

**BRISTOL BAY SUBSISTENCE REGIONAL ADVISORY COUNCIL  
PUBLIC MEETING**

February 24, 1994  
Dillingham City Hall  
Dillingham, Alaska

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COUNCIL MEMBERS PRESENT:

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

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P R O C E E D I N G S

1 MR. O'HARA: Okay. Dave, we're ready for you this morning. Excuse me. Helga, did you have any announcement to be made this morning or anything?

3 MS. EAKON: Just those of you at the hotel, remember, before you leave, I do need your receipts. I'm going to get chewed up and down all over if I don't have your receipts, okay, and your signed forms.

5

MR. O'HARA: What are the signed forms?

6

MS. EAKON: Item 13 of your voucher, and then fill out your itinerary. Just the ones who travel.

8 MR. O'HARA: Okay. Do we have them with us?

9 MS. EAKON: Yeah.

10 MR. O'HARA: Okay.

11 MS. EAKON: They're in your pile.

12 MR. O'HARA: Okay. All right. For the audience this morning, we're on Proposal Number 40. We'll do a report by the biologist and, apparently, this morning we have a Refugee refugee here with us, too, then we'll have the anthropologist, and then we'll have Moses, public hearing. Number 40, ready to go, huh? Okay. You're on.

15

MR. FISHER: I believe we're on 41, aren't we?  
16 Chairman?

17 MR. O'HARA: No -- yeah, you're right 41. Okay.

18 MR. FISHER: Yes. 41 was submitted by the Bristol Bay Native Association, and there's two issues here that we should be concerned with. The first issue deals with that area north of the Naknek River, and the proposal there is to change from antlered bull to bull, and change the fall season from September 1 through 15 to August 10 through September 15, and to change the winter season from December 1 to 31 to December 1 through January 31, and add a State registration permit for the period of August 20 through August 31 and identify distribution points for the permits.

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The second issue deals with that area south of the Naknek river, and the proposal there is to change the fall season from September 1 to 15 to August 1 through

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September 15th; change the winter season from December 1 to 31 to December 1 through January 31; add a State registration permit for that period, August 20 through 31, and identify distribution points for the permits.

3           What I'd like to do is just separate these two issues, and, first, address that area north of the Naknek River. We talked about that a little bit yesterday in Proposal Number 40, and then I'll get into that in just a second. And then for that second issue, that area south of the Naknek River, I'd like to ask Ron Hood to address the moose biology there, because he is familiar with that.

7           If you'll recall yesterday, that area there north of the Naknek River, there really isn't a lot of Federal land there, most of it is BLM land, and that has shrunk considerably. I think we're talking about a little over two percent of the total acreage there is BLM land, and there isn't a lot of good moose habitat on there, and there aren't a lot of animals taken from those BLM lands.

11          The population there in that area north has been fairly stable over the last four to five years. And the bull/cow ratios average from 38 to 39 bulls per 100 cows from 1989 to 1992, which indicates a fairly stable population. Cow/calf ratios have gone from a low of 9 calves to 100 cows in 1989 to a high of 32 calves per cow in 1992. So that indicates, too, that the population is stable.

15          That's all I have on the north here. I'd like to have Mr. Hood address that area south of the Naknek River.

16

MR. O'HARA: Okay. Ron.

17

MR. HOOD: Ronald Hood, Refuge Manager for the Alaska Peninsula Becharof National Wildlife Refuges.

19          Mr. Chairman, back in I think it was 1991, the State of Alaska, ADF&G, saw the number of car- -- of moose, rather, on the King Salmon Creek decrease, and so they stopped a cow season that they had on that drainage. Included in that cow season, what happened to be the Big Creek area of -- on Becharof Refuge, that's basically, if you look at this map on the right, the area that's in red at the top on the thing. At the very top of the map, Dan. No, further up.

23

MR. O'HARA: Yeah, right here.

24

MR. HOOD: Right at the top, yeah.

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1 MR. O'HARA: That red cross section there?

2 MR. HOOD: Actually, the whole Unit 9(C).

3 MR. O'HARA: The whole. Okay, this whole thing?

4 MR. HOOD: The whole thing. But the chief access point  
into that is Big Creek.

5 MR. O'HARA: Yeah.

6 MR. HOOD: That piece of land that is in darker red up  
there at the very top is Native selected lands, selected by the  
Alaska Peninsula Corporation. And one point we do need to  
make, that those are not Federal lands, they're subject to  
State regulations, not to Federal regulations. But anyway,  
when they ceased that cow season out there by permits, we saw  
an opportunity to implement a cow antlerless season, hopefully,  
to select bulls rather than cows. But we saw an opportunity to  
slip in there and give the local subsistence users an  
opportunity to take a moose.

12 And so at that time, we proposed, and it was  
implemented on the first go-round on the Federal season, a  
antlerless moose season for the month of December; that would  
run -- it runs from the 1st of December to the 31st of  
December. One of the things that the Board needs to keep in  
mind is that area is accessed on the ice on Big Creek when it's  
frozen. And we all -- all of us that have lived in that area  
for any time, recognize that access of Big Creek in December,  
sometimes you have it, sometimes you do not have it. We  
theorized, at the time, that the mountains along the  
Katmai/Becharof Refuge boundary contained a large number of  
moose that moved down into the Big Creek area and offered us an  
opportunity to take moose in that December season.

19 This past year, we have been trying -- primarily  
because of this proposal, we've been trying to keep up with the  
dynamics of what's going on in that season. And we ran surveys  
in November and December and into January, trying to keep up  
with the movements of those animals. We found that in November  
and early December, in the huntable portion along Big Creek,  
where most of the local folks are hunting, we found, basically,  
no caribou -- I mean, no moose available in that area; they had  
not moved in yet. But as most of you living in the area  
remember, about mid-December, we got some good, heavy snows,  
especially in the mountains up there, and the -- in our survey  
in late December, we found a significant number of moose have

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moved into that area and were -- would have been available had people been able to access up the river. This year, the whole month of December was unusually warm, and the river never froze so where they could be accessed.

3 We continued our surveys into December -- into January, and found that a slight number of those car- -- of moose -- I don't know why I want to keep calling them caribou but I got caribou on the brain, I think, for later on -- a slight number of those animals moved out in January. And so they're moving in -- it clearly demonstrates that they're moving in and out. We also saw what we all know out there is the further we went into January, the fewer antlered animals were available. And by the end of the month, only those young bulls, paddle horns and things, still had antlers.

8

I have a paper with figures, if someone needs to look at exact figures, on the thing that Donna put together for us, my biologist Donna Dewhurst put together for us, finished just this last Monday on things. So basically, that's the history of what has gone on out there. And we feel -- the Refuge position on the matter is we feel that there is a small, harvestable amount of antlerless animals, and we prefer that bulls be taken of course, but there are a small amount, primarily because of the surplus of animals -- or of the animals that are coming out of the un hunted population in the park.

14

We do not feel like -- or do not favor the extension of a season into January 31st, especially if it's -- it does not have any kind of limits on it. We feel like that that would definitely overhunt that population. I guess we're open to specific questions at this point.

17

MR. O'HARA: Any questions of Ron this morning? I have the Ron. In this area you're talking about from -- is it only going to include this red area or does it include the whole Refuge?

20 MR. HOOD: No, it only includes the red area.

21 MR. O'HARA: Just this red area for the December hunt, huh?

22

MR. HOOD: That's correct.

23

MR. O'HARA: Okay.

24

MR. HOOD: Now, let me back up on that. There is a

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December hunt in Unit 9(E), which is the rest of that area, that's correct, except that it's not being discussed at this point.

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MR. O'HARA: Okay. That's not the issue that's on this proposal?

4

MR. HOOD: That's correct.

5

MR. O'HARA: And this is under State regulation up here?

6

MR. HOOD: That's correct.

7

MR. O'HARA: Yeah. We've had a lot of misunderstanding on Naknek on that.

9

MR. HOOD: Right.

10

MR. O'HARA: And it needs to be understood that that is not your problem, that's somebody else's problem, the State of Alaska's problem.

12

MR. HOOD: Yeah. We did have a Fed- -- we do have a Federal permit system whereby our office was issuing the permits -- unlimited number of permits for the antlerless season on Big Creek.

14

MR. O'HARA: Okay. Any other questions on the -- so that takes care of the north and south, huh, Dave?

16

MR. FISHER: I just have one minor item here.

17

MR. O'HARA: Okay.

18

MR. FISHER: And that's a Staff concern there on the area for the north. We, the Staff, would recommend that we drop that Federal permit system and go with a State permit, 'cause -- due to the limited amount of Federal lands, and maintain the current seasons there in the north area, and I think Ron covered the south area.

21

MR. O'HARA: Any questions from the Panel for Dave or Ron? Yeah.

23

MR. HEYANO: Just one question. The Federal permit, you just issued five permits?

24

MR. HOOD: No. We issued an unlimited number. Our --

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we hope to be able to shut it down once five antlerless animals are taken, to antlerless hunting only. You know, if the antlered bulls are out there, they're still available.

2

MR. HEYANO: Okay. So once the permits come back and you've totaled five antlered moose, then that season is closed?

4

MR. HOOD: Right. We don't have quite as easy of way of stopping the season as the State does by issuing Emergency Orders. We have to go up and get the Board to issue the order, but we do have the mechanism in place.

6

MR. HEYANO: Thank you.

7

MR. O'HARA: Thank you, gentlemen.

8

MR. STEPANOFF: I have one question.

9

MR. O'HARA: Excuse me, we have one more question here.

10

MR. STEPANOFF: Yeah. What happens to like not -- like caribou are being tagged and then if you get one of those, you got to report it or .....

12

MR. HOOD: If you happen to get an animal that has a collar on it or a tag on it, if it's a collar put on by ADF&G, they request that you return that collar into them 'cause it's worth money to them and the information that the animal has been taken is needed on the thing. If the animal is edible, and there's no problem with shooting one, is the only thing, they just request that the animal be turned back -- the collar be turned back in.

MR. O'HARA: Are you talking about the -- what kind of tags are you talking about, Sam?

18

MR. STEPANOFF: They're -- they got a tag around their collar.

MR. O'HARA: Yeah, that's the one. Okay. Good.

MR. HOOD: Yeah.

MR. O'HARA: Yeah. Good, thank you. Anything else? Thank you, gentlemen. And Taylor.

23

MR. BRELSFORD: Good morning. I'm Taylor Brelsford, Fish & Wildlife Service. Let me just cut to a couple of real direct issues here. I think on the north side of the Naknek

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River, we've understood in previous proposals and again in this one, that there is so little Federal land that a Federal season, a Federal management strategy in that area is really impractical. And I'd like to kind of leave that aside and, instead, turn attention to the south side of the Naknek River.

3

I believe that the intention of the proposal is really to provide greater flexibility for the subsistence users by starting the season earlier and by extending it later. And so the question, in reference to traditional practices, is whether there was a traditional season of harvest activity that would have started earlier and extended later.

7 The literature available for the Bristol Bay Borough communities, a Subsistence Division study in the early 1980s, actually didn't document -- didn't provide much information about earlier seasons or later extensions. The question of traditional harvest periods was not treated at any length in that earlier study.

10

So I think it would be helpful for the Board -- the Federal Subsistence Board to know from you guys, who are more familiar with the area, any additional information, any rationale for changing the season as a matter of consistency with traditional periods of harvest activity. That bit of information is really not present in the document -- in the literature so far, and it would be helpful if we could put more on the record in order to support the proposal. The Board will ask that question, and it would have to come from public testimony or from the Council at this point.

16 Having said that, I think the real heart of the matter in that southern area is it's we're in a tough conservation circumstance; there's a limit, a very small number of animals, in the winter available for harvest. And the request for a longer season has to be, kind of, carefully balanced against the need not to overharvest. And I think that if you read through the Summary, you'll see some discussion about land status, and the risk -- the potential risk of increasing harvest; inadvertent, accidental take of cows as you move later and later into the winter, from December 31st into January. That's a consideration that's been raised a lot.

22 We have heard testimony in many parts of the state that experienced hunters are very capable of identifying antlerless bulls and distinguishing them from cows and, therefore, focusing the harvest activity even into that later season. So I think the Board has adopted that view, and they've been sympathetic to that view in other circumstances. And if

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everything else lines up, I think there's a potential that a longer season would be permissible, as long as it's carefully controlled.

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And that, then, comes to the question that you raised, Robert, the present Federal permitting system is one where an unlimited number of permits are allowed out, and everybody's supposed to report back very quickly, and when five have been taken, the season would close. Now, what we're suggesting in the Staff Conclusions is that if the season's going to be extended, if greater flexibility is going to be extended in the season, maybe one of the ways to keep a handle on this would be to issue just five permits. The actual number, the total allocation would be equal to the number of permits let out, and that way, the managers are not scrambling to keep track of who takes what. There are only five permits out, we can allow a longer harvest period because there's not a lot of hunters out there, there are only the few that have the permits.

10 So our suggestion is that in order to accommodate more flexibility in that winter opening, allow it to run into January, the trade-off might be a more carefully controlled permit system in which only five permits would actually be let out. So that was the conclusion of the analysis that we conducted.

13

If there are any other questions, I'd be happy to answer those.

15 MR. O'HARA: Questions, anybody? Robert.

16 MR. BRELSFORD: Yes.

17 MR. HEYANO: Have you had any feedback from the subsistence users in that area, how they would react to allowing five permits for five individuals rather than the current system where, actually, from what I understand, everybody's eligible to take one? It's basically a first come, first serve basis; this other way, you can only select five individual users.

21 MR. BRELSFORD: We have not had any specific consultation with the communities about that to date, and that is, certainly, a trade-off.

23 MR. O'HARA: Thank you, Taylor. Moses.

24 MR. DIRKS: On the public comment for Proposal 41, we had three support and two in objection.

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1 MR. O'HARA: Two objections?

2 MR. DIRKS: Um-hum.

3 MR. O'HARA: Two opposed?

4 MR. DIRKS: Two opposed, yeah. In support of Proposal 41 was Bristol Bay Native Association, they were in support of the moose hunt in January, and feel that August is the best time for a moose hunt, and there should be a separate subsistence moose hunt in August and then have a sports hunt later on. And the Alaska Bowhunters Association and also the Golden North Archery Association supports adopting the Alaska Department of Fish & Game regulatory regime for all moose hunting in this area.

9 And in objection to Proposal 41, Alaska Department of Fish & Game. The proposed regulation would lead to overharvest. The regulation should not -- should be maintained as a federally permitted hunt, in which case, the earlier opening date would probably not be a threat. The Federal Subsistence Board has no authority to mandate a State registration permit hunt.

13 And also opposed was the National Park Service. Without additional biological safeguards, regulations governing the taking of moose in the subject portion of Unit 9(E) are not directly applicable to Katmai National Park as the park is closed to subsistence uses. And they also felt it necessary to have a registration permit system in place for federally qualified hunters on Federal public lands, and the reasons should be expressed to the Federal Subsistence Board for establishing a Federal registration permit requirement.

18 And that concludes the public comments.

19 MR. O'HARA: Okay. Any questions for Moses? Thank you, Moses. We'd like to have, at this time, public testimony on this Proposal 41. Public comment.

21 MR. KRIEG: Ted Krieg, Bristol Bay Native Association, Natural Resources Department. This proposal came about from -- mainly from the King Salmon Village Council, also South Naknek and the Naknek Village Council, expressing needs for more -- you know, more moose hunting time, maybe a little more liberal seasons.

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25 I guess one of the things that I noticed in some of my

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notes here as Taylor was making some comments, I -- to answer one -- sort of answer one of his questions. One of the people that I talked to in Naknek said that in the late '50s and early '60s, you could always get a moose in August. And I -- you know, I think that he meant that there was a season at that time. Another reason for the August hunt was, this same person said, that sometimes later in August, the moose are already starting to go into rut. And if you started the season sooner, the subsistence hunter could avoid, you know, getting a rut moose.

6 Another reason for starting the moose season August 10th, and I think that's stated in the proposal also, was that it would align it with the start of the caribou season. Some people expressed concerns that the caribou season started August 10th, and people were out hunting and that, you know, kind of displaced the moose and that they were harder to get.

10 Let's see, also, the State registration permit in this area would be similar to what's now in effect in Unit 17(C), which is the Dillingham area. And it was felt that the registration permit would somewhat restrict non-subsistence hunting, and then there would be additional -- there would be no additional impacts on the moose population by the increased subsistence hunting.

14 Any questions?

15 MR. O'HARA: Okay. Any questions of Ted? Okay. Yeah, Robert.

16

MR. HEYANO: It looks like they're asking to increase the season here, if I understand the proposal right and my math is correct, by 50 days, and they don't think that's going to increase the harvest of moose any? Did I hear you correctly?

19 MR. KRIEG: That's the basic -- yeah. That was the basic feeling as -- you know, as expressed by, .....

20

MR. HEYANO: Um-hum.

21

MR. KRIEG: ..... you know, the people that I talked to.

23 MR. O'HARA: Pass those around.

24 MR. KRIEG: Any other questions?

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MR. O'HARA: Yeah. I don't have any more questions of you, but undoubtedly, we will probably, as we discuss this, like to ask you some more since you have three Councils represented here. Russell, did you have any .....

3 MR. NELSON: No, I sure didn't.

4 MR. O'HARA: Ted covered it all. Yes, Susan, would you like to talk to us?

5

MS. SAVAGE: Susan Savage of the National Park Service. I just have a brief comment with regard to the December hunt. The National Park Service -- as you may be aware, Katmai National Park is under a slightly different mandate than other Federal lands. And our mandate is to manage for natural and healthy populations; natural being somewhat different than the other Federal lands which are mandated to manage for just healthy populations. And we are slightly concerned about the antlerless moose hunt during this period because of our concern that the animals are coming down from the National Park into the area where they will be hunted.

11

So we will continue to monitor, with the Refuge and keep an eye on this, the progress of this hunt and the harvest and the population. So I just wanted you to know what our concern was there.

14 MR. O'HARA: What -- you said you're concerned with the time of this hunt, what is that?

15

MS. SAVAGE: It's mostly with the antlerless phase of 16, the .....

17 MR. O'HARA: December or the January date?

18 MS. SAVAGE: The December -- well, and if it's extended, through the January period also.

19

MR. O'HARA: Um-hum. Okay, good. Thank you.

20

MR. HEYANO: One question, Mr. Chairman.

21

MR. O'HARA: Okay, Susan, we got a question here.

22

MR. HEYANO: Can you explain to me the -- what's a natural and healthy population and a healthy population?

24 MS. SAVAGE: We wish we could. We -- .....

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MR. O'HARA: One more level.

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MS. SAVAGE: . . . . we have not really had that well defined for us, and these words were defined during ANILCA, 14 years ago. And the Federal Government, as you know, has only taken over management, really, of their populations in the last several years, and we haven't really come up with a good definition. But we feel it's one that has -- is not particularly influenced by consumptive uses, it's generally one that would be there without consumptive uses by humans.

6 MR. O'HARA: That sounds like a real Park Service definition.

7

MS. SAVAGE: Yeah.

8

MR. O'HARA: Let that animal die there and don't ever touch it. But that's okay, I guess that's why we have parks.

10 MS. SAVAGE: Well, it's a different way of looking at things, so . . . .

11

MR. O'HARA: Thank you, Susan.

12

MR. HEYANO: You don't need any help in writing a definition do you?

14 MS. SAVAGE: We might.

15 MR. HEYANO: Thank you.

16 MR. O'HARA: Put it out for public review. Thank you, Susan. Any other public testimony? Yes, Ron.

17

MR. HOOD: I'd like to -- on redress here. ~~MS.~~ Chairman, I was focused on the December hunt and, frankly, I'd overlooked the request for the August 10th opening. I'd like to add a little more information.

20 From our surveys in that area, in the subsistence area -- well, the first thing, the access in the fall hunt, there's two ways to access the Refuge. The first one is up Big Creek, and the only way to access the Federal lands is by jet boat; the second is by aircraft. In the fall season, the moose in that area are -- there are a few moose on Big Creek, but most of those are south in the State managed area; they're not in the upper ends of the -- of Big Creek. There are a few up there, but I would guess that there are less than -- or I would estimate that there are less than 20 moose available on Big

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Creek in the area that people can get to by jet boat at that time. And then there are moose available around Granite Peaks and up around the mountains to the north of there, I think they call those the Brooks Hills on the Refuge side of the line. And you -- a person hunting in that area has to be very aware of the -- where the Katmai Park Refuge boundaries are to make sure they're not over into the better moose hunting country in the park on the thing.

5 And there are a -- there is a fair number of bulls available in that area; from our surveys, I would estimate in that 30 to 40 bulls are likely to be available in that area at that time. But again, there -- those are only accessed by aircraft, and the float plane access primarily. And there, the better hunting is two miles, three miles away from those access points on the thing.

9 Thank you. That's what I wanted to add.

10 MR. O'HARA: Okay. Any questions on Ron on that?

11 MR. SAMUELSEN: I don't have a question for Ron -- maybe Ron can answer it. But under the discussion here on Proposal 41, Page 55, the last sentence here: For the period of 1973 to '83, in Unit 9(C), local residents were successful in taking approximately 50% of the total harvest in the subunit. From 1983 to 1993, do we have that number? Has there been a shift in who's harvesting (indiscernible - loud background noise)?

15

MR. HOOD: I have that number, but unfortunately, I did not bring it with me. I was -- I'm learning, and I can't speak to it at this moment on the thing. But we did analyze that data and do have it, I just failed to bring it with me, so it's my problem.

18

MR. SAMUELSEN: Yeah. Has there been a shift in numbers, .....

20 MR. HOOD: The .....

21 MR. SAMUELSEN: ..... can you recall off the top of your head without .....

22

MR. HOOD: There has been a great increase in the number of military hunters in that area, and I would speculate that there has been a shift from the non-subsistence over into the people coming in and using the military base. Frankly, that one dies in -- on October 1st of this year, the Air Force

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is moving out; Air National Guard is moving in, an unknown quantity, we don't know what that means.

2 MR. SAMUELSEN: Okay. Well, I think on Proposal 41, Mr. Chairman and Council Members, is that is what Ron said is the heart of the problem, is that the military moving in, they've got four-wheelers there.

4

About a month and a half ago, I got a call at -- or a month ago, they videotaped four caribou being shot off the side of the road and just the heads taken off. And constantly about the military. When I was over there last year, I witnessed it my- -- I drove up and sat up there for an afternoon and witnessed the hunting pressure up there by these folks flying (ph) in.

8

And I think this is what the subsistence users are trying to address here. They don't have a reasonable opportunity. By the time the season rolls around, the caribou hunters, through the use of four-wheelers and three-wheelers, have pushed the moose up into Branch River during the caribou season. And so the season opens, and I got a short window of opportunity, and there's no animals where they've historically hunted before.

13 MR. HOOD: I would point out that last season -- the last two seasons, you know, since our hunt has been implemented in December, the hunt has been closed to non-residents.

15 MR. O'HARA: Yeah, the December hunt is a resident hunt.

16

MR. HOOD: That's correct.

17

MR. O'HARA: Yeah.

18

MR. HOOD: I also would point out that in the last two years, we've only taken one bull moose -- one antlerless bull moose in that area because of the access problems of Big Creek.

20

MR. O'HARA: The Big Creek area. Um-hum.

21

MR. SAMUELSEN: Based -- .....

22

MR. O'HARA: Go ahead.

23

MR. SAMUELSEN: ..... based on the numbers that Staff has presented here, it seems like in both north and south we have a limited amount of moose, and the cow/bull ratio could

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get out of whack and really hurt the resource.

1

MR. HOOD: Yeah. That's what both the ADF&G and the Park Service have been concerned about, and we're trying to manage and watch closely.

3

MR. SAMUELSEN: With the -- all the rural residents in (A), (B), and (C) and (E) having customary and traditional use determinations for moose, should we not be looking at a Tier 2 hunt if the resources are getting that low, .....

6

MR. O'HARA: Tell us about -- .....

7

MR. SAMUELSEN: ..... to the local residents?

8

MR. O'HARA: ..... tell us about a Tier 2 hunt.

9

MR. HOOD: It's a State hunt. It's a State designation, and I can't speak to that part of it.

10

MR. O'HARA: Taylor.

11

MR. BRELSFORD: Yeah.

12

UNIDENTIFIED VOICE: Mr. Chairman.

13

MR. O'HARA: Um-hum.

