we're just
24 speculating about what might happen. One possibility is that
25 there could be an additional moratorium placed in the fiscal
26 year '98 budget. I would presume that that would be contingent
27 upon some level or significant level of progress taking place
28 within the State to resolve the subsistence impasse. You can
29 read the paper as well as I can to maybe understand the chances
30 of that happening. So that's one possible scenario.

31
32 If a moratorium does occur, we may just see the status
33 quo. In other words, we wouldn't do anything. Or the
34 moratorium, if the current moratorium stays in place, we could
35 still publish a proposed rule and go through the steps leading
36 up to a final rule, but stop right there and not publish a
37 final rule.

38
39 If we do not have a moratorium, obviously we're going
40 to be obliged to obey what the court has directed us to do.
41 And the steps that would follow then would be a proposed rule
42 would be published. We would have a public comment period,
43 probably somewhere on the order of 60 days, and we're looking
44 later in the winter for that. But you can probably -- I'm
45 going to guess here, but probably in the November time frame
46 we're looking possibly. With public hearings around the state,
47 and then sometime before the spring a publication of a final
48 rule. Preparation and publication of a final rule.

49

So there's a process that would have to play out, and

0138

1 it would take several months before we would have a program in
2 place, and we could essentially assume management. We would
3 not be able with a proposed rule assume management on October
4 1. So I'm hoping that answers your question?

5

6 CHAIRMAN O'HARA: Yes.

7

8 MR. BOYD: There's currently no budget for doing any of
9 this. We do have a budget request in for the FY '99 budget
10 that we -- obviously the budget cycle starts two years out, and
11 I'm assuming that -- well, I won't even assume. But it's
12 possible, you know, that there could be a special appropriation
13 for this, but that's certainly out of our hands at this point.
14 We're going to get some indication of how much this budget will
15 be when the President's budget for that year is submitted to
16 Congress, and that would occur sometime in February of next
17 year.

18

19 I think it's safe to say that the regional councils are
20 the keystone of this program, and will be a significant element
21 in that budget, so that message I wanted to make clear. I
22 think we're going to be looking at more work, and that may mean
23 additional meetings, or clearly will mean additional meetings
24 or additional time at existing meetings to deal with fisheries
25 issues.

26

27 Well, I think I've covered about all the key points and
28 I'm not going to elaborate on this. You can read some of this
29 just as well as I can. I'll just stop there and see if you
30 have any questions?

31

32 CHAIRMAN O'HARA: Any questions, council members?
33 Okay. So the colored map area would be under federal control?

34

35 MR. BOYD: Essentially.

36

37 CHAIRMAN O'HARA: And coming out of the federal lands
38 into native and state lands is not under federal jurisdiction?

39

40 MR. BOYD: That's correct.

41

42 CHAIRMAN O'HARA: Okay. So it doesn't go out beyond
43 the shoreline, because there's no such thing as.....

44

45 MR. BOYD: There are some -- I'm oversimplifying here a
46 bit, Dan. Around the state there are some marine waters that
47 are currently included in the program, and these were included
48 in, if you will, pre-statehood withdrawals, federal
49 withdrawals, where maybe the boundary of a refuge, for example,

50 crossed the mouth of a bay. So there's some minor marine

0139

1 waters throughout the state, and there's a list of them in the
2 current regulations, but I.....

3

4 CHAIRMAN O'HARA: Let's take it one step further.
5 Let's say, for instance, you're going to get 500,000 back to
6 Ugashik, and that's a federal refuge. But you don't have any
7 control over what's going to be happening in Ugashik Bay or
8 down in Area M where they're intercepting fish from Ugashik or
9 Naknek, you know, intercepting our fish, or Egegik are
10 intercepting our fish, because we know they know they go up in
11 there and they come back. You're not going to get enough
12 there, it may not be a subsistence issue there, so it may not
13 pertain to us at all, Tom?

14

15 MR. BOYD: That's right.

16

17 CHAIRMAN O'HARA: Okay. But if it is, and you're still
18 not out there dealing with those waters, how are you going to
19 bring those fish back for not only escapement reasons, which is
20 all they're going to have his year according to the projections
21 for the Alaska Department of Fish & Game when you do have a
22 continual intercept issue all the way to Ugashik, and we're
23 dealing on federal lands, and that's where they do their --
24 that's where the escapement and the bio mass comes back as
25 reproduction?

26

27 MR. BOYD: Well, I don't know if I'm going to be able
28 to answer your question in full, but I'll give it a shot. I
29 think we clearly recognize that managing fisheries you don't do
30 it on piece of land. You manage it wherever the fish are,
31 particularly a migratory species like salmon. You have to
32 manage it, I'll use the word holistically. You have to look at
33 the big picture from where they're first being targeted and
34 harvested all the way to where they spawn. And you have to
35 think -- fishery managers have to think with the big picture in
36 mind, obviously. Clearly our jurisdiction is going to be
37 limited to those waters that I've tried to describe. And
38 that's going to put some limitations on what we manage.