14

MR. BRELSFORD: Mr. Chairman, the term Tier 2 comes from the State Program, that's true. There were very -- the situation is ANILCA provides if -- that once you've taken non-subsistence users off of a resource, if there's not enough, for some reason, for all the subsistence users to hunt, then you go to what's called Tier 2, and a more restricted selection among subsistence users is made. In the Nelchina Basin, for example, this was done in reference to caribou at one point. And there were individual per- -- individual applications, and you were ranked, and a certain number of people qualified for these limited Tier 2 subsistence permits. The Federal program has the same statutory provision. We have not yet instituted any Tier 2 or -- we, in the Federal program, tend to use the term Section 804 permits, but it's the same idea.

22

And Robin's question is in this case, if there's a big subsistence user pool, a large, qualified group for subsistence uses, and a very small resource, why aren't we moving to this more restricted subsistence hunt of Section 804 or a Tier 2 hunt. And the answer is that we could, indeed, do that. I think the approach here has been to try and maximize the

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flexibility locally. And the question before the Council and the Board right now is how to balance some flexibility with a very serious resource concern.

2

So the alternative that's before you right now would be a very limited Federal permit, but we -- the Council is certainly within its powers to recommend that it be done by individual applications in the Tier 2 or Section 804 procedure.

5 MR. O'HARA: Okay. Come on up, Susan.

6 MS. SAVAGE: Taylor, before you went to a Section 804, wouldn't you -- this is a question for Taylor; Susan Savage. Before you went to an 804 permitting system, wouldn't you want to close non-subsistence uses?

8

MR. BRELSFORD: That's presently the case in a December opening.

10 MS. SAVAGE: Okay.

11 MR. BRELSFORD: It's closed to non-qualified Federal subsistence users in the December opening.

12

MS. SAVAGE: In the December but not in the August?

13

MR. BRELSFORD: That's correct. And arguably, we could close the August -- the fall opening as well and, perhaps, proceed with a Tier 2 or a very selective permitting process in the fall as well as the winter. The basic conditions are already in place for that winter opening, it's a matter of choosing a strategy that is the most appropriate one. In the fall, that would also be an option, if the Council thought that was the best way to go.

18 MR. O'HARA: Yeah, Robin.

19 MR. SAMUELSEN: Well, it looks like our hands are tied. I don't think -- nobody on this Council wants to hurt theoose populations and get the cow/bull ratio skewed to where we're going to have a collapse, but I see we're in a Catch-22 situation here. We cannot -- we can't accommodate the subsistence users because we don't have the resource to, we don't have the resource to extend the season, either a earlier hunt -- at least I -- this is the way I see it -- or a later hunt, and then we got sport hunters. So the only other option that I could see is going to the Section 804, or at least do an analysis and letting this Council look at it to see if that is our logical choice.

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1 MR. O'HARA: I would -- Larry, come on up, if you'd  
like to.

2

MR. VAN DAELE: Larry Van Daele, Fish & Game.

3

MR. O'HARA: You need to come up and talk.

4

MR. VAN DAELE: Okay.

5

MR. O'HARA: We got to get a voice recording on that  
microphone there, it's not a matter of the PA system.

7 MR. VAN DAELE: One other option, Robin, if you do go  
to a registration hunt, as has been suggested, you can go with  
our Emergency Order authority. One of the reasons we go to  
registration hunts is we identify the harvestable surplus.  
With the short reporting time, the five day reporting time, as  
we approach that harvestable surplus, then we start the  
Emergency Order procedures. That's one step below your  
Section 804, Tier 2 or whatever you want to call it.

11

And it seems like Ron has good data. I was telling him  
in the back there, this is one of the few proposals you've  
looked at in the last three days that you actually have data to  
work with, and they have a pretty good handle on what goes on.

I suspect that he with Dick Sellers and the other biologists  
could identify that and could track the harvest. What it may  
mean, for instance, in the case of Unit 17, when we have our  
registration hunt, it may mean you have to sacrifice the winter  
hunt.

16

MR. O'HARA: You mean December?

17

MR. VAN DAELE: You'll get that early hunt.

18

MR. O'HARA: The December hunt?

19

MR. VAN DAELE: The December hunt, yeah. Is that what  
you said?

21

MR. O'HARA: Yeah.

22

MR. VAN DAELE: The later hunt, whatever. That's your  
fall-back position. If you kill too many in the early season,  
then you have to sacrifice that winter season, but it's a  
safety valve.

24

MR. O'HARA: Well, I think, you know, we're going to

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ask some questions here of Larry and Ron. And this is probably one of the most watched hunts probably in the State of Alaska, because on a daily basis, Dick Sellers knows exactly what's being taken. And -- but I see nothing wrong with an August 20th hunt in the Big Creek area. For one thing, there's probably very little moose in there; the only people that are going to be going up there are going to be your local people going up in there at that time. And the bulls are still -- especially the bulls are still way up; and it's only a bull season at that time, it's not -- it's an antler season, it's not a cow. The bulls are still way up in the hills, it's really too warm for them. Now, there may be a few small ones, now and then, that pass through the area.

7

You may get an occasional moose along with your caribou hunt, but I don't think it should be August 20th -- 10th. I wouldn't vote for that. I would vote for an August -- you can do an August 20th hunt down in that area, I'm pretty sure, and since we do it over on the Nushagak side. And we want to keep the December hunt, though, 'cause a lot of local people get that moose in December.

11

If you go into January with a moose hunt, we're going to get a lot of animals, 'cause we have access to snowmachines. And we do go from Naknek into the Branch with snowmachines in December and up into the Levelock area, locals, you know. The guys -- I don't know if the South Naknek people do it or not because the river's not frozen. But a lot of animals are taken in the Branch River area, the Alagnak (ph) area. And they're very carefully watched, too, they're reported. But we do need that December hunt.

16

Yeah.

17

MR. SAMUELSEN: Did you notice -- with the All-Alaskans being subsistence users and the registration hunt in the Nushagak/Dillingham area, did you notice an increase -- a dramatic increase in the number of permits issued this year, Larry?

20

MR. VAN DAELE: No, not really. And the reason for that is we have kind of a unique situation here with regard to our registration hunt. Most of our harvest in 17 occurs Upper Nushagak, Upper Mulchatna; people access that area from Anchorage. Our permits are only issued in Dillingham. Consequently, very few non-local people are willing to pay the \$400.00 to fly from Anchorage to Dillingham and back to Anchorage to initiate their hunt. Roughly 80 to 95% of our registration permits the last three years have to been to local

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people, and that's the reason for that.

1

Naknek, King Salmon, it's a different situation. People initiate their hunts from King Salmon, and they're hunting right in your backyard there in Big Creek. That's the reason the State has been opposed to this August 20th opening by registration hunt in the King Salmon area, because you don't have that geographic safety valve that we have here in Dillingham.

5

There's another thing to consider with this Federal hunt is you probably will not get the State Board to go along with an August 20th registration hunt. So you're going to be pushing all of your early season pressure into a limited Federal land basis. You're going to be putting your guys that want to go out there early get the pre-rut bulls into that small chunk of country that you described up on the map there.

9

MR. O'HARA: That's okay. You don't go very far anyway, you're right in the Park.

11 MR. VAN DAELE: Okay. Well, I just -- you know, I'm not criticizing, .....

12

MR. O'HARA: Yeah, I know. You're .....

13

MR. VAN DAELE: ..... I'm just highlighting ideas for you.

15 MR. O'HARA: No, you're just telling us the facts. Yeah, you bet.

16

MR. VAN DAELE: Robin?

17

MR. SAMUELSEN: If I was a military guy from Fairbanks flying down to King Salmon to go caribou hunting, if we adopted the August 20th moose hunting season, then I could get a permit or whatever to hunt in the August 20th? No?

20 MR. HOOD: Not if it was a Federal subsistence hunt.

21 MR. SAMUELSEN: Not in the Federal.

22 MR. HOOD: 'Cause they are not eligible for that area.

23 MR. SAMUELSEN: Okay.

24 MR. O'HARA: It would only be the Federal area we're talking about, 'cause the State of Alaska will do something

25

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different, I think, Robin.

1

Now, let's talk about the December hunt. You don't get a lot of non-residents hunting the December hunt in the King Salmon drainage, unless I'm wrong. People from Anchorage don't come down there to get a permit to go out, but they might in the August hunt, maybe.

4

MR. HOOD: Dan, I'm going to have to take -- pardon me.

5

MR. VAN DAELE: Well -- go ahead. Go right ahead.

6

MR. HOOD: Dan, I would take exception with you. I have observed a major increase in non-local hunters taking advantage of a December hunt for moose up King Salmon Creek.

8

MR. O'HARA: People coming in from Anchorage?

9

MR. HOOD: Coming in from Anchorage, primarily.

10

MR. O'HARA: Yeah.

11

MR. VAN DAELE: But again, if you're talking a Federal hunt, the C&T determination for moose there is just Unit 9 residents, right, the northern part of Unit 9.

13

MR. O'HARA: But there's so little Federal land, it doesn't make any difference.

15

MR. VAN DAELE: Yeah.

16

MR. HOOD: Yeah. You can't hardly -- you can't find it.

17

MR. O'HARA: You'd have to chase it with an airplane into Federal land to shoot them.

19

MR. SAMUELSEN: Well, I'm kind of in a quandary, you know.

20

MR. O'HARA: Yeah. Well, I would support the August 20th hunt. I'm not going to go back all the way to August 10th, that's just -- that's too early in the season for me.

23

MR. SAMUELSEN: Well, I think I could support the August 20th hunt, too, but, it still -- .....

24

MR. O'HARA: In the south (ph).

25

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1 MR. SAMUELSEN: ..... it still doesn't solve the  
 problem. I think that maybe we ought to have a Council  
 generated proposal or a directive to Staff to come back with  
 analysis next year in this particular area and give us the  
 different options. We've got a resource that is fragile, at  
 best. We've got a group of people that have customary and  
 traditional determinations for moose that are not meeting their  
 needs, or they are so stating they're not meeting their needs.  
 5 So we either got to go to a Tier 2, Section 804 type  
 situation, review that and see if that fits the criteria, or  
 whatever. I sure -- surely don't want to go into January,  
 also.

7

MR. O'HARA: No, no. You got a bigger population  
 that's there. Along that same line, you know, we've taken some  
 real serious -- we -- the Bristol Bay Native Corporation Board  
 passed a resolution against the military using their vehicles  
 and hunting in this area. And the U.S. delegation has been  
 provided with the video and all those things, and we're all out  
 war on. And I really oppose the Air Guard coming in there or  
 anybody else coming in, they can all leave King Salmon, that  
 military bunch, as far as I'm concerned. We'll fight our own  
 wars. The Tlingit is not going to take away my gun. It's a  
 joke.

13

MR. HEYANO: Mr. Chairman.

14

MR. O'HARA: Yeah.

15

MR. HEYANO: I got a question, is why is that resource  
 such a serious concern today, on that moose population?

17

MR. O'HARA: There's a lot of animals there.

18

MR. HOOD: I am not understanding your question, I  
 don't think.

19

MR. HEYANO: Well, are we in a situation where the  
 harvest has gotten so high that the resource is going down or  
 is it something that the resource is declining?

21

MR. HOOD: We have a limited resource that we do not  
 want to just -- we need to watch very carefully. It's historic  
 -- I'm having a problem digging out the words that I need for  
 this. But historically, that population crashed in the '70s.  
 And I think Susan addressed this quite eloquently earlier for  
 the whole peninsula, she was talking about Aniakchak, I think,  
 at that time, where there was a large increase. I believe it  
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was in the '70s, the State found an overpopulation; they went in and had an effort to take -- to reduce that population.

2           They were very successful and reduced it way down to a point where it has not recovered, because at the same time, they have made a decision to make the Alaska Peninsula a brown bear -- to emphasize brown bear on the Alaska Peninsula. Brown bear predate (ph) on moose calves, that keeps the population down on the thing. And so you have a lower population there than if you did not have any predators feeding on them. And it is not going to come back up. You cannot reduce the bear population down to a low enough level, without really causing a war, to bring the moose populations back up to what the habitat can handle at this point.

8           MR. O'HARA: And we don't want to hurt the bear population, you know. There's no sense hurting one resource to take care of another. We've just got to work through that problem. Yeah.

10

          MR. HEYANO: Well, I guess, you know, and I guess that's the other thing, you know, is that we obviously have habitat that can handle a lot more moose, you know, and we're hearing from the people in those communities that there isn't enough moose to go around. We're looking at, you know, a Tier 2 type hunt, you know, God forbid.

14           The other thing I said is why don't we work to increase the moose populations?

15

          MR. O'HARA: How do we do that? Kill the bears?

16

          MR. HEYANO: Well, there's got to be a little bit of a happy medium here someplace, you know. I mean, it doesn't -- to me, it doesn't make much sense to go to a Tier 2 hunt if we're not going to take care of the resource problem.

19           MR. HOOD: We have reached a stable population out there.

20

          MR. HEYANO: But .....

21

          MR. HOOD: And that's what -- it's lower than some people might desire, you know.

23           MR. HEYANO: But apparently in this area, it's a lot lower than what the needs are and what the habitat can carry.

24

          MR. HOOD: Agreed.

25

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1 MR. O'HARA: Well, you know, you got a problem in that  
the Nushagak, for instance, you know, you think of the animals  
being taken in Dillingham, there are no animals taken at  
Dillingham because there are no animals. You got to up the  
Nushagak to get the animals. Maybe there are animals around  
here that you get. But like when we leave our backyard in King  
Salmon, the animals are right there. Susan is growing them in  
the Park, they're walking across the Park boundary. So they're  
right there with the population.

6 And I would think -- you know, when I think of you  
people getting a moose, everybody goes to Nushagak and spends a  
week or maybe 10 days and there's animals around, and that's a  
different situation than we're involved in. With four-wheel  
drive military trucks driving everywhere, and they have skiffs  
going everywhere, and you see three or four guys and their guns  
and a four-wheel drive military rig going up Moose Ridge and  
King Salmon Creek and driving up to Big Creek when it's frozen,  
there's just no possible way that you're going to be able to  
handle that resource with that kind of pressure on it. It's  
just right there in our yard. If 10,000 caribou walked into  
Naknek (indiscernible) -- which is fine.

12

But right now, I think the best thing is the State of  
Alaska is handling the problem. But us local people, we're not  
getting the animals we need, you know. And we're going to have  
to discriminate some in order to do that or go to the Tier 2  
system like you talked about.

15

MS. EAKON: Mr. Chair. I believe Taylor can address a  
problem of what can the Council do within program guidelines?

17 MR. BRELSFORD: Mr. Chairman. I think we've focused  
most of the analysis thus far on the proposal that was before  
us and tried to adjust it so that it would be a fair balance of  
conservation and flexibility. There are other alternatives.  
Robin's actually raised a path in which there would be several  
prospects. It is conceivably within -- it's possible under the  
Federal regulations to close Federal public lands to non-  
subsistence users in the falltime as well as in the wintertime.  
It's currently done for the winter season. That would be an  
option that the Counsel could consider.

22

The particular registration strat- -- the permit  
strategy, there would be options. It could be in the form of a  
registration permit, unlimited number but everybody signed in,  
you monitor carefully and close when the number is taken. It  
could be a drawing permit or a lottery permit where a small

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number are available and only the guys -- a small number of hunters have the permits and go out.

2 Finally, it seems that there would be this alternative of an individual application for Tier 2 or what we call Section 804 permits, where everybody who wanted to participate in the limited subsistence hunt would have to submit an application identifying their customary -- their history of use of the resource, their reliance on the resource and their residency, the proximity to the resource. And then, those would all be ranked, and however many permits were available would go to the first so many appli- -- the first people in the listing of applicants.

7

So I think those would be the options that I can think of. And to respond again to one of Robin's suggestions, we certainly could go back as the Staff and analyze two or three alternatives and provide you addit- -- more careful, specific analysis of alternative management strategies of that sort. What we've done so far is really just respond to the one proposal that was submitted.

11

MR. O'HARA: Yeah, Robin.

12

MR. SAMUELSEN: Thank you, Mr. Chairman. You know, like Ron said, he doesn't remember the numbers, but there is a definite shift from your traditional user to your non-additional user in that area. And I don't think we have -- we don't have the data and the numbers to justify a proposal at this time. So .....

16 MR. O'HARA: Yeah, I would go give it to Staff and let's come back with something; in the interim, leave it like it is, .....

18 UNIDENTIFIED VOICE: Um-hum. I agree. Yeah.

19 MR. O'HARA: ..... because the Alaska Department of Fish & Game -- and there's not a lot of damage being done on the Refuge right now, at that area. Whatever is taken in the Big Creek area in the wintertime is taken by the local people. And -- but, you know, so I would be glad to send it back to Staff and come back next year and then sit down, though, with the -- you know, you mentioned three Councils, that's pretty big representation; the King Salmon, the South Naknek and the Naknek side. They've got a very active Naknek/Kvichak Advisory Committee with good participation, and we just might have to be a little more restrictive on what we're going to do there.

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But I would -- if there's no objection from the Council  
1- I don't think we can get anywhere on this yet.

2 MR. HEYANO: No objection here, Mr. Chairman. But  
along with the things you're asking the Staff to do, I would  
like to see our resource management options made available to  
increase that population. It doesn't -- it appears to me part  
of the problem is the military take.

5 MR. O'HARA: Um-hum.

6 MR. HEYANO: But what we heard today, that's going to  
disappear in October.

7 MR. O'HARA: No. The Air Guard may come in in twice  
the size. You know, Senator Ted said when the military comes  
roaring back to Alaska, King Salmon will probably become a  
full-family oriented type military base because Alaska is a  
very .....

10 MR. SAMUELSEN: That's right.

11 MR. O'HARA: ..... strategic place to what's happening  
in Defense.

13 MR. HEYANO: Okay.

14 MR. O'HARA: So I think, you know, we need to -- along  
that same line, Robin, we need to plan in the long-term for  
some real pressure to take place.

16 MR. HEYANO: Okay, I agree.

17 MR. O'HARA: This is where C&T is going to really be  
important.

18 MR. HEYANO: Right. And what we're looking at in  
Federal land is a small portion, I guess, .....

20 MR. O'HARA: Yeah, it is very small.

21 MR. HEYANO: ..... of that whole area. So that's still  
not going to help the people there. So what -- the thing I  
think we need to do is work towards increasing that population.  
It doesn't make much sense to me .....

23 MR. O'HARA: Also.

24 MR. HEYANO: ..... to have a moose population that's  
25

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going to sustain a limited subsistence harvest, and you're going to have a year where the conditions are right and the following fall, you won't even have a subsistence hunt.

2

MR. O'HARA: Um-hum. That's very true. Yeah.

3

MR. HEYANO: So I'd like to see maybe some resource management options.

5

MR. O'HARA: Okay, Robin.

6

MR. SAMUELSEN: I think we're only dealing with Federal land, but if the problem based on the Staff's analysis of the data there points that the resource users are not meeting their needs, nothing precludes -- and Taylor might correct me -- from this Council's submitting a proposal to the Board of Game or our Staff submitting a proposal to the Board of Game .....

9

MR. BRELSFORD: The Democratic process.

10

MR. SAMUELSEN: .....

on the adjacent State lands, you know, in this quandary that Federal versus State management, we got to recognize each other and we got to work for the betterment of the resource. So I think we could -- there's a whole slew of options out there that we could look at, and I think we need to look at them.

MR. O'HARA: Okay. Is that okay, if we sent it directly from -- to Helga, to your Staff, to maybe come up with some good answers here and have a proposal ready to go for the next year?

16

MS. EAKON: You're looking for like a year from now when we meet .....

MR. O'HARA: When do we put proposals in again?

MS. EAKON: Yeah.

MR. BRELSFORD: September.

MR. HOOD: November.

MS. EAKON: Right.

MR. O'HARA: November.

MR. BRELSFORD: October, November.

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MR. O'HARA: Okay. Is that Okay? Yeah, Sam.

1

MR. STEPANOFF: Yeah. Right now, it's kind of getting of uptight in a lot of villages, you know, there's so many trophy hunters, it's getting to where, you know, I couldn't go Bunt where my hometown was, you know, and they say what are you doing here, you know, you got your own place.

4

MR. O'HARA: Yeah.

5

MR. STEPANOFF: So, you know, it's getting there. In some years, you know, there's herds of caribou that come in our area and then next year there isn't any. It's because, I'm sure that, like, you know, the bulls are getting to be all shot off by the trophy hunters. And leaders are all -- practically all gone.

9

MR. O'HARA: It gets a little confusing. Okay. Is that okay with -- yes, Robert, did you have .....

10

MR. HEYANO: I was just going to follow up on what I think Sam is getting at is that -- and what he's referring to is an impact on subsistence uses. That in the past, when there was very little land ownership -- or designated land ownership, people from different communities were able to travel in a large area to hunt. Now, with the private ownership -- and I think he's referencing corporation land -- that is no longer available to certain individuals from certain communities because of policy made by village corporations. And I don't know, that might be an issue you want to discuss.

16

MR. O'HARA: We don't have any say about it. I think South Naknek has taken a stand on you pay so much to go to get an animal, which is very little; and Naknek hasn't said anything at all except in one area where the caribou cross. Nordalton said you're not going to be in this area if you're from Illiamna or anyplace else, and that's what's happening in your part of the country. And .....

20

MR. HEYANO: But I think we -- if we think that's an impact on subsistence use, we can make that statement in the form of a letter, if that's what we choose to do. And whether people do anything about it or not, I guess, is something different. You know, I agree with you, we don't have any -- we can't force people to do it, but we can raise it as an issue, impacting the use -- subsistence use.

24

MR. O'HARA: Yeah, that's true. Anything else on this issue? Okay. Have you got your directive, then? Did you

25

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need .....

1

MS. EAKON: So .....

2

MR. O'HARA: ..... put that down, if you -- are they clear on what you want, Robin?

4 MR. SAMUELSEN: I guess I'll move to table Proposal 41 and ask Staff to come back with a variety of options addressing Proposal 41 in this area to the Council, and develop the list of options, I think Helga said, by September, the proposal needs to be in for the next regulatory cycle.

7

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

8

MR. ABRAHAM: Second.

9

MR. O'HARA: Okay, Peter seconded. Any further discussion? All those in favor say aye.

10

COUNCIL MEMBERS: (In unison) Aye.

11

MR. O'HARA: Opposed? Okay. That takes care of 41. Speeding right along here. 42, Ted -- Dave.

13 MR. FISHER: Yes, Mr. Chairman. Proposal 42 was submitted by the Nushagak Peninsula Caribou Management Planning Committee. It deals with the Nushagak caribou herd, Game Management Unit 17(A) and 17(C). The Federal lands involved here are the Togiak National Wildlife Refuge. And probably of all the proposals that I have dealt with, this is probably the one I'm most familiar with.

17 So there's four issues here that we need to be concerned with. One is to establish a hunting season for the Nushagak Peninsula caribou herd sometime between January 1 and March 31. A Federal permit would be required for this hunt. Federal public lands are closed to the taking of Nushagak caribou except for the residents of Togiak, Manokotak, Dillingham, Twin Hills, Aleknagik, and Clark's Point and Ekuak. Harvest limits for this hunt and permit issuance will be developed by the Nushagak Caribou Management Planning Committee.

22

And I'd like to have the Wildlife biologist/pilot, Michael Hinkes, talk a little bit about the biology of this herd. And before I do that, I'd like to -- a couple things here. This was a very successful project that was initiated with the Fish & Wildlife Service and the Department of Fish &

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Game. And Ken Taylor, the biologist that was here before Larry Van Daele came, and John Dyasuk were very instrumental in getting this project started. That's all I have, I'd like to have Mike talk about the biology now.

3 MR. O'HARA: Okay, Mike.

4 MR. HINKES: I'd like to pass out some supporting information, some reference material that's identified on the East part of the proposal. And it consists of the draft management plan itself and the original cooperative agreement under which the herd was reintroduced, and that included some of the local agencies here -- or local resident village governments. And that has a lot -- Dave mentioned the Fish & Game and -- Fish & Game and Fish & Wildlife Service, but the local residents had a lot to do with the success of this herd.

9 MR. O'HARA: Um-hum.

10 MR. HINKES: Also, there's another thing I'm passing also with that attachment is last year's summary report on the herd itself. But this graph that I'm passing out is just an update on the numbers that we've gathered during our survey since that time.