39

40 I will point to the provision that I mentioned a little
41 earlier about the authority of the Secretary to extend
42 jurisdiction off the federal lands to protect subsistence uses
43 on the federal lands. That's put in there as an
44 acknowledgement of the need to be able to do that if, you know,
45 there is a nexus between what's happening off the federal lands
46 and a failure of providing for subsistence uses on the federal
47 lands. How that will play out in any specific instance, I
48 can't tell you. This is the framework for doing that, but
49 clearly we understand I think the problem -- or the kind of

50 problem you're pointing to, and I would -- I can imagine that

0140

1 we're going to be addressing some of those.

2

3 CHAIRMAN O'HARA: Katie John said, and the Ninth
4 Circuit Court of Appeal agreed with her, the judge said, that
5 you're not going to deal with Katie John's fish way down there.
6 You're not going to touch her fish way down there if they don't
7 get way up to where she's at. And that's way off of federal
8 lands, Tom, that's a long ways off of federal lands. So what
9 -- we don't have any jurisdiction if you can't reach out there
10 and protect that chum coming through False Pass all the way up
11 to Copper Center. That's the issue that I'm asking about. I
12 guess if the Secretary put a provision in there, -- it seems to
13 me the courts have already addressed the issue. But if you
14 don't think that's going to be a reality or not?

15

16 MR. BOYD: I'm not sure I understand. I.....

17

18 CHAIRMAN O'HARA: Well, let's say that chum are coming
19 through False Pass.

20

21 MR. BOYD: Right.

22

23 CHAIRMAN O'HARA: And the Ninth Circuit Court of
24 Appeals in San Francisco said that fish is not to be touched
25 until it gets all the way up to Katie John's community, which
26 is Copper Center up there some place say. Well, that's all
27 State of Alaska jurisdiction, that's not federal jurisdiction.
28 So are you going to have to go to the State of Alaska and say
29 you go down to False Pass and make sure a certain number of
30 chums go through there and they get all the way to Katie
31 John's, so she can do subsistence, or do you not have any
32 control over what goes on down there, because that's an
33 intercept fishery, too. And so is the Yukon and everywhere
34 else.

35

36 MR. BOYD: Well, what the court did was define our
37 jurisdiction, define what public lands are pursuant to
38 implementation of Title VIII, and that's where the program and
39 the priority applies. So that's what the court did. I think
40 we recognize that -- just like you recognize though, that you
41 have to manage in a much broader -- on a much broader scale
42 than that. Hence, that's why this particular provision is in
43 there, to acknowledge that the Secretary does have authority to
44 do that in case there are issues that have to be resolved.
45 That's a simple answer. I don't think it's going to be that
46 simple when we get into it though.

47

48 CHAIRMAN O'HARA: No, I don't think so either, but that
49 helps a lot. Thanks. Any other questions, council members?

0141

1 MR. ABRAHAM: Right here.

2
3 CHAIRMAN O'HARA: Uh-hum.

4
5 MR. ABRAHAM: But just you take for instance Togiak
6 National Wildlife Refuge, and there's the corporation land
7 right there, but between the line of corporation land up to
8 Togiak Lake and then you'll be able to manage that, because
9 it's colored area?

10
11 MR. BOYD: Yeah.

12
13 MR. ABRAHAM: That's including Quinhagak -- portion of
14 Quinhagak banikha (ph) whaler, and not large portion of
15 Goodnews Bay there.

16
17 CHAIRMAN O'HARA: Yeah, right there.

18
19 MR. BOYD: I mentioned earlier that I kind of
20 oversimplified that description, but if you'll notice on your
21 maps, there's probably a fine black line that circumscribes the
22 Togiak Refuge, and it includes some of the in-holdings, some of
23 the corporation lands that you speak of. So the waterways
24 passing through those corporation lands, if it's within the
25 exterior boundaries of the refuge would be included in federal
26 management. Yeah.

27
28 CHAIRMAN O'HARA: Would the Naknek River be one of
29 those?

30
31 MR. BOYD: Well, I need a map to see. I'm not.....

32
33 CHAIRMAN O'HARA: Whoa, there it goes. Sorry. It went
34 too far.

35
36 MR. BOSKOFISKY: And it goes into Becharof.

37
38 MR. ABRAHAM: That's that map, the one on the wall over
39 there?

40
41 CHAIRMAN O'HARA: Uh-hum.

42
43 MR. BOYD: The lower portion of the Naknek River would
44 not be included.

45
46 CHAIRMAN O'HARA: That would be State?

47
48 MR. BOYD: Yeah. And there's -- yeah, that's right.

49

CHAIRMAN O'HARA: Like the Branch, the Alagnak.

00142

1 MR. BOYD: Yeah, the wild and scenic river, Alagnak,
2 would be included.

3
4 CHAIRMAN O'HARA: That would be included. Okay. Okay.
5 Well, thank you very much, Tom. If there's no further
6 questions? Well, Helga, I think we are going to retire for the
7 night after that explanation, and thank you very much for being
8 here today. Nine o'clock tomorrow morning. We'll recess until
9 then.

10
11 (Off record - 9:00 p.m.)

12
13 (Meeting recessed)

14
15 *****
16 (END OF DAY'S PROCEEDINGS)
17 *****
18