13 And just briefly, to go back a little ways, the herd was reintroduced in 1988, after an absence of caribou from the area for a hundred years or so. And the main objective was to reestablish a herd for subsistence use. Of the 146 animals that were successfully reintroduced, the population now is over a thousand animals in some six years, and has a growth rate of 38% a year, which is probably the fastest growing caribou population around North America or otherwise.

17

MR. O'HARA: What did you start off with, what was the number?

19 MR. HINKES: 146 animals.

20 MR. O'HARA: 146, and it's now over a thousand?

21 MR. HINKES: Yeah. Our survey of last month .....

22 MR. SAMUELSEN: No wolves or bears.

23 MR. O'HARA: No wolves or bears.

24 MR. HINKES: And yeah, it's a lot of reasons behind it. There's been a high percentage of females in the herd, high  
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calf production and survival. All of our radio collared cows are calving. We have two year olds that have been calving. The pristine range, and also a few predators, including man. The locals have really taken an ownership in this herd, and have -- we only know of two incidents that caribou were taken illegally from this herd.

4 Some of the unique things about it, although they've expanded quite rapidly, their distribution has pretty much remained on the peninsula. And there's been a few animals that have left the peninsula for a short period of time but have mostly returned. And 99% of our observations have been -- our relocations of our radio collared animals have been on the peninsula.

8 The original cooperative agreement set out that there wouldn't be any hunting for five years, and we have past that. 9 And over the past two years, we've formed this planning committee that is made up of the management agencies and, also, the local government authorities of all the villages that are listed in the proposal. And we've come up with a draft management plan, and priority to the plan is to provide a subsistence hunt to the local residents, and at the same time, encourage the herd to expand off of the peninsula, and at the same time, not over-utilize the peninsula.

13

A little bit of concern because the animals are growing rapidly, but they are remaining on the peninsula, and they're almost treating it as an island situation, at least right now. So the objectives of the plan are to try to accomplish those goals.

16

The proposal that was put together by the committee kind of reflects these goals to the plan, it's consistent with the plan. And we have the -- we want to limit the hunt to the peninsula only, again; to any animals that are moving off the peninsula into 17(A) or that portion of 17(B), that we want those animals to be left alone. So we want the hunt only to be on the peninsula.

20

And we've also asked for a longer season, January through March, and the reason for that is it is a limited area, and we have a 10% -- a hundred permits or so issued, we don't want a hundred hunters going out there on snowmachines in a very short period of time and disrupting everything. So the committee felt that a longer season would help that.

24 And, you know, based on our latest survey, we would probably have in the neighborhood of a hundred permits for the  
25

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hunt next year. And those permits would be distributed to the villages identified in the proposal and distributed by -- our idea was by the Traditional Councils associated with those villages. I think that's .....

3 MR. O'HARA: And Michael, was it definite, you say you want a longer season, you gave January to March -- through March?

5 MR. HINKES: The proposal is for January 1st through March 31st.

6 MR. O'HARA: That's what the caribou season right now is everywhere.

8 MR. HINKES: Pardon?

9 MR. O'HARA: I mean, we hunt through the end of March now.

10 MR. HINKES: Right. But this portion of Unit 17, 17(A) and, also, .....

12 MR. O'HARA: Yes, yes.

13 MR. HINKES: ..... south of -- well, I guess, west of the Nushagak River is closed to caribou hunting.

14 MR. O'HARA: I see. It's just done up north.

15 MR. HINKES: So there is no open season right now.

16 MR. O'HARA: Okay. I see what you mean, okay. Okay. Any questions on the .....

18 MR. ABRAHAM: Yeah, a question here.

19 MR. O'HARA: Yeah. For Michael.

20 MR. ABRAHAM: You say you're going to issue -- or they're going to issue a hundred permits when .....

21 MR. HINKES: Based on our survey, we are talking about a 210% harvest.

23 MR. ABRAHAM: Okay. And on the Nushagak Peninsula there, how far from the tip toward inland or is it just going to be all of 17(A) or .....

25

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MR. HINKES: Okay. I forgot to make a copy, but our original proposal submitted to -- submitted had this map here that kind of identified the areas. It's described in the proposal but it's not illustrated. And basically, it's south of the Igushik and the Tuklung River and south of the Tuklung Hills. So if anybody wants to take a closer look at this map.

4 MR. ABRAHAM: Excluding the lands, basically, around the Village of Igushik, which is State lands.

5 MR. HINKES: Right. Those are private lands and we do not have a land status map with us, we failed to bring that. But yeah, there are some sections over there that are private land, so they would be excluded out of -- from the hunt.

8 MR. O'HARA: Any other question from -- yeah, Peter.

9 MR. ABRAHAM: On more question. The animals in Nushagak, do they have collars still .....

10 MR. HINKES: We have .....

11 MR. ABRAHAM: ..... and what color?

12 MR. HINKES: A good portion of the original 146 had color collars put on them, orange ones.

14 MR. ABRAHAM: Orange?

15 MR. HINKES: A lot of those -- some of those still remain; there's 29 active radio collars out there still. We put an additional 16 out in the '92, Larry? Sixteen collars. So we have a total of 29 radio collars, which is a pretty good portion, and we have been monitoring them monthly.

18 MR. ABRAHAM: Okay. Another question is there is some (ph) increase of other herd that is coming around, you know, Togiak Valley and stuff. Do they have collars and what color? Because, you know, Kilbuck .....

20 MR. HINKES: If they're Kilbuck animals, there were no collar -- color collars associated with their radio collars. There's -- I'm not sure how many active collars are up there, but they are just a white collar and would be hard to see in most cases, it's just a radio collar.

23 MR. ABRAHAM: The Kilbuck has white collars?

24 MR. HINKES: Yes, it's just a radio collar itself,

25

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there's no visual collar attached to it.

1

MR. SAMUELSEN: We're seeing a constant migration of caribou across the river here. People on the lake have seen them continuously throughout the summer and fall. What's going to happen when the herd moves from north and joins in with the south? Would the Nushagak Caribou Management Plan then, basically, meet its goal and dissolve?

5

MR. HINKES: I'm not sure. That was -- you know, this was discussion that was brought up when the herd was originally reintroduced was what is going to happen as the Mulchatna herd grows and expands its range onto the peninsula, how will it affect. You know, and one of our goals in the plan is to coordinate with the management of these other herds with the Nushagak. I mean, once we have caribou from here to Bethel to Lake Clark, it may not be that important that we protect, you know, this individual herd. But I think at this point, we still want to protect the integrity of it.

10

MR. SAMUELSEN: Larry, you had a comment?

11

MR. VAN DAELE: Larry Van Daele, Fish & Game. I concur with what Mike said. As you know, managing caribou is kind of like predicting the weather, it's a day-by-day thing. And what we're attempting to do with this committee is have another layer of caribou management here. We've got your Council, we've got the advisory committees, and we've got this particular committee for Nushagak. So we've got to stay on top of what happens.

16

As far as caribou coming and taking the Nushagak herd away with them, I don't think there's that big of fear of that as there was initially. These animals have five years, six years of calving in the same place, and they're not showing any indication of wanting to leave. Typically, that's how you identify caribou herd, by where they calve, not by where they winter or where they spend their summer but by where they calve. And I think we're starting to build up a tradition down here where they -- you will have a core group of animals that stays.

21

MR. O'HARA: It's really interesting, you know, along that same line, Robin, that the peninsula herd crossed in big numbers over all the way up into the Branch, all the way almost to Igiugig. And when that magic day comes for them to start separating, you'll just see the two start -- yeah, you just see the two. I've flown it for days on end, just go up to that area, and both herds just separate, and they all go back across

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on the south side and all the little caribou go up to Nushagak  
or Mulchatna.

2 MR. VAN DAELE: And these .....

3 MR. O'HARA: And I would imagine they'll probably just  
-- I assume they'll probably do the same thing.

4 MR. VAN DAELE: I was just going to say, these animals  
on the Nushagak herd are year old Nush- -- North Peninsula  
animals, they came from Becharof Lake. And that may be why  
they haven't moved off the peninsula, perhaps, their instincts  
are telling them they want to keep going southwest -- or  
southeast.

8 MR. HINKES: Keep looking across the water.

9 MR. VAN DAELE: And they can't go. Yeah.

10 MR. O'HARA: Well, when you figure that out, maybe you  
can do the weather, huh?

11 MR. O'HARA: Yes, Russell.

12 MR. NELSON: I've got a question for the biologist.  
This last spring, I noticed there was a lot of caribou still  
left on the west side of the Nushagak, did you see any calving  
activity over here on the west side?

15 MR. VAN DAELE: No. We didn't identify any on the west  
side.

16 MR. NELSON: Okay.

17 MR. VAN DAELE: There's a group of animals that calve  
and spend their whole time down by Ekuk and Portage Creek. And  
that's where a lot of those ones up there around the Muklung  
and the Iowithla are from, they went back down there. The rest  
of them went back toward Kiliginik, down to Ekuk and such. But  
Steve, did you see any while you were flying back and forth?

21 MR. PERKINS: There's still some on the flight across.

22 MR. VAN DAELE: Yeah, but not calving, have you seen  
any calving at all in there?

23 MR. PERKINS: Yeah, I've seen a few cows.

24 MR. VAN DAELE: Okay. Well, I haven't in my surveys

25

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but .....

1

MR. PERKINS: Not very many but a few.

2

MR. NELSON: What time of the year did you see that?

3

MR. PERKINS: I don't know.

4

MR. NELSON: In the springtime (indiscernible -  
interrupted) .....

6

MR. VAN DAELE: I think we're getting off on a tangent  
here.

7

MR. O'HARA: That's all right. Yeah. Okay. How long  
does the collar last on an animal?

9

MR. VAN DAELE: The published life is three years,  
we've had them last up till eight or nine years.

10

MR. O'HARA: Do they fall off automatically?

11

MR. VAN DAELE: Well, that's for the radio, the collar  
will stay on as long as the animals are out.

13

MR. O'HARA: They're forever stuck with that collar,  
huh?

14

MR. VAN DAELE: Yeah, they're forever stuck with them  
unless we take them off.

16

MR. O'HARA: That's a terrible thing to do to an  
animal.

17

MR. HINKES: I think it's our intention to continue to  
replace or add to the animals with radio collars in the future,  
just so that we keep a, you know, good percentage of animals  
marked.

20

MR. O'HARA: Well, if you don't have any further  
questions, why don't we take a break and have .....

21

MR. STEPANOFF: I have on question.

22

MR. O'HARA: Sam.

23

MR. STEPANOFF: Like I'm from a different area now, and  
when I came up and hunt, and then do you keep track of, you  
know, like male, female, calves or whatever; do you keep track

25

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of what you get or .....

1

MR. O'HARA: How do you do the recording?

2

MR. HINKES: Pardon?

3

MR. O'HARA: How do you do the recording of .....

4

MR. VAN DAELE: We do a survey.

5

MR. HINKES: Harvest.

6

MR. O'HARA: ..... the animal -- of the take of the hunt? Just through your card reporting system that we send back in?

8

MR. VAN DAELE: Well, in the general hunt of the Mulchatna herd, yeah, it's just in that card system; male, female, we don't keep track of calves or adults or anything like that. In this particular hunt, it would probably be a registration hunt, essentially, you'd have a card and we'd want to know whether it was male or female; but again, we wouldn't get into big bull, little bull, calf.

12

MR. O'HARA: Yeah.

13

MR. VAN DAELE: I don't anticipate that, Mike, do you?

14

MR. HINKES: But I think we'll be able to monitor the hunt fairly closely, you know, with -- the Traditional Councils will be administering the permits. You know, it's -- there's a real ownership with the people around here in this herd and in the management, and I think it's going to work out real well for this .....

18

MR. O'HARA: It's a great success story.

19

MR. HINKES: ..... monitoring. Yeah. It's .....

20

MR. O'HARA: Yes.

21

MR. VAN DAELE: One other thing I might point out, in the original cooperative agreement, we said that when we had a hunt, it would be for local people. The State system does not allow for that now, that's why we're coming to the Federal Board to initiate this hunt, and we're going to keep it closed on the State side so we can honor that original agreement.

24

MR. O'HARA: Interesting. Yeah.

25

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1 MR. ABRAHAM: On more question. You know, we have an  
increase of caribou around Togiak Valley over there. In fact,  
2 last week, there was reported tracks below Togiak now, just  
recently. Now, on these dates over here, like you say  
3 January 31 until March 31st. Say next year if the caribou are  
still around Togiak Valley, and we have an open season in  
4 Nushagak Peninsula, you issue a permit. And say, for instance,  
Twin Hills, Togiak comes down here or instead of coming down  
5 here, you know, they go behind their back door and shoot one  
and say I got this on Nushagak Peninsula. I mean, how are you  
6 going to control that?

7 MR. HINKES: You're going to take care of that, right,  
Pete?

8 MR. ABRAHAM: Huh? You need it taken care of?

9 MR. HINKES: As far as those animals there .....

10 MR. ABRAHAM: Huh?

11 MR. HINKES: As far as those animals there, if we  
12 continue to see, you know, which we think are Kilbuck animals  
coming into the Togiak drainage, that needs to be addressed  
13 with that planning committee as far as harvesting Kilbuck  
animals in that draining.

14 MR. ABRAHAM: Now, the Kilbuck herd right there are  
15 Bethel -- I believe it's Bethel that issues the 18 permits or  
-- yeah, 18 permits?

16 MR. HINKES: No. It was 18 villages where .....

17 MR. ABRAHAM: Or 18 villages.

18 MR. HINKES: ..... permits were distributed between.  
19 It's .....

20 MR. ABRAHAM: Yeah, 18 villages.

21 UNIDENTIFIED VOICE: Eight permits per village.

22 MR. HINKES: Yeah, it's eight per village now, and I  
don't know what it'll be next year. I think the minimum  
23 estimate -- population estimate now is 3,700 for the Kilbuck  
herd, so we're going to see. You know, work permits or maybe  
24 even a different type of season next year, maybe even a  
registration hunt of -- but thos ani- -- you know, those are  
25

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Kilbuck animals, I think we're pretty sure, and any hunting of those animals should be handled through the so (ph) .....

2 MR. ABRAHAM: That's something I am afraid of is when Kilbuck's having an open season and -- you know, and this season over here, you know, if they're both open at the same time, you know, that that's something that I'm afraid of, you know, (indiscernible) take either way.

5 MR. HINKES: Yeah. It's something that we're going to have to watch. But as -- so far, the Nushagak animals, the ones that do wander over to Togiak and Twin Hills generally do that during the summer and have returned to the peninsula by wintertime.

8 MR. ABRAHAM: Um-hum.

9 MR. HINKES: So at least at this point, I don't think we're going to have -- if they do open that portion of 17(A) for Kilbuck -- hunting Kilbuck .....

11 MR. ABRAHAM: Well, there is a bunch behind Twin Hills. From the information I've been gathering over there, you know, our local -- they've been hanging there for at least two years now. I don't know, they were, what, just only seven, I think, at the first time, but they're 18, 20 now.

14 MR. HINKES: Yeah. I think the most we've counted is 19. There's two particular radio collars that they went over the first year and they keep going back over there every year. And that's -- we base our information on those two radios. Now, there may be other animals that are remaining over there, but as far as we know .....

17

MR. ABRAHAM: There, they've been fortunate; I mean, those caribou back there behind Twin Hills, you know. I kept telling the people, you know, that's Nushagak herd, you know, let's leave them alone, you know; so they've been left alone to this day.

20

MR. HINKES: But with your concern, this committee is that would (ph) be involved in the hunting in 17(A), you know, of the Kilbuck animals. I'm not quite sure how that would be coordinated with what's going on over there, but .....

23 MR. O'HARA: There was a question in the back there.

24 MR. TOYUKAK: Yeah. You said that the permits will be .....

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1 MR. HINKES: I can't hear you.

2 MR. O'HARA: Give us your name, too, for his record,  
would you please?

3

MR. TOYUKAK: Okay. Moses Toyukak from Manokotak. You  
said that the permits will be issued to the Traditional  
Councils and then from there, they'll be distributed to the  
community?

6 MR. HINKES: I think that was the suggestion by the  
committee during -- the planning committee during our last  
meeting.

8 MR. TOYUKAK: And then you said something about the  
hunt being controlled by Pete Abraham.

9

UNIDENTIFIED VOICE: He was joking.

10

MR. O'HARA: I think he was joking on that, I think.

11

MR. HINKES: Yeah, I am joking on that.

12

MR. TOYUKAK: I'll go to China if that would happen.  
the Traditional Council will be controlling the hunt, too,  
or .....

14

MR. HINKES: Be controlling the permits.

15

MR. TOYUKAK: Just the permit. You will be controlling  
the .....

17 MR. HINKES: Which they (ph) -- distributing, providing  
opportunity for the locals to get a permit by lottery or  
however it's worked out. And then I'm assuming, making sure  
that the cards get back so that we know what's been harvested.  
But the management agencies would be working very closely with  
the Traditional Councils.

20

MR. ABRAHAM: See, if we -- excuse me, Mr. Chairman.

21

MR. O'HARA: Yeah.

22

MR. ABRAHAM: If the permits go to Traditional Council,  
it's up to us as the residents to tell the hunters or rather  
the Traditional Council to say, you know, just take -- I mean,  
just -- no, six permits, well, that's it -- you know, six is --  
you know, six is -- but there will be about 15, 20 other people

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that's wanting the permits. It's going to be a tough thing for Traditional Council to say I'm sorry, you know, we're going to have to wait until maybe next year, it'll be, you know, your turn.

3 MR. HINKES: Well, there's -- we haven't worked it out, but there'll have to be some way that -- some lottery or something so that the permits can be distributed fairly. You know, that will need to be consistent, I think, between all of the villages.

6 MR. ABRAHAM: Yeah. Yeah, I know.

7 MR. O'HARA: You can work that out among yourselves, that's not something we're going to get involved in, I hope.

8

MR. ABRAHAM: Yeah. But, you know, that'll be the local's responsibility right there.

10 MR. O'HARA: Yeah. More than they've ever had before, so it's a plus. Robin -- okay. I think we'll take a 10 minute break at this time, we've been going for about an hour and a half now, and come back and we'll do Robin, if you have any -- if you are involved in this.

13 (Off record)

14 (On record)

15 MR. O'HARA: We call the meeting back to order, please, and we'll go ahead and have Taylor come up. Have Taylor come up and do the anthropology thing. Taylor, you're on.

17 MR. BRELSFORD: Thank you very much, Mr. Chairman.  
Taylor Brelsford.

18

I think most of the concern-- -- considerations having to do with the use of caribou by the neighboring communities and their involvement in reestablishing the Nushagak herd, that's been covered quite adequately. I'd like to simply raise one point, and that has to do with the C&T eligibility determinations for caribou in Unit 17.

22 The situation is this, the present C&T determination is very broad and very inclusive; it extends throughout Unit 17 and even reaches over to Lime Village and Stoney River. However, we have taken the view -- so we have the view that that allows the Nushagak Planning Committee to proceed with the season this year, that they've got an inclusive eligibility

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determination already on the record.

1

And we felt that when local communities work closely with the resource managers, it's best to adopt this kind of consensus management approach. And if the communities have identified the neighboring villages, the ones that are most reliant on this new Nushagak herd, we'd like that to proceed. We don't see a need for a new review and new Board determinations regarding eligibility. We believe the plan sought to prevail in that circumstance, that it represents the best judgment of local people and of the managers together.

6

So all I'm saying to you is there's a C&T eligibility thread in this plan. We believe the proposal before you is the right way to go, and that it poses no additional problems as far as C&T determinations. And that was really the only other thing I thought worth mentioning to you.

9

MR. O'HARA: You said it -- you said something, does the C&T include all the way up to Lime and Stoney or did I misunderstand you?

11

MR. BRELSFORD: No, that's correct. It's actually found on Page 70 of the Federal booklet, it's up in the top, right-hand corner.

13

MR. O'HARA: Um-hum.

14

MR. BRELSFORD: Referring to caribou in Unit 17, for the subunits of 17, (A), (B) and (C), the eligible people would be rural residents of Unit 9(B) and 17, as well as the residents of Lime Village and Stoney River. Recognizing that this extends all the way into the Mulchatna herd.

17

MR. O'HARA: Yeah. Okay. Um-hum.

18

MR. BRELSFORD: These determinations were by geographic units not by herds, and that's why it's so wide-ranging in that case.

20

MR. O'HARA: Okay. Any questions of Taylor? Yeah.

21

MR. HEYANO: Just a quick one. What would happen if one of the communities who had C&T for 17 and wasn't included in the initial hunt wanted to be?

23

MR. BRELSFORD: They would have a legitimate gripe, and I think at that point, we may have a responsibility to go before the Board and have a more specific C&T developed for the

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Nushagak herd. We could go to a herd specific C&T determination or it could become mired in this Section 804 or Tier 2 approach where there would have to be a difference or a priority within the subsistence user group in saying that these villages have greater eligibility or greater reliance, direct dependence, upon the Nushagak herd; and they would then be the priority subsistence users for that particular herd.

4

If we were obliged to do it -- if a grievance is raised, I believe we would have to go through additional procedures. And I guess, basically, what we're assuming is that this consensus approach is the best way to manage resources. And we've been successful in adopting this way of doing business with the Kilbuck caribou herd on the Yukon Delta and, actually, all the way down to Togiak and Twin Hills. That's another instance where we've relied upon this -- the cooperative management plan as the major management approach.

9

MR. O'HARA: Okay. Any other questions? Okay. Thank you, Taylor. Moses, you're on.

MR. DIRKS: There were three comments submitted for Proposal Number 42, one in support and two in objection. And in support of Proposal Number 42 was the Alaska Department of Fish & Game. They were part of the planning committee and agrees with its recommendations, was their comment. And in objection to Proposal Number 42 was the Bowhunters Association and also the Golden North Archery Association. They believe that the total animal take limits should be established and season closed as the attainment of the limit (ph). And they thought that the -- that this would not be in conformance with the ANILCA mandate to maintain healthy populations. And that concludes the public comment.

17

MR. O'HARA: Any questions for Moses? Okay. Thank you, Moses. Public hearing.

MR. NELSON: Yeah. Just one comment. I noticed on all these, Bowhunters Association and the Golden North Archery Association, as we go through them, you know, like we have two public comments, one from each and they're always just completely identical. So it just sounds to me like the same organization. And on this -- on their objections to this proposal, it really doesn't make any sense, because there are -- we have discussed setting limits, and ANILCA does allow for this hunt; so I think they're totally off base on this one.

MR. O'HARA: Yeah. And I think, too, that, you know, we're concerned about the healthy part of the herd, we're not

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going to decimate the herd. Yeah. That's why we have .....

1

MR. NELSON: That's why we're having a hunt, to maintain a healthy herd instead of overpopulating it.

3 MR. O'HARA: Okay. Appreciate it. Any other public comment on this? Yes. Moses.

4

MR. TOYUKAK: Hi, my name is Moses Toyukak, again, from Manokotak Traditional Council. The traditional Council of Manokotak were in support of Proposal Number 42.

6

MR. O'HARA: Okay. Did you want to mention your -- how you're going to handle it or is that -- .....

8 MR. TOYUKAK: Okay.

9 MR. O'HARA: ..... that's something that I thought it would probably be interesting for the Council to hear.

10

MR. TOYUKAK: If issued permits, you know, the Traditional Council had planned to divide these permits among our needy family, like fatherless children, divorced parents or divorced parents with children, you know, that need help, and then old folks that have nobody to hunt for them. That's how we would distribute the permits, among those people first.

14 MR. O'HARA: Would you allow somebody to go out and get a caribou for somebody else?

15

MR. TOYUKAK: Uh-huh.

16

MR. O'HARA: Yeah, you can do that, too, good.

17

MR. TOYUKAK: Yeah.

18

MR. O'HARA: Well, thank you, Moses. We appreciate that. I thought that was interesting that you had given that some thought. Appreciate it.

20

MR. TOYUKAK: Okay.

21

MR. O'HARA: Okay. Any other public comment on this? Yeah.

23 MR. BENN: My name is John Benn, Dillingham Native Village Council, and we're also in support of this.

24

MR. O'HARA: Okay. And you're going to have to divvy

25

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out some permits for 1,700 people, huh? Lot's of fun with your Bingo game. Thanks a lot. Okay. Any other public comments? What's the wishes of the Council?

2

MR. SAMUELSEN: Mr. Chairman.

3

MR. O'HARA: Yeah.

4

MR. SAMUELSEN: I move to adopt Proposal 42.

5

MR. O'HARA: Second?

6

MR. HEYANO: Second.

7

MR. O'HARA: Any further discussion?

8

MR. HEYANO: One -- .....

9

MR. O'HARA: Yes.

10

MR. HEYANO: ....., one point, Mr. Chairman. Is I notice that the draft agreement -- or the final agreement hasn't been signed yet. I guess my understanding was all along is that we'd have the draft agreement signed and then authorization for the hunt, is that still the plan or is the authorization from the hunt going to supersede the signing of the draft agreement?

14

MR. HINKES: Mike Hinkes again, yeah. The -- we were hoping to have a signed plan by this meeting. And the only reason that we didn't go ahead with it, 'cause there was very little changes identified at our last meeting in November. In the interim, we've had a new -- a change in the Traditional Council in Togiak to which, I mean, there's been a major change there, and we thought that we needed another committee meeting to bring that new council up to speed, prior to the signing. But the document is pretty final, and it was in November. And that's the only reason that we did not pursue getting it -- get it all signed by then.

20

MR. O'HARA: Do you have a consensus pretty much across the board from everybody?

MR. HINKES: Everybody at the last meeting was in agreement, .....

23

MR. O'HARA: Yeah. And then bring Togiak up to speed.

24

MR. HINKES: ....., and there was just a couple little

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details that were changed in the plan itself.

1

MR. O'HARA: Okay.

2

MR. HINKES: And our intention is -- we had a letter go out to the committee members just recently here, and after the Board -- we thought after the Board acts on this proposal that we'd have another meeting, and then we could talk a little, you know. Hopefully, get it finalized somewhere near there, and then also -- or soon after that, and then we could also discuss how the Board acted on our proposal and what we -- what steps we need to do next as far as the permits for next year.

7

MR. O'HARA: You know, you brought up something, or maybe Peter brought up something, and it doesn't have to take a lot of deliberation, but do you think that that's a Kilbuck herd behind Togiak or Nushagak/Mulchatna?

9

MR. HINKES: These ones this winter, I think -- we think that they're Kilbuck animals. We've monitored both radios .....

11

MR. O'HARA: You've watched them. Uh-huh.

12

MR. HINKES: ..... in our surveys, and actually, there's no radios from either herd there. But just looking at some of the track patterns, migration patterns, I'm pretty sure we were pretty sure that they're Kilbuck animals.

15

MR. O'HARA: Okay. Any other questions of Mike?

16

MR. SAMUELSEN: Question.

17

MR. O'HARA: Yeah, um-hum.

18

MR. SAMUELSEN: Mr. Chairman. When you (indiscernible) where -- when do you think the opening will be, next year?

19

MR. HINKES: This proposal is for next January .....

20

MR. SAMUELSEN: Next January.

21

MR. HINKES: ..... through March.

22

MR. O'HARA: '95, huh. Any other questions? Thank you, Mike. Everybody understand the motion? Call for the question.

24

MR. SAMUELSEN: Question.

25

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

2 COUNCIL MEMBERS: (In Unison) Aye.

3 MR. O'HARA: Opposed? Okay. Thank you. Dave, you're  
up on 43.

4 MR. FISHER: Yes, Mr. Chairman. Proposal 43 was  
handled yesterday with Number 35.

6 MR. O'HARA: Okay. 44. Okay. Peter's proposal. All  
right.

7 MR. FISHER: Yes, Mr. Chairman. Proposal 44 was  
submitted by Peter Abraham from Togiak, it deals with beaver,  
Game Management Unit 17(A). The Federal land involved there is  
the Togiak National Wildlife Refuge. The issue here is to  
lengthen the trapping season in 17(A) from January 1st through  
the 31st to January 1 through February 28th; in other words,  
they want to increase the trapping season by one month, the  
harvest limit would stay the same.

12 The beaver population in 17(A) is estimated to be  
stable to increasing. And the Staff felt as though that  
extending the season an additional month would probably not  
impact the population. It would give trappers more time to  
obtain their 20 beaver per season harvest limit, as the trail  
and travel conditions are better in February. That's all I  
have for that proposal.

16 MR. O'HARA: Okay. Any questions now of Dave? Thank  
you, Dave, and we'll call upon Taylor.

17 MR. BRELSFORD: Mr. Chairman, just a couple of simple  
points. The fact is that over the -- since Statehood, a  
February opening for beaver trapping in Unit 17(A) has been  
part of the regulatory structure quite a lot of the time; more  
years than not. So this would actually be returning to a  
longstanding, seasonal pattern of harvest activity. And given  
that part of the request was that this would allow more  
flexibility to respond to weather conditions; that if weather  
and travel access was limited in January, having additional  
opportunity in February would provide the hunters with a more  
flexible situation. And that, again, squares with the long-  
term regulatory history.

24 So it seems there are really no objections. We note in  
the Staff Analysis that the Alaska Department of Fish & Game  
25

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adopted this extension by Emergency Order in the present year. And our understanding was that the State was moving in the same direction that we're being asked to move in at the present time.

3 MR. O'HARA: Okay. Any questions of Taylor?

4 MR. ABRAHAM: Yeah, a question, .....

5 MR. O'HARA: Peter.

6 MR. ABRAHAM: ..... Mr. Chairman. The only concern I got on this over here is like five, six years down the road, if there is a decrease on the population down over there. Of course, it'll be monitored by ADF&G, I guess, by the catch and stuff like that, and there'll be an Emergency Order of shortening the season or shortening the bag limit.

9 MR. O'HARA: Yes.

10 MR. ABRAHAM: Yeah.

11 MR. O'HARA: Thank you. Any public hearing? I mean, any public comments?

13 MR. NELSON: Yeah. Just that BBNA does support this proposal.

14 MR. O'HARA: As it stands, huh. Yes, Moses.

15 MR. TOYUKAK: Moses Toyukak, again, from Manokotak. Our Traditional Council are in support of Proposal 44.

17 MR. O'HARA: Just like it is?

18 MR. TOYUKAK: Um-hum. Just like it is.

19 MR. O'HARA: Thank you. Any other public comment? Yeah. I'm sorry, Moses, I apologize. We should have had you at your thing there.

21 MR. DIRKS: The written public comments, there were three that were submitted and .....

22 MR. O'HARA: Let me guess, Archery and who else now?

23 MR. DIRKS: Right. They were -- you're right. There are two in support, the Bowhunters Association and, also, the Archery Association. They were in support of the proposal

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since the bag limit remains the same, and they recognize that the extra month will provide additional subsistence opportunity.

2

And the Alaska Department of Fish & Game took a neutral position, saying that the proposed regulation would align Federal beaver seasons on Federal lands in Unit 17(A) and 17(B) and (C). The season was originally shortened because of concerns over depressed beaver populations. Beaver numbers have increased since then, mainly because of reduced demand for beaver fur and low prices. And that concludes the public comment.

7 MR. O'HARA: Yeah. Any questions for Moses? I apologize, Moses, for forgetting you there, I just got to hurrying right along. Thank you. Okay. We have a proposal. Any other public comment? Hearing none, we will close public comment and to ask the Council what their wishes are on this, 44? What are you thinking, Peter?

10

MR. ABRAHAM: Hum? Pardon?

11

MR. O'HARA: What do you think?

12

MR. ABRAHAM: Pardon?

13

MR. O'HARA: Should we make a motion?

14

MR. ABRAHAM: Yeah. I'll make the motion to accept 44 as it is.

16

MR. O'HARA: All right. Second?

17

MR. LaPORTE: Second.

18

MR. O'HARA: Tim seconded. Any further discussion. Yeah.

19

MR. SAMUELSEN: I think, Mr. Chairman, as pointed out, that the proposed regulation would align Federal beaver seasons, Federal lands in Unit 17(A), (B) and (C). Also, the justification is that the -- I believe it was the Traditional Council of Togiak, this year, requested that (ph) from the Department of Fish & Game Emergency Order extension (ph) into the beaver season because of the unnatural warm weather conditions, I guess.

24

I'd also like to note that in the State comments is that the reason why the season was originally shortened was

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because of concerns over depressed beaver populations. And Peter has mentioned that, and this is on a yearly basis, and if we see a trend where beaver populations are being depleted or the numbers are going down, we could react pretty fast. So I'll be in support.

3

MR. O'HARA: Okay. Any other comments? Call for the question.

5

MR. MATSUNO: Question.

6

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

7

COUNCIL MEMBERS: (In union) Aye.

8

MR. O'HARA: Opposed? Okay. Let the Minutes show that it's unanimous. And I believe that we have .....

9

MS. EAKON: Mr. Chair?

10

MR. O'HARA: Yes.

11

MS. EAKON: When Dave Fisher said that Proposal 43 was handled along with Proposal 35, he meant that those two proposal were analyzed together. The Council did adopt 30- -- Proposal 35 unanimously yesterday; however, they do need to -- you do need to take action on Proposal 43.

14

MR. O'HARA: All right. Thank you. That's right, we did not name with (ph) 36. All right. So what's the wishes on Number 43? We addressed them both together with Dave and with Taylor and Moses and public hearing?

17

MS. EAKON: Yes. They were analyzed and commented upon together, right. But -- .....

18

MR. O'HARA: Yeah. And they're compatible?

19

MS. EAKON: ..... but your action only addressed 35, it did not address 45.

21

MR. O'HARA: Okay. Let's have a motion then, if you should so desire, by the Council on 43. Do you want to take a moment to look at it and make sure everything's okay or are we ready to go? Yeah, Robert, excuse me.

23

MR. HEYANO: Mr. Chairman, I move we adopt Proposal 43. As to like Proposal 35, what it does is align the caribou season in 17(B) and (C) with the current State regulations;

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similar exactly to what we did in 9(D) yesterday. And that would increase it to five caribou and the season from the 1st of August to the April 15th. I think this is basically a housecleaning proposal, as we heard from Staff yesterday, the population is doing extremely well.

3

MR. O'HARA: Okay. Second?

4

MR. SAMUELSEN: Second.

5

MR. O'HARA: Robin seconded. Any further discussion? All those in favor say aye.

7

COUNCIL MEMBERS: (In union) Aye.

8

MR. O'HARA: Opposed? Okay. Let the Minutes show that it's unanimous. I believe at this time, we go back to statewide .....

10 MS. EAKON: 30.

11 MR. O'HARA: What?

12 MS. EAKON: Well, are you going to do Proposal 30 that you had tabled for today?

13

MR. O'HARA: Okay. Then we'll do statewide, all right.

14

MS. EAKON: Um-hum.

15

MR. SAMUELSEN: Mr. Chairman?

16

MR. O'HARA: Yes, uh-huh.

17

MR. SAMUELSEN: On Proposal 34, yesterday, that we adopted.

19 MR. O'HARA: 34?

20 MR. SAMUELSEN: 34.

21 MR. O'HARA: Um-hum.

22 MR. SAMUELSEN: On Page 27. I believe we adopted one bear in every regulatory year, open season October 1st to 21st. However, in looking right above there, we've got the odd/even years. And I was going to ask the managers, based on the motion that we passed yesterday, was it only for October 1st to October 21st or would we be using the odd/even years. And what

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advantage is the odd/even years? We didn't -- during that proposal.

2 MR. O'HARA: Who would handle that? What .....

3 MR. VAN DAELE: I could speak to it briefly.

4 MR. O'HARA: Okay.

5 MR. VAN DAELE: Larry Van Daele, Fish & Game. The reason for odd/even years on the Alaska Peninsula was for sport hunting. It was to allow hunters an opportunity to go after large brown bears without having to put in for a drawing permit, such as they do on Kodiak. That's why it was -- the seasons were staggered like that. For purposes of a subsistence hunt, I don't think you'd have the same rationale..

9 MR. SAMUELSEN: Okay. And also, addressing Proposal 34, I believe it was Melvin Trefon, in his comments, commented that they would like to take a bear in the spring. But we've only -- and correct me if I'm wrong -- we've only identified October 1st through October 21st?

12 MR. O'HARA: Well, if I could mention that, Robin, I suggested to him -- I asked him what, you know, was -- I asked him about the story of the spring hunt, and he hadn't really addressed it, and he just said yeah, that would be fine. But it was probably more my idea than his, so if I hadn't brought it up, apparently, it wasn't an issue to them. And I think the fat part of the bear is what they like, it seemed to me like what they like more than anything.

16

MR. SAMUELSEN: Okay.

17

MR. O'HARA: So maybe it is just a fall thing that they're concerned about. If they want to come back, you know, like in September of next year and do a spring hunt, then -- we've always eaten them in the springtime, we never ate them in the falltime (indiscernible - voice lowers) .....

20

MR. SAMUELSEN: Yeah, okay. That's fine. Just so my understanding is correct.

22 MR. O'HARA: Okay. Are we clear now on the dates?

23 MR. SAMUELSEN: Yep. Yep. We're (indiscernible - interrupted) .....

24

MR. O'HARA: Okay. We're copasetic, thank you. Okay.

25

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Now, we're going to go back to 30, and this is a proposal that we had some additional information given to us on. Let's see what we had done, under 30, we kind of put it on hold there until the last end. Where are we at on this, Helga?

3 UNIDENTIFIED VOICE: 30(A).

4 MR. O'HARA: Helga, where are we at on 30?

5 UNIDENTIFIED VOICE: It'd be 30(A), wouldn't it?

6 MR. O'HARA: 30(A)?

7 MS. EAKON: Yeah, 30(A).

8 MR. O'HARA: Okay.

9 MS. EAKON: Mr. Chair?

10 MR. O'HARA: Um-hum.

11 MS. EAKON: The Federal people huddled and suggested that they would have one lead per- -- Federal person per each proposal breakdown. In this case, 30(A), 30(B), 30(C), and Ron Hood is the lead for Proposal 30(A).

13

MR. O'HARA: Okay. Ron, you're on.

14

MR. HOOD: Okay. Mr. Chairman, I'm Ronald Hood, Refuge Manager Alaska Peninsula/Becharof National Wildlife Refuges.

16 Mr. Chairman, we have before us proposals involving -- three different proposals, but each one of those proposals involve the Northern Alaska Peninsula caribou herd. And I think it would be wise if we step back from the individual proposals and reviewed the northern peninsula herd, both their movement patterns and also the populations of those animals. Because -- and those are overriding what we see happening with these individual proposals.

20

I have been a refuge manager at the -- the Refuge since 1985. During that time frame, the peninsula herd has been very dynamic. They have acted like caribou; they have chosen to modify their migration patterns extensively. When I arrived at the Alaska Peninsula -- and I'm saying things that I know that many of you are aware of, but I feel like they need to be repeated -- traditionally, the major movement of the herd is on the Bristol Bay side, primarily off of Refuge -- or off of Federal lands, for the major part. They calve in the spring,

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down primarily in three or four different areas; starting about the Cinder River area, there's a group that calve there. There's another group that calve just south of Port Heiden, in the big flats and that area. And then there's another large group that goes down into the Sandy River, Milky River, Bear River country and calve in that area.

4 And when I arrived in 1985, those animals would move up the peninsula and, eventually, arrive above the Egegik River, above the King Salmon River and move back and forth, according to the prevailing winds, on and off Refuge, on and off the Park, Katmai Park, between Johnson Hills up to South Naknek, back and forth between the Naknek River and that a few animals had just started pioneering across the Naknek River.

8 Since 1985, there has been a major movement, as you're well aware, of those animals across the Naknek River and all the way up to the Branch or the Alagnak River, and maybe even further north than that. So you find these animals now traveling at a much greater distance. They're having to travel from the Port Moller area, parts of that herd, all the way to above the Naknek River. It's caused some changes, and I've heard you, Mr. O'Hara, and Mr. Matsuno talk about some of these changes today, one of the -- or in the last two days.

13 One of those changes is that a major part of that herd is passing Port Heiden at -- in July. Now, I have not heard and I have no information about how quickly those animals arrive above the Egegik River. But if they're passing Port Heiden in July, by the time the opening of the sport season, on August 10th, they have to be above the Egegik River, getting into the Becharof Refuge country.

17 In their movements up and down the peninsula, small herds or small parts of that herd have chosen to move over to the Pacific side in some of those drainages. We have no data indicating how many of those animals move over into that area, and where their -- exactly what their patterns are in that area. But I would point out that personal observation will find that in the Ugashik Unit of the Alaska Peninsula Refuge -- that I have personally observed some fairly large concentrations of calving animals in the mountains in that area and over as far as the Pacific Coast. They go into the Santarni Bay area, they go into the Chinunagak (ph) Bay area. They go into the Wide Bay area, and especially in those wide mountain -- those mountains.

24 Those herds also, after they calve, and you get the insect problems that we're all familiar with; the white sox  
25

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(ph) primarily, but no-see-'ems are also quite famous in that area; they begin to seek relief from the insects, and some of those animals will move up into the mountainous areas. I personally have seen herds of several hundred on the top of Mount Pulick (ph) in August resting on the ice fields up there. Other groups of them -- another method of avoiding insects is they'd get into these great ameba-like (ph) concentrations and move around. I guess you can speculate as to what they're trying to do there, but I assume if you've got more animals, that that ought to limit the number of flies per animal, only thing. But anyway, they -- and they move up into the Whale Mountain area and up into the Park in that area.

7 One of the questions that you need to ask yourself is why are these animals moving north of the Naknek River, and what does -- what is a caribou migrating for? And I think that I could -- most of us would be in agreement that the primary goal of every caribou out there is to fill his stomach, is to find a bite of food.

10

And before I was -- became a Refuge Manager at Becharof, back in my earlier days, I was a ungulate -- I studied ungulates, the white-tail deer in Texas. I obtained a Master's degree there and then worked for two more years before I decided a Ph.D. was not for me. But I studied white-tail deer, and I recognized what we call a browse line. White-tail deer will eat everything in site up to about this high, and you can look down through there in a country where it's overpopulated, and you will see a browse line thing. Well, I recognize a browse line when I see it, even if it is not over two inches high and is at my feet.

16

When I arrived on -- at the Refuge, I -- going out, say, to the Long Lake area, one of my favorite places to hunt, and that country, the likings had been nibbled down to they were just -- they're just like this. You go across the Naknek River, and you would find that same vegetation would be two, three, four inches high.

20 So it's clear to me that the -- there is a problem on the -- south of the Naknek River with overgrazing. I think, my personal opinion, Ron Hood's opinion in this matter is that the ADF&G has done an excellent job of maintaining that herd of animals in the 15,000 to 20,000 range; currently, it's 17,000 animals. But in maintaining a population for a long period of time, those animals are beginning to overgraze that country, and they're having to move further and further to find the food that they need. Now, they're going across the Naknek River and getting up into that area.

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1 But in doing this, they're changing their patterns, as  
caribou are want to do. They're moving in different locations,  
they're moving at different times to meet this need. And I  
think you need to consider this as we get down and examine  
these smaller issues on the thing.

4 That being said -- one other point. The Chignik Unit  
on the Pacific side, we do have a study that the Fish &  
Wildlife Service did last year on the Pacific side where we  
went out and did a detailed survey of that area. And they're  
right, there's no caribou over there. We didn't count enough  
caribou in that area to even give you a population number. I  
mean, it was probably less than 50 on the thing. The people at  
Ivanof Bay are right there are no caribou over there for them  
to take. They were given -- ADF&G provided them with an  
extended season, early season, this year with bulls only, and  
they took a few animals. But there are no animals over there.  
But I'll address that issue when we talk about (B) on the  
thing.

11 Getting to (A). This proposal, as I understand it,  
would be to close off the Seversen Peninsula. And one of the  
rationale used in that, and I don't know whether to be  
complimented or to take it as an insult, the Public Use  
Management Plan presented an alternative, one that we called  
our subsistence alternative. And anyone who has done NEPA,  
National Environmental Policy Act, evaluations knows that in  
doing that evaluation, you set forth several alternatives for  
an area. And those alternatives have to be evaluated and  
determined which one is the best.

16

And yes, we propose closures at seven- -- at what we  
call the Big Narrows, Seversen Peninsula. We, also, in that  
same thing, propose closures at -- possibly at the Egegik  
River. And we also propose closures at the Little Narrows,  
which is south of the Seversen Peninsula in what we call the  
Island Arm area that many of us are familiar with.

20 Anyway, we evaluated that in our Public Use Management  
Plan and did not find evidence that those closures were  
warranted, and we did not select that as -- in our final plan,  
which is supposed to be hitting the street this week. We did  
not find that those proposals -- that we had enough information  
at that time on the caribou movements or the number of alleged  
incidents that are going on out there; the conflicts among the  
sports users and among -- and against -- with the subsistence  
users. And so, basically, we said we would study the issue  
further but it was not selected in our preferred alternative.

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1 And as Refuge Manager for that Refuge, we, frankly,  
oppose this proposal.

2

MR. O'HARA: You oppose (A)?

3

MR. HOOD: We oppose (A).

4

MR. O'HARA: Okay.

5

MR. HOOD: We do not feel like that it has been investigated enough and it has not been well thought out, one thing. I would point out that Becharof Lake and that part of the world, in particular, is easily accessed by the sport hunters, those on floats. And they do -- they have in the past, targeted that area.

9 I would also point out that there is no guided effort in that area. Year before last, the Fish & Wildlife Service underwent a major effort to create guide areas on National Wildlife refuges in Alaska, and then to go through an advertising process and select those guides. An important part of that process was to evaluate, one, the guide areas that we created to try to reduce potential conflicts. The other thing that we tried to do was once we went through the selection process, one of the criteria was to evaluate that guide's proposal with how it would impact the local subsistence users.

14

The Seversen Peninsula is in a unit called AKPO2. It's 15 if you -- I direct your attention to the map over on the wall over here, the far map shows the Becharof Refuge. And you can find the one that's called AKPO- -- I mean BCH02, I'm sorry, for Becharof Refuge, BCH02, and you will find a large area surrounding Becharof Lake was selected. That area was planned to help reduce the conflicts among subsistence users and guides. And, indeed, the guide who won that area, selected to put his big -- his camps in the Gertrude Creek area and in that -- and to the east of there in what we call Bible Creek; I think the locals call it Bear Creek area. And so, he is well away from the Seversen Peninsula and does no hunting in that thing. So the only use, from sport hunters, are unguided sport hunters in that area.

22 MR. O'HARA: Of which you don't have any control over, huh?

23

MR. HOOD: At this point, we have no control of. I would also suggest, though, that the ADF&G has changed the regulations on the Mulchatna herd. The Mulchatna herd is

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growing in great numbers, and they are going to be taking some of the pressure off the northern peninsula herd. And so, I think it is much too early to make an evaluation of the impact on the migration of the northern peninsula herd, and on the ultimate, impact to the local subsistence users in that area.

3

MR. O'HARA: Is that your presentation on the entire Refuge of the Alaska Peninsula of Becharof and addressing just the issue of .....

5

MR. SAMUELSEN: Seversen.

6

MR. HOOD: Of (A) of Seversen Peninsula.

7

MR. O'HARA: Of what?

8

MR. SAMUELSEN: Seversen Peninsula.

9

MR. O'HARA: Which is what we're calling (A), (B) and (C)?

11

UNIDENTIFIED VOICE: Yeah.

12

MR. SAMUELSEN: Correct me if I'm wrong, I think we're addressing this area right here.

13

MR. HOOD: Yeah, that's correct.

14

MR. O'HARA: Is that (A), (B) or (C)?

15

UNIDENTIFIED VOICE: (A).

16

MR. HOOD: Yeah. Just that little peninsula out there.

17

MR. O'HARA: Okay. Can we deal with one by one or one section (ph) at a time? Is that all you have now?

19

MR. HOOD: I could go ahead and talk about the other -- (B) on the thing but .....

20

UNIDENTIFIED VOICE: Later.

21

MR. O'HARA: No. We'll wait on that, we want to just do (A).

23

MR. HOOD: Okay.

24

MR. O'HARA: So that's all you have, Ron.

25

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MR. HOOD: At this point, unless you have some questions.

2 MR. O'HARA: Do you have any questions of Ron?

3 MR. SAMUELSEN: Yeah, I do.

4 MR. O'HARA: Okay. Robin.

5 MR. SAMUELSEN: Ron, you said we don't -- you don't have any control over unguided sport hunters in the Seversen Peninsula there. Has that increased since 1984 or '85?

7 MR. HOOD: We really have lousy information on the use on the Refuge, to be honest with you. And personal -- I'll give you my personal opinion on the matter, and I would say that there has been some increase in that area. But it's more focused on the bear than it has been on the caribou, one thing.

10 And I will say that I do -- we have monitored that area regularly, and I have not seen the number of camps all along the Seversen Peninsula that are alleged to be happening there; there are an occasional -- well, there is an occasional camp. But you have to look at the Seversen Peninsula, it's several hundred feet high, and fairly precipitous on either side. You don't have good camping locations along there, except at the base of the peninsula.

14

MR. O'HARA: Precipitous means what?

15

MR. HOOD: It means steep.

16

MR. O'HARA: Up and down, okay.

17

MR. HOOD: Up and down, yeah.

18

MR. O'HARA: Let's keep in the layman's language, okay.

19

MR. HOOD: Too much education, Dan, too much education.

20

MR. O'HARA: Yes.

21

MR. SAMUELSEN: Mr. Chairman. Ron, you made a comment that this proposal was not well thought out, but you also made a comment that your Department does not have any biological data or statistical data on the amount of hunters.

24 MR. HOOD: That's correct.

25

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MR. SAMUELSEN: So, you know, this propo- -- .....

1

MR. HOOD: Well, I think it's not well thought out because they only targeted the Seversen Peninsula. Those caribou can -- we all know that caribou can move fairly rapidly. And if you look at the map up here, Seversen Peninsula, those caribou that choose to come that way, which is not the major part of the herd, is crossing up at the Egegik River on both State and village corporation and Federal lands up there. But those animals that cross there are crossing from west to the east in the fall. And they can either cross at the Peninsula, they can swim from island to island, which they frequently do, across either on those -- that area, or they could go down to the Little Narrows and cross there, or they go around the end. There's lot of opportunities. I mean, they can cross at the Ruth River area, the only thing.

9 MR. SAMUELSEN: But from the information that I'm presented here is that, from the testimony of Egegik residents, 10 that the Seversen Peninsula is a traditional hunting spot for them.

11

MR. HOOD: That whole area. That's -- the other point 12 I have been in public meetings in those thing (ph). I have a refuge information technician that I have hired from the Village of Egegik, and I suspect has contributed to this information. And they point out to me that they use that whole 13 area in what we call the Island Arm; they also use above the Seversen Peninsula in the Kujulik River. Shirley Kelly says -- 14 like those caribou up there, she says they're better tasting than the caribou on the main herd that comes across at Egegik, 15 which is more available to the village there.

17 I would also point out that Title I of ANILCA, one of the purposes of the law that created the Refuge, also points 18 out that one of the purposes for creating that law was to continue sport hunting in that area. And so, as manager there, 19 I have to deal with also providing a subsistence -- for the subsistence hunters and the sport hunters, and so I'm trying to 20 balance that.

21 MR. SAMUELSEN: How do the caribou enter on the Seversen Peninsula, do they swim across to it do they .....

22

MR. HOOD: There is a narrows there that they have to 23 they swim across, about a half a -- maybe, is it a half a mile, Dan?

24

MR. O'HARA: From the mainland?

25

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- 1 MR. HOOD: Yeah. From .....
- 2 MR. O'HARA: You mean from over -- yeah, about that.
- 3 MR. HOOD: Yeah, it's about half a mile that they have  
to swim.
- 4 MR. O'HARA: Yeah, I've been up with a boat before.
- 5 MR. SAMUELSEN: So if I'm an unguided hunter, you're an  
6 outfitter, do you fly me in and drop me off and I camp on the  
peninsula?
- 7 MR. HOOD: You camp somewhere, prob- -- along there,  
8 probably at the base of the peninsula, if that's where you  
choose to hunt.
- 9 MR. SAMUELSEN: Have you guys flown over there and  
10 observed quite a few hunters in that area?
- 11 MR. HOOD: No, that's the point I tried to make earlier  
is in our personal observations, we have not been given -- we  
12 have not got good data on the numbers over there, But our  
observations are, on our patrols, is that there is camps over  
13 there and there are -- it is popular but it's more for bears  
than it is for caribou, .....
- 14 MR. O'HARA: Well, .....
- 15 MR. HOOD: ..... and it's more for moose.
- 16 MR. O'HARA: ..... not necessarily. There's an area  
17 here called Featherly Creek, which is .....
- 18 MR. HOOD: On the other side, opposite .....
- 19 MR. O'HARA: ..... on this side over here, and this is  
where the migration takes place, a lot of them come across this  
20 way and around this way, also.
- 21 MR. HOOD: It is a wheeled access.
- 22 MR. O'HARA: Yeah, it's a wheeled access and .....
- 23 MR. HOOD: But I would also point out that those are  
not Federal lands. If you look at the map over here .....
- 24 MR. O'HARA: Featherly Creek is Federal lands.
- 25

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1 MR. HOOD: No, sir, they're not Federal lands; they  
have been selected by Koniag Corporation as a 14(h)(1) site.

2

MR. O'HARA: Okay. Well, we don't have any say over  
that thing.

4 MR. HOOD: The only thing.

5 MR. O'HARA: But they do come through. The caribou  
come through there, I've seen them.

6

MR. HOOD: Yeah.

7

MR. O'HARA: Are there are -- there's a lot of pressure  
in that area, there's a lot of camps in that area; I've flown  
up in there.

9

MR. HOOD: For caribou hunting?

10

MR. O'HARA: For caribou hunting. For caribou hunting,  
yeah.

12 MR. HOOD: Okay, I stand corrected.

13 MR. O'HARA: Well, there's a lot of unguided hunts, you  
know, people from Anchorage come in there and camp in the area.  
It's a very dangerous area because there's a horrendous amount  
of bear; we can just barely keep their caribou.

15

MR. HOOD: Um-hum.

16

MR. O'HARA: And it's a real concern, you know, I've  
had friends I wanted to drop off and they didn't want -- when  
they saw the bear population on the Featherly Creek and Ruth  
Lake Creek -- Ruth Lake area, just horrendous, man. I mean, a  
lot.

19

MR. SAMUELSEN: I'm just trying to -- so the caribou,  
they come up and they swim across this to the .....

21 MR. HOOD: Or they come up -- come around from the west  
there from the Malculik area and from the Ugashik Lake area.

22

MR. O'HARA: Okay. I'm really anxious to hear the  
public testimony of BBNC, because I think we have a skewed  
opinion on what takes place up in that area, I really do. And  
I'm looking forward to public testimony on that, because  
it'll be helpful. You come out of the Egegik Village

25

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Traditional Council with, obviously, a lot of stuff that you're proposing here in (A).

2           The biggest majority of caribou taken by the Egegik people are down at the rapids, what we call the Rapids or Bagoon. And there's caribou taken. People like to go up into the lakes and they spend a week up there, too, just like they do the Nushagak. So it ought to be interesting. Anything else, Ron?

5

MR. HOOD: I think for this one, that'll -- that what .....

7           MR. O'HARA: Okay. We have then, if there are no further questions for Ron -- excuse me, Peter -- Robert.

8

MR. HEYANO: I guess, Ron, you indicated that the caribou migration is taking place earlier than in the past, the northward .....

10

MR. HOOD: That's correct.

11

MR. HEYANO: ..... migration. I was just wondering on your observations on the Seversen Peninsula and whatnot, you still observe then using the migration, it's just that they're earlier in the year .....

14           MR. HOOD: Well, that's one of the -- .....

15           MR. HEYANO: ..... or have they changed that altogether?

16

MR. HOOD: ..... one of the weak points in my information. We don't have good data about the numbers of animals that are using that area. We do know they use it, the only thing, but I don't have good information. I think the major part of the herd goes north -- or goes west of Becharof Lake across the Egegik River. But there are animals that are filtering out of the mountains that are -- and some of that herd, it splits off, that is taking that route, the only thing.

21           MR. O'HARA: Do you want to estimate a number?

22           MR. HOOD: I don't have the information to do that.

23           MR. O'HARA: Well, you can see almost 2,000 head up on top of King -- up on Blue Mountain or Whaleback.

24

MR. HOOD: I have done that several times, yes.

25

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1 MR. O'HARA: Jammed together, I mean, like .....

2 MR. HOOD: Right.

3 MR. O'HARA: ..... you couldn't drive a wedge in those  
guys. And then you'll see them there and they all disperse,  
maybe back to the east or to the west or .....

5 MR. HOOD: Yeah. Some of them'll go -- .....

6 MR. O'HARA: ..... a lot of them go north.

7 MR. HOOD: It depends, they'll go up into the Park or  
they'll go back to the Pacific -- I mean, to the Bering Sea,  
you know, the Johnson Hill area over there.

9 MR. O'HARA: Yeah. That's right. They'll head that  
way. And then you'll see, after that, a massive amount of big  
bulls traveling by themselves come around Becharof Lake and  
then cross that same area. And then the biggest amount of herd  
is what Roy is talking about, the biggest amount of herd  
actually comes up, you know, a little later, actually, and they  
cross the Lagoon. They cross down by the end of Becharof Lake.

13 MR. HOOD: Right. All right. Yeah, yeah.

14 MR. O'HARA: And they filter on up into Johnson Hill  
and all the way on up in .....

15

MR. HOOD: But my question is now that they're  
migrating earlier, I don't have the -- I have not made the  
observation as to when they're crossing the Egegik River in the  
last two years. Because if they're coming by Pilot Point in  
July, they are probably getting up into crossing -- making that  
crossing before the August 10th date.

19 MR. O'HARA: Okay. The animals you see at the tail end  
of our fishing season, you know, as we fly the Ugashik and fish  
Egegik and you observe the animals, they are a few great, big  
bulls by themselves traveling up in that north area are the  
first ones you see, and then comes the other ones up around  
Whaleback that you talked about, that a certain herd would  
cross Seversen and the majority of them go up -- straight up  
the Alaska Peninsula.

23

MR. SAMUELSEN: One more question.

24

MR. O'HARA: Yeah.

25

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1 MR. SAMUELSEN: Ron, if the Council adopted  
Proposal 30(A), can you point on the map the opportunity that  
the sports hunter will have, if we close that area? If  
we .....

3

MR. HOOD: Well, they have that -- all of that area  
north of the -- .....

5

MR. SAMUELSEN: The blue area?

6

MR. HOOD: ..... north of the Becharof Lake that you  
see up there on the Refuge in both 9(C) and 9(E).

7

MR. SAMUELSEN: So if we close this area here, they'll  
have all this area and this area?

9

MR. HOOD: That's correct.

10

MR. SAMUELSEN: Okay.

11 MR. STEPANOFF: I got a question there, Ron. Yeah, you  
were pretty right on, like, caribou get down by my side, the  
Pacific side. We have so many trophy hunters come in here, and  
they wiped them out. You know, like these big horn hunters,  
that's moose and caribou. Like, you know, we have a guide  
hunter that's down in Bear Lake there, and he get all --  
whatever gets down there, and nothing returning.

15

MR. O'HARA: In Bear Lake?

16

MR. STEPANOFF: Yeah. That .....

17

MR. O'HARA: That's way down the peninsula, right  
across from (indiscernible - voice lowers) .....

18

MR. STEPANOFF: Yeah. You know, it includes like  
Harryville (ph), Port Moller, Nelson Lagoon.

20

MR. HOOD: Yeah, that's Warren Johnson's headquarters  
there.

21

MR. SAMUELSEN: It's coming up in another proposal.

22

MR. O'HARA: A slug of them down there.

23

MR. SAMUELSEN: It'll be in another proposal.

24

MR. O'HARA: Okay. Any other questions of Ron?

25

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1 MR. HEYANO: Just one more, Mr. Chairman.

2 MR. O'HARA: All right, you bet.

3 MR. HEYANO: So other than the caribou migrating  
earlier, they're basically using their same routes, in  
summary (ph)?

5 MR. HOOD: Basically using the same routes, but I  
submit that they -- year to year, if you stand in one location,  
one year you may be where the caribou are and the next year you  
may not be where the caribou are, the only thing. And so, if  
you stand in the Seversen Peninsula this year, you may get a  
large number of caribou by you, next year, you may get a low  
number of caribou by you just because a caribou goes where a  
caribou wants to go, the only thing.

9  
MR. O'HARA: There's no guarantee where they're going  
to go. They just don't follow the same pattern; once the herd  
is increased, they have changed their pattern. They used to  
walk through, you know, the Cinder Flats there by Port Heiden,  
you know, Roy, and up through Ugashik just on a regular basis,  
and seeing a bunch up there by Egegik, all the way down through  
Johnson Hill, and they just kind of go back in the mountains  
now and some comes up the main peninsula. They can really  
change their pattern.

14

MR. MATSUNO: Yeah. 'Cause there's been times when  
I've gone, you know -- sometimes when we're closed down for  
commercial fishing, I'll go sport fishing. And those caribou  
that will cross up there, about halfway between Ugashik and the  
lake -- the first rapids and the lakes. And I'll go up and  
they'll be crossing, you know, like 9:00 or 10:00 in the  
morning, and on my way back home at 5:00 o'clock they'll still  
be crossing, you know. And I mean, it's the main part of their  
herd that goes through, probably -- I'd figure probably 6,000,  
7,000; a bunch that goes through in the early part of July.

20 MR. O'HARA: Where do you sport fish up the Ugashik?

21 MR. MATSUNO: Yeah. I do a lot of sport fishing.

22 MR. O'HARA: I mean, that's where you're talking about  
when you go up .....

23

MR. MATSUNO: Yeah.

24

MR. O'HARA: ..... the Ugashik River? Okay. All

25

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right. And if you have no more questions for Ron, we need to have -- yes.

2 MR. HOOD: I have one other thing that I -- I, personally, am concerned about the health of that herd. I think that the total take of that herd, both sports and subsistence, at the current levels is what's maintaining it. And if we decrease the take by limiting the opportunities of the sports hunters and don't increase it somehow, that population is going to increase above 20,000. And at some point, we're going to have what has happened down in Unit (D) with the lower peninsula herd, we're going to have a crash.

7 MR. O'HARA: Now, wait a minute.

8 MR. HOOD: And I think we need to be very careful.

9 MR. O'HARA: The Black Hills caribou herd has never increased or crashed, they have always stayed at 4,000. The Black Hills herd who are down on the lower end of the peninsula, the Cold Bay herd, is that the one you're talking about?

12 MR. HOOD: Well, that's not the information that ADF&G and I have on the thing.

13

MR. O'HARA: All right.

14

MR. HOOD: That total herd crashed from 10,000 to 2,000 animals, and they're now limiting subsistence hunting on that herd.

16

MR. O'HARA: That's true, yeah.

17

MR. STEPANOFF: Is there control of, like trophy hunters, like different areas that, you know, there isn't any there, like, moose and caribou?

19

MR. HOOD: Sam, there are on -- there is some control on sport -- on commercial sport game hunting, and we have taken some actions to reduce conflicts with, particularly moose, not so much with caribou, but particularly with moose in certain areas. But I find it -- I don't have the information that I need to address your question on particular locations on small areas and what's going on in that area. 'Cause I, frankly -- you know, it's easy to blame -- make an observation and then say that's what caused that -- this to happen, but being a biologist or having a biological background, I'm a bureaucrat now but I've been -- having a biological background, it's hard

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-- I have a hard time saying I saw this, that is the cause of what's going on, especially when you look at the big picture of that herd.

2

MR. STEPANOFF: Well, the deal is, you know, like, these trophy hunters could be -- he'd get it from a closed season and say he got it from, you know, an open area.

4

MR. HOOD: Why do you make the assumption that the trophy hunter is an outlaw?

MR. STEPANOFF: Well, there is so many of them that's coming in there, you know; they're coming in with their planes and during -- places where you don't know, I mean, like in private lands.

8

MR. HOOD: Well, that's a problem that we're trying to address at our Visitor's Center and trying to get the information to the people as to where these land- -- private lands are; because it behooves any good hunter to know where he's at on things. But it's getting to the point where we need all need one of these local GPS's with us to where we can identify where we're at.

12

MR. O'HARA: Did you have any other, Robin?

13

MR. SAMUELSEN: Yeah. If we close the Seversen Peninsula, adopt 30(A), you feel that reducing the harvest of this herd would cause an increase in the herd and also damage the range?

MR. HOOD: I feel like that we are -- it's only one small part, and probably doing that would not, in itself. But if we were going to do this -- now, next year, we're going to bring some -- some more individual areas are going to be brought up. And sooner or later, the working of this whole thinking, we're going to have a reduction in the take. And with the emphasis now being -- that's the point that I tried to make earlier and, obviously, didn't make it. With the increased emphasis on the Mulchatna herd, the attractiveness of coming down and hunting the caribou in that area is going to be reduced, because the Mulchatna herd is easier accessed now than that herd. And we need to look for a while and see what's going to happen with all these dynamic things that are going on right now.

23

MR. O'HARA: Go ahead, Robin.

24

MR. SAMUELSEN: Okay. In the testimony that I've got

25

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before me from the residents of Egegik, or the Council has, they say the Seversen Peninsula is overrun by people, by planes being dropped off, that caribou with horns has little chance of taking two steps on the land. Do you have harvest statistics of the Seversen Peninsula versus the other area around there?

3

MR. HOOD: No, I do not. And my own personal opinion is that that is somewhat colorfully stated in there and overstated with our own personal -- and I would point out that when we did our Public Use Management Plan, we had a member of that community on our planning team, and they agreed with us in our final decision that we needed to study the issue more.

7

MR. O'HARA: Okay. Any other questions for Ron? Thank you, Ron, we'll bring you back again for (C) and -- (A), (E) and (C). Taylor, did you have any words of wisdom for us?

9

MR. BRELSFORD: Mr. Chairman. Our thought was that the meeting has gotten long, and we ought to try and focus and really hone in on some of the specific issues that are at play here. There is, in fact, a very detailed study of the uses of the North Peninsula caribou herd by the communities in the region. If there are questions, perhaps, we could talk -- I could address questions about the use areas that are documented as far as the individual communities, or the rates of participation by households or the harvest levels.

14

But I think the real cutting issue here is this, the biological status and this problem of competition, site specific competition problems. But I'm not sure this would give you what you need to do.

16

MR. O'HARA: Well, I think what you've told us over -- for caribou for the last two days is pretty much the same anyway for the needs that we have represented here, and that's .....

19

MR. BRELSFORD: I think the deliberations are very site specific.

20

MR. O'HARA: Yeah. Yeah.

21

MR. BRELSFORD: And we're better off, probably, going into these discussions rather than going back -- going into the specific discussions rather than going back to general information.

24

MR. O'HARA: All right. Okay. Excuse me, did you have a question, Robin?

25

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1 MR. SAMUELSEN: Does the -- does your information there  
point that Seversen Peninsula is a traditional hunting area of  
the residents of Egegik?

3 MR. BRELSFORD: Robin, as I'm sure you know, the  
mapping efforts are often very general. What you get is the  
parameter, the outside of a use area over a period of time;  
generally 20 years or so. And certainly, the Becharof Lake and  
the Seversen Peninsula are within the use areas, but we're not  
able to say any more specifically whether it's an intensively  
used area or a less frequently used area, based on this kind of  
data.

7

MR. SAMUELSEN: Okay.

8

MR. O'HARA: Moses, did you have any public comment on  
this particular proposal? We've broken it down since we  
started on Monday, into three parts; did you have any comment  
on this? Okay.

11 MR. DIRKS: Well, they have several comments but it  
just simply addresses Proposal 30 as it .....

12

MR. O'HARA: Um-hum. Yeah.

13

MR. DIRKS: ..... appeared in the .....

14

MR. O'HARA: Okay. We'll take them.

15

MR. DIRKS: You will take them, okay. There were in  
support -- or the public comment for Proposal 30 in support, we  
had two support and then seven in objection to the proposal.

17

MR. O'HARA: Seven against?

18

MR. DIRKS: Against, yes. Um-hum. In support was  
Bristol Bay Native Association, and they said there was a  
shortage of caribou in the Perryville area. And this appears  
to be partially due to competition with sports hunters for the  
available caribou. And this fact makes the need for  
unrestricted caribou migration into the Perryville area a  
critical concern.

22

And also, Ivanof Bay Council put in a resolution about  
this, and then I think Ron Hood will present more on that or  
will add more on that one.

24

MR. O'HARA: They supported .....

25

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1 MR. DIRKS: They were also in favor of the .....

2 MR. O'HARA: They supported the proposal, huh?

3 MR. DIRKS: Supported the proposal, yeah. And in  
objection to Proposal 30, the National Park Service needed --  
more information was necessary, and they were opposed at this  
time. And the rationale was the population data collected by  
the National Park Service and Alaska Department of Fish & Game  
shows the northern peninsula caribou herd as currently at a  
moderate to high level. Rather than closing public lands to  
all hunters except qualified rural residents at this time, they  
recommend further investigation to determine impacts caused by  
non-subsistence hunters on populations and subsistence users.

8

And also, your two favorite associations were .....

9

MR. O'HARA: Bows and arrows, huh?

10

MR. DIRKS: ..... in objection in this proposal has no  
factual basis, and the level of competition between subsistence  
and non-subsistence hunters are negligible. Both the -- yeah,  
the Bowhunters Association -- or this was the Alaska Department  
of Fish & Game thought that the level of competition between  
subsistence and non-subsistence hunting were negligible. And  
the Bowhunters, they are consumptive users of the resource  
also, referring to the non-rural resident hunters. And there  
is no documentation that general hunting has affected  
subsistence opportunities. And there was -- the same comment  
goes with the Golden North Archery Association.

16

MR. O'HARA: The what?

17

MR. DIRKS: Golden North Archery Association.

18

MR. O'HARA: Okay.

19

MR. HEYANO: And then the other, the Bowhunters  
Association. And there was an individual who submitted a  
comment, his name was Acker, and in his view, the ANILCA  
properly accords priority to the satisfaction of subsistence  
needs. And accordingly, he recommends that Proposal 30 not be  
approved, and he further recommends that, henceforth, the  
responsibility for management of fish and wildlife on all  
public lands in Alaska be assigned to the State of Alaska vice  
the U.S. Fish & Wildlife Service.

24

MR. O'HARA: That was John Ecker?

25

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1 MR. DIRKS: No. That's G.D. Acker.

2 MR. O'HARA: Huh?

3 MR. DIRKS: His name was G.D. Acker.

4 MR. O'HARA: Okay.

5 MR. DIRKS: Yeah, one of the commentators. And also, there was another individual with three people from Kodiak, Bunting, Schaefer and Andrew, also submitted a comment. And they have hunted Unit 9(E), mostly Mother Goose Lake since 1968. During this time, they have not taken a great deal of moose or caribou was the reasoning, I guess. And then, they give four reasons. And the -- most of this stuff is -- should be in your packet in their entirety, the ones that I handed out before.

10 MR. O'HARA: Um-hum.

11 MR. DIRKS: All of that is in there. And Joe Klutsch of King Salmon says that this proposal also assumes the authority to regulate non-subsistence hunting on Federal lands and to presume, as the proposal does, that closing Aniakchak Preserve in the Alaska Peninsula Wildlife Refuge to non-subsistence hunting will allow a migration of moose to the Seward Peninsula, which lies far to the north, is simply not valid. There is biological justification to prohibit non-subsistence seasons as they currently exist. And then he goes on to say to propose closing all non-subsistence hunting in the area listed in the proposal would be arbitrary and unjustified, and certainly far exceed the intent of Title VIII of ANILCA.

17

And that concludes the public comments.

18

MR. O'HARA: Any questions on -- for Moses on the public -- what people have written in? We do have Joe Klutsch's and I passed it out this morning to the Board Members, he's made several comments, and I'm glad it's timely (ph) that he made a comment on that. If no further questions on him, then we'll thank you and we'll open this up for public hearing at this time. Number 30. Public hearing.

22

UNIDENTIFIED VOICE: 30 (A).

23

UNIDENTIFIED VOICE: 30 (A).

24

MR. O'HARA: 30 (A).

25

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1 MR. NELSON: Yeah. And I got lost, having Mike  
 Lockhart roll all three of these proposals into one proposal  
 2 like he did, I think it created a lot of confusion on 30, and  
 what Moses just read shows that confusion that says that, you  
 know, that we were saying that the migration from the Alaska  
 Peninsula and Aniakchak were going to -- you know, affecting  
 the Seversen Peninsula. And that wasn't -- you know, that  
 didn't even come into play at all.

5

From back here, the black lines we drew on (D) and (C)  
 looked real good, so I'm just going to go up here and mark down  
 Seversen's Peninsula in black so we can see the peninsula that  
 we're talking about. And it's just, you know -- it's not very  
 large at all, as you can see, and it's -- in the scope of the  
 whole area.

9 The residents of Egegik have told us, at BBNA, that  
 that's been a traditional hunting ground for them for years,  
 that they've gone up there and they've -- and Ron Hood of the  
 Becharof stated that the caribou come up there and they not  
 only use the Seversen, but they use -- you know, they go on  
 various different routes all the way around it. We're trying  
 to look after the subsistence user that feels that there is a  
 lot of pressure, that that is -- you know, like Ron said, you  
 can climb up, it's got a little bit of -- there's a hill there  
 and you can climb up to the top of the hill and observe both  
 sides of the peninsula, and effectively shut off -- it wouldn't  
 take that many hunters to effectively shut off the migration  
 path.

16 We're worried that that is a migration path, we would  
 like to see the caribou continue to cross there. And the  
 subsistence pressure with the amount of villages that are there  
 would allow that a lot of the caribou would continue to migrate  
 across, you know, as they take their take; the rest of the  
 caribou would go through. And the sports hunter that's hunting  
 in the area can take them all around any -- you know, and it  
 gives them a little safe haven for -- one little, safe haven in  
 that whole area for migrating across. And I guess that's  
 pretty much what I have. Do you have some information here?

21

MR. KRIEG: Ted Krieg, BBNA Natural Resources. I guess  
 just three or four points. You know, this proposal was  
 submitted on behalf of the Egegik Village Council, and it was  
 formulated by statements made by them to me.

24 First of all, ANILCA provides for a subsistence  
 priority. People in that area, or at least the people I talked  
 25

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to on the Village Council, said that subsistence hunters feel like they're competing for caribou on the Seversen Peninsula with -- competing with sport hunters.

2

In reference to the caribou there tasting better, it was my understanding -- and I apologize for not having my notes here to better state this. But it was my understanding that local knowledge feels like there's a caribou herd there that's different than the other caribou herd. I think they call it Mountain caribou, and they're a bigger caribou, and they're not -- you know, they say they don't mix with the other caribou. And I think that's one of the reasons why that area is targeted, Seversen Peninsula.

7

That's it, unless there's any questions.

8

MR. O'HARA: Okay. Yeah. I told you I was going to ask you a question here or two, Ted. Did you or Russell go down to Egegik and meet with the Village Council, and did you have a public hearing down there?

11 MR. KRIEG: Yes, we did.

12 MR. O'HARA: How many people were at the public hearing -- at your Village Council -- Traditional Village Council?

13

MR. KRIEG: We had meetings over two days. I got there in the afternoon, we had a meeting, there were three people at that meeting. And then in the morning, we had another meeting, and there were three people at that meeting.

16 MR. O'HARA: The same three people?

17 MR. KRIEG: No, different.

18 MR. O'HARA: Different names.

19 MR. KRIEG: There -- one person was there for both meetings, and then -- so there was like a total of five people.

20

MR. O'HARA: Five people. And that's your representation of closing down the Seversen Peninsula because of Egegik's comments on that?

22

MR. KRIEG: Well, and they were -- those people were representatives of Egegik Village Council. So I'm -- it was the Village Council representatives.

24

MR. O'HARA: Yeah. My problem is I'm a member of the

25

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Naknek Village Council and I haven't been to a council meeting in five years, and I'm sure they're saying things for me that I don't necessarily want them to say.

2

MR. KRIEG: Um-hum.

3

MR. O'HARA: And I just have a question on whether we're really representing Egegik or not, you know, all of Egegik or not when we say that.

5

MR. KRIEG: Um-hum.

6

MR. O'HARA: Of course, Traditional Council's all we got to go with so maybe we are.

8

MR. SAMUELSEN: That's the point I was going to make.

9

MR. O'HARA: Yeah.

MR. SAMUELSEN: Some of these village councils have five members, three of them are -- constitute a quorum but they represent the whole Traditional Council.

12

MR. O'HARA: The whole council, yeah. I guess in talking with Al Olson and Billy Zharoff and Mark there (ph) and Paul Boskofsky and people I associate with all the time in Egegik. My mom lives there, I run down there all the time, talking with people, never heard anybody surface a question on the Seversen Peninsula being a problem or the meat tasting different or this type of thing, you know. And I really don't know -- as much as I fly over that area, I don't remember seeing a whole lot of camps on the peninsula but a horrendous amount on that blue area -- that pink area over there. You're familiar with that, both of you can see that?

18

MR. KRIEG: Um-hum.

19

MR. O'HARA: And everybody in the public can see that? Selected by the Aleuts?

20

UNIDENTIFIED VOICE: The light blue?

21

MR. O'HARA: This was a selection by the Aleuts, Ron?

22

MR. HOOD: By Koniag.

23

MR. O'HARA: That's Aleuts.

24

MR. HOOD: No.

25

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- 1 MR. O'HARA: Koniag is Aleuts, they're Aleuts.  
(Indiscernible - simultaneous speech, away from microphones,  
2 looking at maps)
- 3 MR. O'HARA: Anyway, that area there, if they get it,  
the center selection, that's under (ph) the Alaska Department  
of Fish & Game, as you know so .....
- 5 MR. KRIEG: Um-hum.
- 6 MR. O'HARA: But I mean, if it creates a heartburn for  
Egegik, I have no problem shutting the peninsula down to sports  
hunting.
- 8 MR. KRIEG: Yeah. And yeah, like I said, I only had --  
you know, the information I have to go -- have to go on is --  
you know, is what I got from, you know, representatives  
suggested to me by the -- you know, by the Village Council.  
10
- MR. O'HARA: Orville, have you heard anything in your  
travels, did you run across anything or .....
- 12 MR. LIND: Just from one person. Orville Lind, Alaska  
Peninsula Becharof Refuge. Just from one person, Mr. Chairman,  
and it's been pretty much the same story, conflict. It seems  
like they're competing for their caribou with other hunters.  
14
- MR. O'HARA: In a very small area.
- 15
- MR. LIND: In a small area.
- 16
- MR. O'HARA: Um-hum. Okay. Any other public comment  
on this particular part?
- 18 MR. SAMUELSEN: One question.
- 19 MR. O'HARA: Yeah, go ahead.
- 20 MR. SAMUELSEN: One question of Orville. Orville, has  
that been identified as a traditional hunting area, the  
Seversen Peninsula?
- 22 MR. LIND: I have been told that, yes.
- 23 MR. O'HARA: Yeah. And it really is. It really is,  
they go up there. And the thing that's interesting about it is  
when it blows a hard east wind, they can still get a little bit  
of shoreline on the south side of Becharof. And they always go  
25

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up in there in Mother Ruth (ph) Lake area, Ron as you know, this is a favorite sport fishing area for the local people and they camp in there for days.

2

MR. HOOD: Yeah. Yeah.

3

MR. O'HARA: You know, and the caribou, they move through there. And they may be seeing big populations of tents on that Seversen Peninsula, I'm just not aware of it is all, you know.

6

Okay. We don't have any other public testimony -- yep, Joe. And then we'll have to take Steve after that.

7

MR. CHYTHLOOK: Mr. Chairman, for what it's worth, this problem, I guess, you know, kind of a conflict problem between local versus sport hunting has been discussed somewhat on a local Bristol Bay Advisory Committee level from time to time. But I think since the local Bristol Bay Advisory Committee is primarily, you know, set up for the State Board, they haven't really pursued the matter. Because, I mean, I concur with some of the testimony by BBNA that this has been brought up on several occasions that I have attended the Lower Bristol Bay Advisory Committee at Egegik, but I think the problem that they've had is they've groped for ways of addressing it. And of course, you know, you're dealing with Federal land, and the primary place where advisory committee on a State level is dealing with public land on State -- you know, State lands. So they've been groping for answers.

15

I guess one thing that I would like to request from your Regional Coordinator, maybe, is, perhaps, I notice that in your -- yesterday, in your organizational deal, that local advisory committees in Bristol Bay were still somewhat, you know, sort of a part of this process supposedly or could be part of this process. So, perhaps, in the future, if we could somehow be -- if the local advisory committees that represent the areas could be mailed -- the chairman, at least, could be mailed information pertaining to this, and they could bring it to the local advisory committee, you know, for comment on the local advisory committee level. It might, at least, address the issue a little bit more. That's all I have.

MR. O'HARA: In other words, this Council and the Advisory, which a lot of us are made up of both, .....

23

MR. CHYTHLOOK: Yeah.

24

MR. O'HARA: ..... and it's the same game, have a

25

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little more coordination between one another.

1

MR. CHYTHLOOK: Yeah.

2

MR. O'HARA: It's a good idea.

3

MR. CHYTHLOOK: Yeah. The idea being that, you know, while we address it, I guess we need to have some sort of a means, a way of presenting the local advisory -- I guess, I do feel -- I do realize that some of you are on our mailing list, I guess. And I don't know -- when we do mail stuff, you know, like to Ron Hood and .....

7

MR. O'HARA: I'll get it.

8

MR. CHYTHLOOK: ..... and some of the other Park people, I don't know where it's distributed to from there, so .....

10

MR. O'HARA: Helga, that's a good point, yeah.

11

MS. EAKON: That is a real good point, Mr. Chair. And it was only quite recently, maybe a month and a half ago, that I did get an updated mailing list from Robin Samuelsen, because our mailing lists, I'm sorry to say, is very outdated. But now that I have current addresses, I will take your comment to heart.

14

MR. CHYTHLOOK: Okay.

15

MS. EAKON: Thank you.

16

MR. CHYTHLOOK: Appreciate that. Thank you.

17

MR. O'HARA: Thank you, Joe. Any questions of Joe? Okay. Steve, you had your hand up there, did you want to come up here and talk to us?

19

MR. PERKINS: Just kind of I see everybody seems to be lacking information as far as hunters and whatnot. And the State has some good information on that, and Tim could probably tell you what the air taxis are required to keep and everybody could get more informa- -- not just on this one area but, you know, statewide on State and Federal land.

23

MR. O'HARA: The tags -- the information, say I go out and get a caribou and the tags come back, I fill my tag out and send it in.

25

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MR. PERKINS: No.

1

MR. O'HARA: You're not talking about that?

2

MR. PERKINS: Do you want to tell them or do you want  
me to?

4 MR. HOOD: Well, I think I can speak to that. I was at  
the Commercial Services Board meeting, that was the only thing.  
5 They have passed new regulations where there -- each person  
who goes out with the air taxi will be required to sign a  
6 contract and a report will be filed from that. We voiced our  
approval of that process, and the information that we get from  
7 that will be much better than anything than we have gotten in  
the past.

8

MR. O'HARA: One more level of bureaucracy, huh?

9

MR. PERKINS: You have to keep them now, don't you?

10

MR. LaPORTE: Yeah. At this point, as an air tax- --  
11 don't go away, I got a question for you. As an air taxi, we  
have to fill out a meat haulers report, and we have to have a  
12 license as -- by the Commercial .....

13

MR. HOOD: Occupational Licensing.

14

MR. LaPORTE: Yeah. The Commercial Meat Hauler's  
License, we got. And each hunter that we take out, we have to  
15 tell them what game management unit they went into, and they  
ask for a specific location, by drainage, or lake, the local  
16 name for the lake and that kind of stuff. And when we bring  
the people back in, the species of animal that was killed, the  
17 sex of the animal that was killed, and the poundage of meat or  
percentage of meat that was hauled in. And it's something that  
18 as an air taxi we're accountable for, everything's got to  
balance up at the end.

19

But I understand they've gone one step further with  
20 this contracting system. I haven't even heard about it yet, so  
-- but -- and I'm not opposed to it. But the other question I  
21 had for you, you were flying for Branch River Air Service.  
I've personally never hauled anybody, and it's out of our  
22 operating range really, to bring somebody down in that area to  
hunt caribou when we've got good caribou up there. But how  
23 often do you -- does Branch River Air Service use,  
specifically, Seversen's Point there?

24

MR. O'HARA: Or Becharof Lake?

25

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1 MR. LaPORTE: Or -- we'll we're talking .....

2 MR. O'HARA: Seversen.

3 MR. LaPORTE: ..... specifically Seversen's Point .....

4 MR. O'HARA: Seversen, okay.

5 MR. LaPORTE: ..... at this point.

6 MR. O'HARA: All right.

7 MR. LaPORTE: How many camps do you guys put there?

8 MR. PERKINS: None that I know of. I've never been  
there. I've flown over it but I've never .....

9 MR. O'HARA: Did you do -- take any hunters out or just  
sports?

11 MR. PERKINS: Hunters, mainly.

12 MR. O'HARA: Both, hunters and sports for Branch River  
Air -- for Branch River Air?

13 MR. PERKINS: Yeah.

14 MR. LaPORTE: Where do you mostly target? I mean,  
you're -- this is your backyard. But are you using that?

16 MR. PERKINS: Same like as you, as close as you can get  
them, you know.

17 MR. LaPORTE: I know, he's using some of my lakes that  
I've been using for years.

19 MR. PERKINS: You know, right, almost -- you know, you  
can see -- .....

20 MR. LaPORTE: North.

21 MR. PERKINS: ..... you can King Salmon, that's where a  
lot of it happens.

23 MR. LaPORTE: Do you know anybody that is targeting  
Seversen Point as an air taxi or guide service?

24 MR. PERKINS: No. But that's not to say there is,

25

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there's a lot of activity in that country and there could be.

1 MR. LaPORTE: Well, it almost -- ..... ..

2 MR. PERKINS: It could be .....

3 MR. LaPORTE: ..... it'd have to be a float plane  
4 operation.

5 MR. PERKINS: I don't know.

6 MR. LaPORTE: Unless you got down below where you could  
7 get in on wheels.

8 MR. PERKINS: What is that like, is .....

9 MR. O'HARA: No, it's definitely a float plane  
0 operation, there's no place to land there but floats.

11 MR. PERKINS: Well, we didn't go down there, to my  
12 knowledge, when I was working.

13 MR. O'HARA: If they leave (ph) the Alaska Peninsula,  
14 they did it on a float plane, that's the only possible -- and  
15 Becharof Lake had to be a good day to do it, too.

16 MR. PERKINS: There's some wheel places down there,  
17 isn't there?

18 MR. O'HARA: There is, across from it there, by  
19 Featherly.

20 MR. LaPORTE: But not spec- -- .....

21 MR. O'HARA: But not .....

22 MR. LaPORTE: ..... not specifically the Severson  
23 Point.

24 MR. O'HARA: No. But they would be getting animals  
25 that would be swimming across, and there's a lot of caribou  
that got through there; that's a migration area. Yeah. Thank  
you, Steve. Okay.

MR. LaPORTE: Maybe one more thought.

MR. O'HARA: Sure.

MR. LaPORTE: I'm just trying to figure out who might

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be hauling into that area specifically, 'cause I don't think King's Air Service has any float planes any more.

2 MR. O'HARA: No, they do but they don't go into that  
area.

3 MR. LaPORTE: Does Penn Air go there?

4 MR. O'HARA: No. Penn Air goes to -- yeah.

5 MR. HOOD: We permit people into that area. Branch  
River is the primary one, but there's also Seahawk (ph) and a  
couple from Kodiak that deliver into that area. They're  
required to give us a report of where they took their  
customers. But Branch River, for one, has not supplied it for  
this last year.

9 MR. O'HARA: Yeah. But you mean just an air taxi  
dropping people off are required to tell you?

10 MR. HOOD: Yes. Yeah.

11 MR. O'HARA: Penn Air drops off hundreds of people in  
those areas.

13 MR. HOOD: And if they're operating on the Refuge,  
they're -- and a permit is required .....

14 MR. O'HARA: They land in the Refuge.

15 MR. HOOD: ..... and they have a report -- reporting  
requirement (indiscernible - voice lowers, away from  
microphone) .....

17 MR. O'HARA: If they land on the Refuge, they're  
supposed to tell you?

19 MR. HOOD: Yes.

20 MR. O'HARA: Interesting, boy.

21 MR. HOOD: We charge them \$2.00 a customer.

22 MR. O'HARA: Okay. Well, let's -- yes, excuse me, the  
lady in the back there.

23 UNIDENTIFIED VOICE: Mr. Chairman.

24 MR. O'HARA: She wants to come up and public testify.

25

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1 MS. COILEY: Pippa Coiley, Subsistence Division, Fish &  
Game. Well, I just wanted to bring a very brief social science  
perspective to it and to this discussion.

3 And it was -- it's my understanding that BBNA had  
decided to do some questioning and research into the issues  
coming up in villages, preparing for the Federal Subsistence  
Board meetings and proposals. And they had a choice of either  
concentrating in one area and doing very intensive frequency of  
use mapping on just one community or several communities' use  
areas, or they could spread out their resources over the region  
and try to contact and reach as many councils as they could to  
see what the concerns were.

8 And whenever you're doing this type of research, your  
first touch point, oftentimes, should be the council. And if  
you're going to do some more in-depth research, you'll go onto  
key informants and maybe do a hou- -- you could develop a  
survey instrument to do house by house interviews and get  
information that way. It's very resource intensive, it can  
take a lot of money, it takes a lot of time and a lot of  
planning. But to meet with councils who also may be key  
informants and to take comments is a very valid way of doing  
the research.

13

And in the future, maybe BBNA will have the funding to  
concentrate more on specific issues. But I just wanted to  
point that out, that getting comments from the council is maybe  
even a little bit more valid than taking hearsay from other  
communities or talking to one individual who says I heard this  
from one person. So thinking .....

17 MR. O'HARA: And that's very good, you see. If I don't  
go to the Council and make my wishes known, the five people  
there can make a decision for me.

19 MS. COILEY: Um-hum.

20 MR. O'HARA: And I appreciate you guys, you know,  
coming up and saying this is what the Council said, this is the  
number of people that were there, this is the opinion we got  
and this is what we're going to say. And that's fine, I  
appreciate that.

23 MS. COILEY: And short of spending a week in the  
community surveying every household, it's the next best thing.  
Yeah.

25

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MR. O'HARA: We've gotten a widespread opinion from the north all the way down to the south because of BBNA's research with what money they do have. And I appreciate that, that took a lot of work.

3 MS. COILEY: And I'm assuming they heard a lot of other things, too, and they chose those proposals that they felt were most strongly supported by the people they talked to.

5 MR. O'HARA: Yeah. Thank you.

6 MS. COILEY: So I just wanted to point that out. Thank you.

7 MR. O'HARA: Okay. Guys, what do you want to do on 30(A)? I think we got -- yeah.

9 MR. SAMUELSEN: Mr. Chairman, I .....

10 MR. O'HARA: (Indiscernible) public hearing -- excuse me, I didn't cut anyone off -- Russell, I'm sorry, you had your hand up there, go ahead.

12 MR. NELSON: Yeah, Mr. Chairman. The conversation was focusing, a little while ago, on the reporting by the air taxi. But we have to realize, too, that there's a lot of -- a real influx of float planes and wheel planes that come up to Alaska in the springtime that start with the herring season and continue through salmon, hauling and stuff. And a lot of these planes are used to take people out to go hunting, too, and I don't know if there's any method for people reporting on that. But we do have a big influx of private planes, I mean, with hunters on them when their -- you know, when they're not working.

18 MR. O'HARA: Yeah. That whole peninsula is dotted with tents as far as the eye can see. I mean, you can just climb up to 2,500 feet and -- Illiamna's and South Lake Illiamna is the same way, it's just as far as you can see. I'm sure, in Mulchatna it gets worse.

21 Wishes? What would you like to do, Council?

22 MR. SAMUELSEN: Mr. Chairman?

23 MR. O'HARA: Yes.

24 MR. SAMUELSEN: I move for adoption of Proposal 30(A).

25

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1 MR. O'HARA: Is there a second?

2 MR. MATSUNO: Second.

3 MR. O'HARA: Okay. Roy seconded. Any further discussion? Yeah.

4 MR. SAMUELSEN: Mr. Chairman. We've got written testimony before us, and also oral testimony, that shows that Seversen Peninsula is a traditional use area by the Village of Egegik. That the written testimony shows that the influx of sport hunters is basically shutting off the migration of caribou in that area. It's a half mile wide by -- I don't know, like, four miles, three miles, three and a half miles long. It's not too big of an area.

8 I think the general "sports hunter" has a reasonable opportunity versus in the other areas that Staff has indicated in blue and red there to the north. I don't know how many acres it encompasses. Maybe Ron could .....

11 MR. HOOD: I don't have that figure tonight (ph).

12 MR. SAMUELSEN: Well, it .....

13 MR. HOOD: I mean, we could determine it, of course.

14 MR. SAMUELSEN: You know, if Seversen Peninsula is 10 acres, judging by the map, the other has got to be easily 100 to 200 acres on a ratio type thing, so -- .....

16 MR. O'HARA: There's plenty of area (ph).

17 MR. SAMUELSEN: ..... or even 3 to 4,000, rather, acres. I think the -- I think, as stated by the Staff, they have a lack of information in that area, a lack of users, user information. I'm relying on it being a traditional hunting spot, and the Traditional Council of Egegik as bringing this point up and identifying this point.

20 Also, I think it's -- the subsistence priority mandates us to make allowances for subsistence users that are having potential conflicts. And I don't feel that it's an undue hardship by shutting off the Seversen Peninsula to sport hunters and only allowing subsistence hunters on there.

23

MR. O'HARA: Okay. Any other comment from the Council members on this issue? Robert.

25

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MR. HEYANO: Yeah, thank you, Mr. Chairman. Just a quick question for Ron is that I notice on this map up here, which is yours I believe, that the outside edge of Seversen Peninsula is colored a different color. Is that part of that selection by Kodiak (ph)?

3

MR. HOOD: Yes.

4

MR. HEYANO: So that part -- if we pass this regulation, that part wouldn't .....

6

MR. HOOD: That's correct.

7

MR. HEYANO: Okay.

8

MR. HOOD: It would -- that is not Federal land. You're correct, there is a little, small piece at the end of the thing that has been selected by Koniag as a historic site.

MR. HEYANO: So which way do the caribou come, from the water up to the peninsula or from the mainland out to the water?

MR. HOOD: From the -- and at that time of the year, they would be coming from the water to the peninsula.

13

MR. O'HARA: They're coming off -- they're walking across that pink area out to the peninsula, traveling north.

15

MR. HOOD: That's a good point.

MR. O'HARA: They travel across this way. I see, you got a little tip there, too. I never thought about that tip.

17

MR. NELSON: Mr. Chairman?

18

MR. O'HARA: Uh-huh.

19

MR. NELSON: Yeah. We realize that, also. You know, when we looked at it, we realized that that -- you know, we're not going to be able to control that very tip of that peninsula, but the rest of the peninsula would be able to -- would be kind of like the safe haven for the caribou, except for the subsistence hunter, you know. And you're just talking about the very end of the peninsula, we would like to reserve the rest of it. But that -- we were aware of that.

24

MR. O'HARA: Yeah. Ted.

25

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MR. KRIEG: Yeah. I worked -- my previous job, previous to my job with BBNA, I worked for the BIA ANCSA office out of Anchorage. And one of our jobs was to -- or that was our -- you know, the focus of the BIA ANCSA office was to survey these 14(h) (1) historic and cemetery sites.

3

And I actually did work in that area, and we did an archaeological survey of that area. And we -- there were -- we found historic and cemetery sites, you know, documented historic and cemetery sites. But it's my understanding that, you know, Koniag, they applied for a large area of land which was basically, kind of, unrealistic as being an entire historic and cemetery site area. And we identified, you know, localized sites. And, you know, there is information available, and it wouldn't be hard to get. But it's my understanding that that 8- not all of that area, you know, will be -- will go to Koniag as a 14- -- .....

9

MR. O'HARA: Well, probably none of it will. They're going to take a wilderness area down there, then they'll give them land someplace else in Alaska that we can't charge them 7(i) (ph) on.

12 MR. KRIEG: Right.

13 MR. O'HARA: We're very much aware of that.

14 MR. KRIEG: But the 14(h) (1) thing might -- I mean, they may not have the option to do that. And it's my under- --  
15 the best of my recollection, we didn't find an archaeological or .....

16

MR. O'HARA: Okay.

17

MR. KRIEG: ..... historic and cemetery site .....

18

MR. O'HARA: Okay. Thank you.

19

MR. KRIEG: ..... on the end of Seversen Peninsula.

20

MR. O'HARA: Okay, that's fine.

21

MR. KRIEG: But I could be wrong.

22

MR. HOOD: He needs to reevaluate their thing. But I wanted to make the point that until BLM makes their final ruling, that is still not Federal land .....

24

UNIDENTIFIED VOICE: Right.

25

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1 MR. HOOD: ..... until -- when BLM makes that thing, a  
lot of that land will become available for subsistence use.  
But until they make that final adjudication, it's still not  
available for Federal land.

3

MR. O'HARA: That's true.

4

MR. KRIEG: I agree. I don't dispute that at all.

5

MR. O'HARA: Okay. I think it's a moot point for all  
of us. And we're all wasting each other's time to talk about  
it because it's out of control, and it's under somebody else's  
control and not this Panel's.

8

Okay. Have you got another question, Robert?

9

MR. HEYANO: Just a few comments, I guess,  
Mr. Chairman. Is I wouldn't have any problem supporting this  
proposal if it was clear in my mind that this was the case.  
But what we heard today is actually very conflicting reports,  
almost two opposites, as far as the -- what takes place on this  
peninsula.

12

The other thing is, I guess, if the sport hunting use  
of the magnitude that was expressed for us, and the tip of  
that peninsula is available to them, and the caribou are moving  
from the water to the peninsula, I could see a potential of all  
those displaced hunters congregating on that peninsula. And  
if you have virtually -- you would -- we would be -- if that  
scenario happened, we would be increasing the problem rather  
than alleviating the problem.

17

The other thing is that if there is that much hunting  
pressure on that peninsula, those people are going to go some  
other place. And from I heard, Ron said is that the other  
place the caribou migrate is down next to the narrows, where  
they all did this (ph). And that's also -- I think you  
mentioned it, is a high-use area for the people of Egegik.

20

So, you know, with those in mind, I think we got to be  
careful of what we're doing here. And if -- you know, by doing  
this, I hope we're not going to be compounding the problem next  
year, because, you know, we heard the balloon effect.

23

MR. O'HARA: Yeah.

24

MR. HEYANO: And if there is that much pressure there,  
those people are going to go some other place.

25

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1 MR. O'HARA: Any other comments from Council Members?  
Everybody clear in their mind what they're voting on? Call for  
the question.

3 MR. SAMUELSEN: Question.

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

5 COUNCIL MEMBERS: (In union) Aye.

6 MR. O'HARA: Opposed?

7 COUNCIL MEMBERS: (In union) Aye.

8 MR. O'HARA: Three of us opposed, four for it; it  
carried. Okay. Guys, we've got -- we can do an early lunch or  
we can carry on or maybe we could take a break now for lunch  
and come back at 12:30, would that be okay? We'll beat the  
rush by 30 minutes, and (indiscernible - background coughing)  
back here. We have to finish up (C) and -- (B) and (C), deal  
with Roy's problem and then 1 or 2.

12 MR. SAMUELSEN: Judge Holland report.

13 MR. O'HARA: Judge Holland report, yeah. We got some  
new business which won't take very long when we get back.  
Okay.

15 (Off record)

16 (Mr. P. Abraham no longer in attendance)

17 (On record)

18 MR. O'HARA: Call the meeting back to order. We need  
Dave, if he's available, are you just about ready, Dave? We're  
under (C) -- 30(B), I'm sorry. The section we're going to be  
dealing with is this area right here.

20

MR. HOOD: No.

21

MR. O'HARA: (B)?

22

MR. HOOD: (B) is the one at the bottom.

23

MR. O'HARA: Down here?

24

MR. HOOD: Ivanof Bay.

25

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1 MR. O'HARA: Okay. Ivanof Bay then.

2 MR. HOOD: Yeah.

3 MR. O'HARA: All right. Excuse me, Ron.

4 MR. HOOD: And I'm carrying the water on that one.

5 MR. O'HARA: I apologize. All right.

6 MR. HOOD: And you're ready to start?

7 MR. O'HARA: We're ready to start. We've got a quorum  
and .....

8

MR. HOOD: Okay. Mr. Chairman, it's Ronald Hood,  
Refuge Manager, Alaska Peninsula Becharof Refuges.

10 In your packet, you should've received a copy of a  
resolution from Ivanof Bay that was mailed to me at King  
Salmon. Along with that is a letter that I sent to them,  
telling them that I would be bring this -- their resolution to  
the Board and making some comments about their resolution.

13 Basically, what they're asking for with this, in (B),  
is to limit sport hunting in the passes from the Bristol Bay  
side over to the Alaska Peninsula side; primarily, the end of  
the Steповak Flats. Those passes are the one above the Sandy  
River -- thank you -- the one above Sandy River, at the  
headwaters of the Sandy River, and then the other one is at the  
headwaters of the Milky and the Bear Creek -- Bear River area  
above Bear Lake, in that area.

17

The first thing -- point I want to make is the lands in  
question there at both of those passes, while they're in the  
Refuge, are selected lands by both the State of Alaska and the  
Ateut Corporation; and, therefore, do not qualify as Federal  
lands.

20

But to further address the problem that they have  
identified of these caribou not crossing at that area, and they  
recommend -- their recommendation's to limit the sport hunting  
at that area. When the Fish & Wildlife Service awarded the  
commercial big game guides for the areas -- and if you'll look  
at the map over on the thing, we're talking about Area AKP14,  
AKP15 and AKP13. 14 and 15 are on the Pacific side of the  
peninsula, and then 13 is -- well, a little bit of 15 is also  
into the Bristol Bay drainage, and all of 13 is into the

25

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Bristol Bay drainage. 13 contains the Sandy River Pass, 15 contains the Bear Creek Pass or Bear River Pass.

2 MR. O'HARA: And 15 is here?

3 MR. HOOD: Yes.

4 MR. O'HARA: 14, 13.

5 MR. HOOD: Right.

6 MR. O'HARA: 13, 14 and 15. They're all in the Bristol Bay drainage, aren't they?

7 MR. HOOD: No, the .....

8 MR. O'HARA: This drainage over here.

9 MR. HOOD: Yeah. This drainage to the south is the Pacific Ocean.

11 MR. O'HARA: All right. Okay.

12 MR. HOOD: I want to point out that the big game guides awarded for AKP14 and AKP15, on the Pacific side, were authorized zero hunting clients. The guide in AKP13 was -- which is Mr. Mel Gillis, was awarded a total of ten clients for that area. The guide for the AKP15, on the Bristol Bay side, is Mr. Warren Johnson, he was awarded two clients for caribou in that area.

16 I looked at their reports that they turned in for their 1993 activities. Both of those guides said that they did not guide any hunters in that area in 1993, any caribou hunters.

18 MR. O'HARA: Why?

19 MR. HOOD: They did not offer an explanation as to why, except that Mr. Johnson made an observation in his comment section that there were more caribou in his area than there have been in -- on -- in the lowlands area there than there have been in past years. He had noted a definite increase in the number of caribou in that area.

22

I would also point to Mr. Matsuno's observation that the caribou herd is passing Pilot Point in July, and make the point that this is months before any hunting occurs in that area. The hunting -- the caribou hunting in that area for sport hunting, even though the season starts on August 10th, 25

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thereafter, antlers as a trophy, they would not be hunting in that area until the last week of August, first week of September; if there's any caribou left in that area. And I question whether there is many caribou left at all in that part of the world by the time sport hunting season starts.

3

Bottom line, that's the information I have for you.

4

MR. O'HARA: Okay. Yes, Robin.

5

MR. SAMUELSEN: Did you have any unguided hunts in 13 and 14?

7

MR. HOOD: It's my observation that we have almost nil that far -- that's so far down the peninsula, it's so costly to get there, that unguided hunting is not done in any great extent.

9

MR. O'HARA: So for Sam's benefit, then, in 13, you have Johnson and Gillis?

MR. HOOD: Gillis only in 13, Johnson and Gillis in 15.

MR. O'HARA: So how many does Johnson get up here?

MR. HOOD: He has none up there.

MR. O'HARA: Okay.

MR. HOOD: Gillis has 10 clients.

MR. O'HARA: Gillis has 10, okay.

MR. HOOD: Yeah. And .....

MR. O'HARA: And that's lowlands out there?

MR. HOOD: Right. And he also has a main camp on State lands out there and so has lots of opportunity to hunt .....

MR. O'HARA: Yeah, I've been there. Yeah.

MR. HOOD: ..... on State lands.

MR. O'HARA: And then the guys over here in 15 get a total of seven?

23

MR. HOOD: Total of two.

24

MR. O'HARA: Two.

25

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1 MR. HOOD: And those are only for Warren Johnson, and  
he is primarily in the Bristol Bay side of that; a very small  
area as far as the 15; but they do happen to be in the pass  
area.

3

MR. O'HARA: Okay. And the (B) subject we're talking  
about, Subject (B), is probably -- 30(B) is the passes that was  
(ph) addressed in our proposal, you have no jurisdiction over?

5

MR. HOOD: Well, yes, I have jurisdiction but it's as a  
Refuge Manager. They are selected lands, therefore, they do  
not qualify for Federal Subsistence land.

7

MR. O'HARA: So they're selected on your reserve or  
our refuge and, therefore, we don't have any jurisdiction  
(indiscernible - away from microphone) .....

9

MR. HOOD: That's correct. Yeah.

10

MR. O'HARA: Okay. Why didn't you tell us a day ago?

11

MR. HOOD: I tried to, but you moved and tabled the  
thing later .....

13

MR. O'HARA: Okay. All right.

14

MR. HOOD: ..... before I could speak.

15

MR. O'HARA: Well, it sounds to me like, unless I'm  
wrong, Panel Members, we don't really have any say-so over this  
part of the proposal.

17

MR. HEYANO: Mr. Chairman?

18

MR. O'HARA: Um-hum.

19

MR. HEYANO: I'd like to ask Ron a question.

20

MR. O'HARA: Sure, you bet. Sorry.

21

MR. HEYANO: I guess, Ron, you know, apparently, some  
time in the past, there was a lot of caribou throughout that  
area.

23

MR. HOOD: Right.

24

MR. O'HARA: Why isn't there any more today?

25

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MR. HOOD: We're into opinion, at this point. We do not have any data as to what's going on out there. I speculate or it is my opinion that the caribou are moving further to the north. They're leaving out of that area earlier and not going over the pass into the Stepovak Flats. I, personally have observed a large number of caribou at the head of Sandy River, in the thing. All they'd have to do is just walk over the hilltop and they would be over into the area that Ivanof Bay could hunt. And I've also seen small groups, in the past, look like they were headed that way.

6 But for whatever reason, the caribou have chosen not to go that way. And I do not believe that it has anything to do with sport hunting pressure.

8 MR. O'HARA: Robin.

9 MR. SAMUELSEN: You mentioned last year, how about the year before, what kind of hunting pressure there?  
10

MR. HOOD: I can't speak to the year before because we implemented our new program this year. And this is the first -- '93 was the first year of the thing. We had issued permits in the previous years, but this -- frankly, this format was a surprise to me and I did not bring that information with me. I didn't look back.

14 MR. SAMUELSEN: Roughly, how many permits?

15 MR. HOOD: The permits were the same guides, basically; Mr. Gillis and Mr. Johnson in that area. They may have taken more caribou clients, but I'd have to go back and check my -- and they did report to us. But again, it's always been a low number that they reported in because they hunt, primarily, down toward Bristol Bay side.

18

MR. O'HARA: Sam, when did the caribou quit coming across Ivanof Bay and Stepovak, do you have an idea when they -- how long has it been since you guys have had caribou over there?

21 MR. STEPANOFF: Yeah. It's -- well, they come through Port Heiden.

22

MR. O'HARA: Um-hum.

23

MR. STEPANOFF: And Orville knows quite a bit about that, when they go through there.

25

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MR. O'HARA: Yeah, Orville.

1

MR. LIND: Allow me, Mr. Chairman, just to share some information. I do a lot of -- Orville Lind, Alaska Peninsula Becharof Refuge, RIT.

3

In my job as an RIT, I travel to a lot of the villages; Ivanof, Perryville, all three Chigniks, and sometimes to Pilot Point; visit with the people and ask them questions like that about the caribou, about the moose, about the bear; basically, on the wildlife; get as much information as I can.

6

And what I have gathered in the past three years, it seems to be a lot of speculation on the sport hunting issue. However, there's also a lot of talk about the increased numbers of bears, increased numbers of wolves. Also, the fact that the people are changing lifestyles, even though the village values are still strong, and the traditional custom hunting values are still strong, they tend to lean more to the store-bought foods now, you know, depending (ph) on 10 years ago.

11 But there are still people striving to continue the subsistence lifestyle. And there, the speculations come up to the top of the water all the time, and I think it just needs to be explained clearly to them what the Federal Government is doing with the land, who's hunting on them, and still gather some more information again on all these key points. And get it across to the people that when they're talking about lands, they got to make sure what lands they're talking about. And when they're making these proposals, to make sure that they understand that they're dealing with either Federal lands, or State lands or corporation lands. And I think we'll save a lot of time.

17

And I think I'm just going to try to promote my RIT Program right now. But .....

19 MR. O'HARA: What is that, by the way? What is an RIT Program, huh? You used initials, what are they?

20

MR. LIND: The RIT?

21

MR. O'HARA: Um-hum.

22

MR. LIND: The Refuge Information Technician Program.

23

MR. O'HARA: Okay. All right. Ron.

24

MR. HOOD: In their documents that they -- their

25

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resolution, they said the last time they had had a large number of caribous was the '70s.

2 MR. O'HARA: Okay. Any other questions of these guys? Thank you, gentlemen. Sociologist, pathologist (ph), anthropologist?

4 MR. BRELSFORD: I don't think we have anything more to add, Mr. Chairman.

5 MR. O'HARA: Hallelujah. Moses?

6 UNIDENTIFIED VOICE: Speechless.

7 MR. O'HARA: Moses, did you have any .....

8 MR. DIRKS: No, I think I presented on the proposal (ph).

10 MR. O'HARA: That's right, okay. Public comment? Did you gentlemen have something for us? Yeah.

11 MR. NELSON: Yeah, I did. I talked to Archie Kalmokof on several occasions on the phone, and -- because he was the representative of the Ivanof Bay Traditional Council. And when I talked to him, he'd have to get together with his Council before he could get back -- and this is the proposal. You know, this proposal, you know, came out of them, and it was kind of a group effort down there, it wasn't just one person that -- I don't feel that it was one person that I talked to because I every time I talked to him, he would have to have a meeting to come up with a consensus down there.

17 And they were really concerned about the area that we identified. I guess, looking on a map -- the map that I looked at just showed that whole blanket area as being a part of the Alaska Peninsula National Wildlife Refuge, and I don't know if he had any real good landownership pattern maps. And in the future, I know we will look really closely as to exactly -- a lot more in-depth, as we have more time, to look into who owns what.

21 And I guess, at that point, I'm still not sure of -- is what I was hearing, is it that all that land is not on Refuge or is a portion of the land we're asking for on the Refuge?

24 MR. O'HARA: Ron, could you answer that?

25

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MR. HOOD: That land is on -- within the boundaries of the Alaska Peninsula Refuge, technically (ph); however, it has been selected by both the State of Alaska and the Aleut Corporation and, therefore, does not qualify as Federal lands.

3 MR. O'HARA: We don't -- this Council has no jurisdiction over that.

4

MR. HOOD: For the Subsistence Board.

5

MR. NELSON: I realize that. But that's what I'm -- I was asking was, I guess, I -- like I said, I'm not that familiar with those land use patterns down there, and I will update myself on that .....

8 MR. O'HARA: Yeah.

9 MR. NELSON: ..... real soon.

10 MR. O'HARA: This has been very educational, to have this map here .....

11

MR. HOOD: Yes.

12

MR. O'HARA: ..... and find that out.

13

MR. NELSON: Yeah. What I'm asking is is there any of that area that we've asked to take out on Federal lands?

15 MR. HOOD: There is -- if you look at the red down there, you'll see a little, bitty piece on -- and I'm not sure whether it's on this side of the divide or that side of the divide, maybe 10 or 15 sections. Right -- raise your finger, right there.

18 MR. O'HARA: Right here?

19 MR. HOOD: Now that there, that land is potentially in that area, but I would point out that there is no sport hunting going on there. Because that area above the thing has no guide assigned to it, because there is -- the guide that has that area is doing a vessel operation on the thing, and so he is not getting up there.

22

MR. O'HARA: So there is no commercial guiding on that section that we might address?

24 MR. HOOD: That's correct.

25

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MR. NELSON: So this area here, this crosshatched is the State's -- State land in conflict?

2 MR. HOOD: Yeah. That's State land and Aleut Corporation's selections.

3

MR. O'HARA: Okay. And then .....

4

MR. SAMUELSEN: Selected.

5

MR. HOOD: Yeah, it has not been conveyed; it's been selected.

7 MR. NELSON: What about just the blue like this (ph)?

8 MR. HOOD: Now, that land that you've got right there is all available for subsistence hunting, if you want to hunt up there on the volcano.

10 MR. O'HARA: That's all Refuge.

11 MR. NELSON: Yeah. Is that -- that's available for sports hunting and subsistence?

12

MR. HOOD: Yeah. Technically, it's available but it's Mount Veniaminof, is the only thing, there is not going to be very much hunting up there.

14

MR. SAMUELSEN: Mr. Chairman.

15

MR. O'HARA: Yes.

16

MR. SAMUELSEN: I think that the Proposal 30(B) will be better suited -- I'm asking you, Ron -- to come up before the Board of Game of the State?

18

MR. HOOD: That's what I recommended to Ivanof Bay in my letter.

20 MR. SAMUELSEN: Mr. Chairman.

21 MR. O'HARA: Okay. We'll close public comment at this time and ask the Council what they want to do. Robin?

22

MR. SAMUELSEN: Mr. Chairman, I move to table 30(B) or take no action on 30(B) based on Staff comments that most of the land is not under Federal Subsistence regulation jurisdiction, and that if the proposal (ph) see fit, they should go and deal with the State Board of Game.

25

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1 MR. O'HARA: Second?

2 MR. MATSUNO: Second.

3 MR. O'HARA: Second by Roy. Sam, you understand, this  
is beyond our jurisdiction to handle that, so, you know, as  
much as we'd like to help out, we just can't do 'cause it's not  
within our jurisdiction. So, any questions? Yeah.

5

MR. HEYANO: Mr. Chairman, just a comment, I guess.  
You know, although the land falls outside our jurisdiction, you  
know, I think that still doesn't answer the total problem, why  
there isn't any caribou there today when there in the -- the  
last time there was some in the mid-'70s. And nobody seems to  
be able to explain why there isn't any, and I guess that  
bothers me more than anything else. You know, mid-'70s, mid-  
980s, we're going into the mid-'90s, now that's a large period  
of time on why there isn't any caribou there any more.

10

MR. O'HARA: Twenty years, yeah.

11

MR. HEYANO: And I don't know, I'd like to see some  
kind of answers or attempts with those answers, or else we'll  
never be able to help those communities who depended on those  
caribou.

14 MR. O'HARA: Ted, did you have a comment?

15 MR. KRIEG: Yeah, thanks, Mr. Chairman. If I could  
just -- maybe this'll shed a little bit of light on it, at  
least it's local knowledge, you know, traditional views that  
the people from Ivanof Bay and Perryville expressed to me. And  
this, here again, I've talked to the Traditional Council and  
the hunters, and you know, they just -- they said they haven't  
been seeing caribou like they have in the past. And they  
directly correlated it to increased sport hunting and not only  
on that side of the peninsula, but farther up on the other side  
of the other side of the mountains. And they suggested that,  
you know, the old caribou that know the migration routes are  
targeted by sport hunters who want big racks, and they're  
killed, and then the younger ones don't have any guidance; and,  
you know, that's what the local -- some of the local knowledge  
is saying.

23 And, you know, they're concerned, they have a need, you  
know. They want caribou, and they used to be able to get it  
and they can't any more.

25

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1 MR. O'HARA: Robin.

2 MR. SAMUELSEN: It was Robert that .....

3 MR. O'HARA: Robert, excuse me, go ahead.

4 MR. HEYANO: Well, along those same lines, then, there  
5s no harvest figures for what those non-subsistence people  
6 were taking and when they were taking them, over what periods  
7 of time in the year and how many they were taking out of that  
8 area?

9 MR. O'HARA: Ron.

10 MR. HOOD: Robert, I would point out that the Board --  
11 this is our first meeting and we are learning. And that type  
12 of information will be -- is available in some form, and would  
13 be available at future meetings. Part of that is my fault, not  
14 understanding your needs; but I have a whole lot better  
15 understanding of your needs.

16 I'd like to speak to this issue of shooting the mature  
17 bulls and that taking out the leaders. Migration of various  
18 types of animals have been going on since (indiscernible)  
19 started -- made speculations on the matter back in Greek times.  
20 The bulls in caribou are not known to be the leaders of the  
21 migrations, it is the cows.

22 MR. O'HARA: Yeah, true.

23 MR. HOOD: And we are not shooting the old cows. And  
24 I would submit that historical basis is not being lost by  
25 shooting bulls.

26 MR. O'HARA: That's very true.

27 MR. NELSON: Well, Mr. Chairman .....

28 MR. O'HARA: Because the cows lead the packs all the  
29 time. I have hunted caribou for years. Yeah.

30 MR. NELSON: Mr. Chairman, I just saw a documentary  
31 made on -- a wildlife documentary made in Russia, it's called  
32 "The Empire of the Red Baron", and it talked, also, about the  
33 older -- the culling of the herd where they cull the herd, and  
34 they're getting to be real afraid that the leaders of the herd  
35 that they're killing are the ones that have made the migration  
36 path before; they know the migration path, they like (ph) going  
37 back there. They don't just wander, usually, they like to go  
38

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follow a path that they've known.

1

And it's worrying the Russian people about this same thing, about the older -- but they're talking about reindeer, but -- I mean, you know, the thousands of reindeer that they have that make this big, giant circuit and that they've been culling. And I kind of correlate it to our caribou, they've about the same type of animal.

5 MR. O'HARA: Yeah. But actually, you know, the bulls are not the ones, they never lead the herd. I've hunted caribou for years, and every time, without doubt, the female leads the herd. And if she's shot, another one picks up -- female, another one'll pick up and will take off in the lead. The bulls just don't lead the herds, they just don't.

8

MR. NELSON: Well, I kind of disagree because where

9 -- .....

10 MR. O'HARA: Well .....

11 MR. NELSON: ..... where I hunt up here, we have nothing but bulls at times of the year; there is nothing but bulls there. And if there's no female to lead them in the area, how they are getting there? I mean, they've got to be leading themselves.

14 MR. O'HARA: You know, I mean, this is a useless argument because we don't have proof on this. But the other thing is I think with the size of the -- number of animals that's increased, they have changed their pattern, you know. And they're not running through Ugashik any more, through the canyons (ph) like they used to. They're going up farther now. And they never come across the north side before, we have 10,000 animals comes across the north side from -- this year they didn't, but last year they did. They go way back in behind Becharof Lake now, they never used to do that before. And they have just changed their patterns.

20 I don't think a bunch of sportsmen out there on the Flats of the Cinnamon area is driving the caribou -- if anything, if they were out there, they'd drive them to the Pacific side. You know, so I think it's all speculation. We don't really have an answer on what they're doing; unless you can get inside their head, there's just -- there's nothing you can do to figure that out. Yeah.

24 MR. LIND: Mr. Chairman, Orville Lind. And when I go back to those villages, I will share this information with the

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villagers, again, visiting with them in their home. I know some of them are going to think what's the use of this Board if they're not going to help us out, you know, that's -- and some of them really believe in the proposals they sent in here and they meant well. And then a part of my job is going back there and explaining to them is what was decided and what we're going to do. This was a learning experience for all of us, like I said, and I've learned a whole bunch just sitting in this meeting here, just sharing information.

5

MR. SAMUELSEN: Yeah, if my second would concur, I'd like to withdraw my motion.

7

MR. O'HARA: Okay.

8

MR. SAMUELSEN: And I'll state the .....

MR. O'HARA: Who made the second? You did. Do you want to withdraw your second?

10

MR. MATSUNO: Yeah.

11

MR. O'HARA: Okay.

12

MR. SAMUELSEN: I'd like to table Proposal -- what is it -- 30(B) .....

14

MR. O'HARA: Uh-huh.

MR. SAMUELSEN: ..... until the September meeting. Ron has indicated that he would provide us with additional information that he doesn't have with him today. And I agree with Robert that we need to find the cause of this by just tabling the issue and going to the State Board, the Board of Game is not going to solve the problem.

18

MR. O'HARA: And I don't know, if BBNA is going to be going down there again or do you have funds to do that or do you have any slated to help out in that area or what? You're our lead guys as far as getting the answer to what we need to do here on this matter.

21

MR. NELSON: We'll -- we will be getting a hold of the people down in all of these villages that were talk- -- discussing, and we'll dis- -- we're going to be discussing each proposal; the ones that passed and the ones that failed and the reasons why. And, you know, I mean, they need to know because it was their proposals, and we feel that we're -- well, we are working for them, that's BBNA's job, we are just a consortium

25

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of all the villages. And so we will be making them well aware of everything that's happened here, you know, as best we can.

2 MR. O'HARA: Along with that, are you going to bring  
back information?

3  
4 MR. NELSON: Well, we hope to bring back information on  
4- well, I'm sure we'll be talking to you at the next Board  
meeting.

5  
6 MR. O'HARA: Yeah.

7 MS. EAKON: Point of clarification. Russell.

8 MR. NELSON: Yes.

9 MS. EAKON: This Council will make a recommendation to  
the Federal Subsistence Board.

10 MR. NELSON: Yes.

11 MS. EAKON: The only way the Federal Subsistence Board  
could reject the recommendation if it -- one of those three  
reasons. There is not enough justification, is detrimental to  
subsistence needs or it's against -- it goes against  
conservation principles.

14 MR. NELSON: And I realize that.

15 MS. EAKON: Yeah.

16 MR. NELSON: But all I was telling him was that the  
people that -- you know, that we work for the villages, the  
villages that we're talking about. And I feel that BBNA is  
obligated to bring back all the .....

18 MS. EAKON: Yeah, okay.

19 MR. NELSON: ..... information of us -- all the  
information we gather sitting here, we are obligated to go back  
to those villages and let them know what went on at this  
meeting, not the Federal Board level.

22 MS. EAKON: Okay.

23 MR. O'HARA: Okay. Anybody on doubt on the question  
or -- yeah, Sam.

24 MR. STEPANOFF: Ron, you were naming out all the guides  
25

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that you're -- you know, you're supposed to know all that hunting, are you, there? There's a guide .....

2 MR. HOOD: That hunts- -- .....

3 MR. STEPANOFF: ..... right there .....

4 MR. O'HARA: ..... hunts legally on Refuge lands.

5 MR. STEPANOFF: Yeah. This guide by the name of Johnny Swiss (ph), he has .....

6 MR. HOOD: Mr. Swiss has -- Jack Swiss has an area north of the Chig- -- .....

8 MR. STEPANOFF: Black Lake.

9 MR. HOOD: Yeah. Black Lake, in that area, but it's not in the area that we were talking about, (indiscernible - interrupted) .....

11 MR. STEPANOFF: He also, you know, takes caribou .....

12 MR. HOOD: Yes.

13 MR. STEPANOFF: ..... and moose.

14 MR. HOOD: He has a number of authorized flights for caribou and moose. And one of the things that we did was reduce his reduce his proposed take in both car- -- or on moose to where he would have less impact on the subsistence use in that area.

17 MR. O'HARA: Is that all, Sam?

18 MR. STEPANOFF: Yeah. And there's another thing is that, like now, hunting -- this Swiss guy, he had been using his vehicle -- call it a swamp (indiscernible) -- he had leaked (ph) oil on the road and .....

20 MR. HOOD: He is not -- Sam, he is no longer authorized to use those vehicles. That was part of the negotiations for him getting a permit, those -- the use of those vehicles are no longer authorized on the Refuge.

23 MR. STEPANOFF: But he's still using them.

24 MR. HOOD: If you can -- if he's using those on the Refuge this year, in 1993 (sic), and you can document it with  
25

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witnesses, we will take action.

1

MR. O'HARA: Anything else, Sam?

2

MR. STEPANOFF: I'll be plenty happy.

3

MR. O'HARA: Okay. Robin.

4

MR. SAMUELSEN: Yeah. If my amendment passes, Ron, could you bring us back who's guiding in 15 and 14 and 13?

6

MR. HOOD: Okay. Yeah, 14 is Mr. Bob Cusack -- not Bob Cusack -- what .....

7

UNIDENTIFIED VOICE: Robert.

8

UNIDENTIFIED VOICE: Warren.

9

MR. HOOD: No.

10

MR. HEYANO: Mike.

11

MR. HOOD: I forget his first name. Cusack is his last name.

13

MR. SAMUELSEN: Dr. Cusack?

14

MR. HOOD: I've got his name on my letter, what am I -- .....

15

MR. O'HARA: Mike.

16

MR. HOOD: Why don't I read my letter.

17

MR. O'HARA: Either Mike or Bob.

18

UNIDENTIFIED VOICE: Robert Cusack.

19

MR. HOOD: Yeah, that's who it is. 14, Robert Cusack. He has a vessel operation approved in his -- in that area; has no approved caribou class. He only hunts brown bear. Mel Gillis in AKP15 has no approved caribou class, he only hunts brown bear. The -- Warren Johnson on the Bristol Bay side of AKP15 has two approved clients for caribou.

23

MR. SAMUELSEN: But like this guy Sam just brought up .....

24

MR. O'HARA: Up in the Black Lake area?

25

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- 1 MR. SAMUELSEN: Yeah.
- 2 MR. HOOD: He is well to the north of that area, the  
only thing. And so I did not (indiscernible -  
interrupted) .....
- 4 MR. STEPANOFF: Okay. Now, this Swiss guy, now, he has  
two sons, and they're both -- you know, got their own camps,  
their dad and they all have different camps.
- 6 MR. HOOD: The permit is to Jack Swiss now, and he has  
all tho- -- the camps there on Refuge land. He may have deals  
with village corporations; in fact, I think Chignik Lake  
Village Corporation, he has an agreement with them, is my  
understanding. And he also has State land to the west of us  
that we do not control.
- 9 MR. STEPANOFF: No. He -- I think he had claimed his  
own lots. There's -- I think he has like three lots, and he  
hunts God only knows where. So he's got two boys, they all own  
the airplanes and their -- don't (ph) know where they hunt.
- 12 MR. O'HARA: Well, that's not pertaining to our area.
- 13 MR. HOOD: No, that's correct.
- 14 MR. O'HARA: So we have a geographical area that we got  
to deal with on that. Did you have any more, Robin?
- 15 MR. SAMUELSEN: No, that was it.
- 16 MR. O'HARA: Okay. Anybody else? Robert?
- 17 MR. HEYANO: Just a follow-up to Robin's request there.  
Ron, if you can get not only what the guided hunters took, but  
also the -- I don't know what you call them -- the general --  
the non-subsistence hunt .....
- 20 MR. HOOD: Yeah, the sport hunters.
- 21 MR. HEYANO: ..... or the general hunt.
- 22 MR. HOOD: We will try to dig that information out of  
the reports that we get from ADF&G.
- 23 MR. O'HARA: Okay. Any other comments? Yeah.
- 24 MR. MATSUNO: I just want to make a comment. You said,
- 25

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you know, that sport hunting didn't change the migration but down in Ugashik it did. We had a guide service down there right in the Village of Ugashik, and the caribou used to come right behind Low Packer's (ph) Lake, which is half a mile from the village. And after the guide was there, the caribou moved out to about six miles behind the village. And also, up in the lakes, like I said, the caribou used to come through there, but when a guide service moved in up there, and then the caribou moved down about six miles below where they used to cross.

5

MR. O'HARA: So I stand corrected on that, then.

6

MR. MATSUNO: Yeah.

7

MR. O'HARA: Okay.

8

MR. MATSUNO: And they can change a pattern from migration.

MR. O'HARA: All right. That may be something we'll have to look at, as Severson; you know, I mean, that Severson thing is probably a good thing then if that's, you know, impacting that that much.

12

Okay. Any other comments?

13

MR. STEPANOFF: Yeah. There is another one right now. Speaking of this Johnny Swiss here, you know, like I'm from Chignik and we hunt the Black Lake area, Bristol Bay side, and he's got these camps out. And then, you know, like ever since he moved in his camps, there isn't any more caribou there or moose.

17

MR. O'HARA: They don't go by there any more, huh?

18

MR. STEPANOFF: No. He's got it pretty well wiped out.

19

MR. O'HARA: Well, that'll be a good thing for Russell and Ted to look at, if you have some documented information on what's happening there.

21

Okay. Are we ready to vote? All those in favor say aye?

22

MR. SAMUELSEN: Aye.

23

MR. LaPORTE: What are we voting on? Wait a minute.

24

MR. O'HARA: You asked .....

25

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1 MR. SAMUELSEN: The propo- -- to table Proposal 30(B).

2 MR. O'HARA: Hello. Are you guys ready to vote  
(indiscernible - interrupted) .....

3 MR. SAMUELSEN: With the information that -- we're  
4 enabling it until the September meeting with additional  
information to be provided by Staff to look at it again.

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

6 COUNCIL MEMBERS: (In union) Aye.

7 MR. O'HARA: Oppose? Okay. It passes. Now, we go to  
8 the (C) section of that, which is up in this area. And Ron, do  
you handle this area?

9 MR. HOOD: No, sir.

10 MS. SAVAGE: Susan Savage with Katmai and Aniakchak  
National Park Service Units. I'm going to stand up for a  
minute and move to the map. I have -- wear several different  
11 hats here. So thank you, Ron, for making a wonderful map.

12 I have provided a map that's similarly coded to all of  
the villages that are resident zone communities. And I did  
13 that about a year ago during the bear hunting permitting  
system, when that was all new. But I need to, obviously,  
14 provide one for BBNA, and I will try to do that soon after I  
get home.

15 We have two units, Aniakchak National Monument, which  
16 is mostly the area surrounding the caldera (ph), and that part  
is open only for subsistence users from those five resident  
17 zone villages and from people who ask for a 1344 permit. And  
then we have Aniakchak National Preserve, which is this area in  
18 here, and that area is open to both subsistence and sport  
hunters. A lot of the area along the coast has been selected  
19 by various regional corporations and village corporations; and  
so, therefore, does not qualify fed- -- for the Federal  
20 Subsistence Program. And the map that I've provided to the  
villages shows where those areas are.

21 Currently -- I'm not real familiar with our sport  
22 guiding program because it's not my program, and it's in flux  
right now. And part of my plans for the future are to work  
23 more closely with our concessions person on that program and  
incorporate subsistence users' needs into that program. Right  
24

25

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now, we're in a temporary situation, and I believe there are two sport guides for this area; I think it's Gary King and Joe Klutsch. There were, previously, up to five guides in that area. The number has been reduced because, I think, Park staff felt the hunting pressure was too great for that small of an area.

4 I have data at home that I collected on the number of bears, moose, caribou and wolves that were taken by guided clients over the past three years. I don't remember the exact numbers, but my recollection is that the targeted animal for that area is brown bear, but clients do take caribou, pretty much incidentally, and moose. I think the fact that they don't take a lot of caribou does speak to the fact that there aren't a lot of caribou there to take during that time of the year.

8

I've been down in that area myself during August and not seen a lot of caribou. I'm not sure why that is, but I do refer to Ron's discussion about the whole caribou herd, for the whole 9(C) and (E) area and, you know, I -- what I know about the caribou herd substantiates what he's said. And I would also agree with him that it's probably a range or a forage condition that may be changing the movement patterns of these animals away from some of the areas that they used back in the '70s.

13

One -- another problem that happens along the coast, an area that is not open for subsistence use, is that a lot of commercial fishermen, when they're returning to Kodiak or to the Kenai Peninsula or to Prince William Sound, they stop off and hunt when they're going home. And I've had my Subsistence Resource Commission members tell me that people are stopping for subsistence, but these people are not qualified subsistence users for that area. So .....

18 MR. O'HARA: But you can't -- you really can't stop them, though.

19

MS. SAVAGE: We can't stop them under this -- they are qualified for the State program.

21 MR. O'HARA: Yeah.

22 MS. SAVAGE: You're absolutely correct. So if you are wanting to target sport hunters for Aniakchak, you are really going to need to go to the State Board of Game, because the area along the coast is primarily selected land and is under the sport hunting regulations.

25

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So I know that a lot of the villages are also using the coastal areas; that is the easiest access areas, except on the Meshik/Port Heiden side; and I am sure that is some of their target areas for hunting. So that's probably where some of the primary concerns are along the coastal areas.

3

MR. STEPANOFF: Excuse me, Susan.

4

MS. SAVAGE: Um-hum.

5

MR. STEPANOFF: You know, like, you were speaking of Kodiak, these people are from Chignik, they -- that are going back to Kodiak. You know, they live there in the winter, they're from Chignik, and they subsist hunt on their way back.

8

MS. SAVAGE: Well, it would probably be a discussion of eligibility, where they actually consider their residence to be. Because if they do consider their residence to be Chignik, then they would qualify under C&T, I believe. But if they consider their residence to be Kodiak, then I don't believe they would qualify under C&T for that area.

11

MR. O'HARA: However, they are from Chignik. Do you have more presentation?

13

MS. SAVAGE: I also would concur with Ron's suggestion for the management of the entire herd is that we really don't want to see decreased harvest of the Alaska Northern Peninsula caribou herd because we have concerns that they are starting to overpopulate and could, potentially, lead to a decline in the population in future if we reduce the amount of harvest.

16

I do -- here, I'm going to have my other hat on. Sitting with the Aniakchak Resource Commission, I do recognize that there is a local concern. And I would hope that, even if nothing can be done here at this Board, through the proposal process, we still have a mechanism, which is the sport guided program, to act on your concerns.

20

We -- as I said, we are in a temporary situation right now, we're going to be issuing a sport guiding prospectus this spring. I need to do what is called a Section 810 analysis, which is analysis of this program on subsistence, and hope to gather some of the local concerns. And if it means limiting the number of spike camps that sport guided -- guides can have, limiting the number of clients, limiting the number of animals they can take, we can do all of these things yet. This is not a closed book or a closed door. And even in the future, if what we do with the program is at this level and we continue to

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see an impact to subsistence, we can drop down to, you know, limit them further.

2 The non-guided hunters, it's a different entity, I really can't speak to that very well unless you pass a proposal that close to all sport guide .....

4 MR. O'HARA: You're only dealing with two guides now, Joe Klutsch and somebody else?

5

MS. SAVAGE: That's correct.

6

MR. O'HARA: Okay.

7

MS. SAVAGE: Yeah. Um-hum.

8

MR. O'HARA: Anything else, Susan?

9

MS. SAVAGE: No, that's all.

10

MR. O'HARA: Okay. We're going to ask you some questions. Now, don't move yet. Rus- -- or Orville, you had your hand up over there at one part of this program.

12

MR. LIND: Yeah. Mr. Chairman, Orville Lind, Aniakchak Commission .....

14 MR. O'HARA: You go to go to the mike.

15 MR. LIND: ..... Committee.

16 MS. SAVAGE: Orville is the chairman -- current chairman of the Aniakchak Subsistence Resource Commission.

17

MR. LIND: And in answer to Sam's question to Susan earlier, there are -- if you'll check, there are some residents in Chignik Bay who have their address at Chignik Bay; however, they will go for just like a crabbing period of time over to Kodiak and back and forth; but their address or residency is at Chignik Bay. And they do travel, and they do subsist outside of Aniakchak.

21

To be honest with you, I was not aware of this proposal. And being the chairman of the Commission, it's really unusual that I did not know this and .....

23

MR. O'HARA: Well, it just walked up to us on the table. These guys brought it up here today -- yesterday and says here's (A), (B) and (C).

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1 MR. LIND: Yeah, uh-huh.

2 MR. O'HARA: We didn't see it either.

3 MR. NELSON: 30 included all of Aniakchak, the original  
proposal included all of Aniakchak.

4 MR. O'HARA: Yeah. But the breakdown is something he's  
never seen and neither did we until yesterday.

6 MR. NELSON: Right.

7 MR. O'HARA: Which is actually good because it's more  
specific.

8 MR. NELSON: Yeah. 'Cause we're trying to pull our  
horns in.

10 MR. O'HARA: Yeah.

11 MR. NELSON: We're trying to focus in on the conflict  
areas.

12 MR. O'HARA: Your targeting on the need, yeah. You  
bet.

14 MR. LIND: And again, there is a lot of speculation of  
the use of the resources through excessive sport hunting. And  
again, it goes back to the same thing, we need to collect  
information, subsistence information. We need to get State  
information or Federal information. And until we do that, we  
can't really -- I, myself, will not support this type of a  
proposal.

18 MR. O'HARA: Okay. Robin.

19 MR. SAMUELSEN: I think there is a lot of speculation,  
Orville, on the causes, but there's no speculation on the fact  
that based on the testimony that I have, both written and in  
front of me from this area, that the moose are in decline in  
this area; the few that migrate to the south side. Because the  
local hunters or the local residents over there, subsistence  
users, they're saying they're not catching moose, period; and,  
you know, that leaves little room for me to speculate. Why, we  
should speculate on the causes, but I think it's a known fact  
that based on the stuff that I've read that these people are  
not meeting their subsistence needs on moose and caribou in  
that area.

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1 MS. SAVAGE: Most of what I've said had to do with  
caribou, and the moose, ADF&G has a count; they call it the  
2 "Pacific Trend Area" which is partly on Aniakchak and partly  
north on the Refuge, and they have not been able to  
3 successfully do that because of snow conditions and timing  
probably for 10 years now.

4

We did a survey in the Cinder River drainage which is  
5 on the northern side of Aniakchak this year. And our  
conclusions were that -- and that survey -- that trend (ph)  
6 area has been surveyed not ever year, I think maybe four times  
in the last 10 years, and we conclude that that population is  
7 fairly stable. It is not as high as it probably was in the  
'70s. So if you want to say it's declined since the '70s, I  
8 certainly wouldn't argue with you.

9 And going back to what we've all said before, the moose  
is probably never going to be as high as it was in the '70s.  
10 And we do have management objectives for bear that has --  
probably limiting some of the moose numbers.

11

MR. O'HARA: Okay. In other words, you've increased  
12 the number of bear take?

13 MS. SAVAGE: Well, actually, it's more like ADF&G had  
management objectives not to -- to manage for bear and not  
14 necessarily for moose. So if bear impacted moose, we wouldn't  
increase bear take to, you know, adjust for that.

15

MR. O'HARA: Um-hum. Robin.

16

MR. SAMUELSEN: Yeah. That wasn't the point that I was  
17 pointing out there, Susan. It says non-subsistence hunting of  
the few moose and caribou that reach the south side of the  
18 Alaska Peninsula is being caught by the non-subsistence users.

So, you know, they acknowledge there's only a few moose and  
19 caribou that are getting across, but they're not having a  
reasonable opportunity to harvest them because the sport  
20 hunters are on top of them and taking them out before the  
subsistence users.

21

MR. STEPANOFF: Susan.

22

MR. O'HARA: Okay.

23

MS. SAVAGE: Yes.

24

MR. STEPANOFF: There is, you know, I know -- that I

25

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know of, there's one camp right there at Yantarni, I think they have a -- it's a big outfit.

2 MS. SAVAGE: Yantarni, depending on where it is, may be in the Refuge. Yantarni Bay -- can you show me on the map where it is?

4 MR. STEPANOFF: Yeah.

5 MS. SAVAGE: Actually, Yantarni is in the Refuge. I was thinking Kujulik, sorry.

6 MR. HOOD: Sam, this is Ron Hood, again. I assume you're talking about the runway at Surf Beach.

8 MR. STEPANOFF: Yeah, Surf Beach.

9 MR. HOOD: And the oil exploration strip there. There is a camp there, that's a sport fishing camp, they have no authorization to take any caribou. The big game guide in that -- there's two big game guides in that area, one is Joe Hendricks, he has a fair chase (ph) hunt operation, and he's primarily in there for brown bear. And then there is another one up the Yantarni drainage that's well away from the beach that has authorization for one moose client, LaRose, Gary LaRose has got -- in that area.

14 So there is minimal commercial big game guiding going on for both moose and caribou in that area. Now, sport hunting  
15 a whole different situation and .....

16 MR. O'HARA: Ron, you said he -- .....

17 MS. SAVAGE: Unguided.

18 MR. HOOD: Unguided.

19 MR. O'HARA: ..... he tar- -- he hunts bear and that's his main target, but does he occasionally take moose and caribou?

21 MR. HOOD: Yes.

22 MR. O'HARA: So he does take .....

23 MR. HOOD: A small number, yes. I know that observations from the guides in that area on moose is there is a large number of moose available in the Yantarni Bay area.

25

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MR. O'HARA: Sam, did the Chignik people or -- I don't imagine the Perryville people and Ivanof -- go up to Yantarni to hunt?

2

MR. STEPANOFF: Yeah.

3

MR. HOOD: Yes, it's .....

4

MR. O'HARA: They do? Okay.

5

MR. STEPANOFF: It's mostly Chignik Bay.

6

MR. O'HARA: And they do step- -- Aniakchak and the next one down?

8

MR. STEPANOFF: Yeah, Yantarni.

9

MS. SAVAGE: Amber.

10

MR. STEPANOFF: All around -- well, all along the coast.

11

MR. O'HARA: Okay. All along the coast, okay. All right. Thank you.

13

MR. STEPANOFF: And then again, you know, there's -- I heard that Kodiak hunts -- I mean Kodiak residents do hunt up there. Do they have a hunting area, too, then or .....

15

MS. SAVAGE: Kodiak residents may hunt there under sport hunting regulations; that is, that's allowed.

16

MR. O'HARA: Or subsistence?

17

MS. SAVAGE: I'd have to look at the Reg book, but as far as I know, Kodiak does not have C&T for -- .....

19

MR. O'HARA: All right. Okay.

20

MS. SAVAGE: ..... customary and traditional eligibility for 9(E).

21

MR. O'HARA: Any other questions for Susan?

22

MR. SAMUELSEN: Chignik, Ivanof Bay, Perryville, they do, though?

24

MS. SAVAGE: Oh, yes. Um-hum.

25

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- 1 MR. SAMUELSEN: Okay.
- 2 MR. O'HARA: Thank you -- excuse me.
- 3 MR. HEYANO: Question. So if I heard you correctly,  
you don't have any information on what the moose population is  
in this area we're discussing today?
- 4 MS. SAVAGE: We do not have good information on the  
moose population for Aniakchak, that's correct.
- 6 MR. HEYANO: Do you have any plans on obtaining that?
- 7 MS. SAVAGE: We certainly have requested extra funding  
for that activity, to do that survey. It's also very weather  
dependent, we have to have good snow conditions, usually before  
the middle of December, to get a good count on the bull/cow  
ratio. And often, that's not the case, you know, as with the  
weather down there.
- 10 So it's --in our planning, we just are in the process  
of writing a resource management plan for Aniakchak, and it's  
certainly one of our things in our plan to do. And .....
- 12 MR. O'HARA: Um-hum. Any other questions?
- 13 MR. HEYANO: Yeah.
- 14 MR. O'HARA: Yeah, go ahead, Robert.
- 15 MR. HEYANO: How about harvest records or trends?
- 16 MS. SAVAGE: We have the guide numbers, because the  
guides report directly to us. As far as getting the unguided  
take, we need to rely on ADF&G sport hunting records. And one  
of my projects for this quarter is to try to tease out all that  
data for the different areas. But they do not collect data  
specifically by conservation unit, they don't say did you do it  
at Aniakchak, or were you on State land or were you in the  
Refuge. They record their data by drainage, and so we have to  
sort of tease it out from there.
- 21 MR. O'HARA: Any other questions?
- 22 MR. STEPANOFF: Yeah, here.
- 23 MR. O'HARA: Yeah, Sam.
- 24 MR. STEPANOFF: Yeah. See, that's what I was getting
- 25

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at earlier today, is that -- I mean, like my Pacific side there is -- like, we get these big trophy hunters, and there's bays and bays, you know, and like, you don't know where they got their moose from, you know, or caribou. You know, like, there's bays and like mountains and stuff, they got their planes and you don't know where they get them from, you know.

4 MS. SAVAGE: One .....

5 MR. STEPANOFF: That's what I was getting at earlier today.

6

MS. SAVAGE: Um-hum. One thing I have to mention, we had a lot better law enforcement this year. We had planes going down there on a regular basis trying to check on the guided sport activity.

9 MR. O'HARA: Did you catch anybody?

10 MS. SAVAGE: As far as I know, there were no violations this year.

11

MR. O'HARA: Robin.

12

MR. SAMUELSEN: Yeah. It seems like, you know, we started off with a guide that was allowed 10 clients in 13 and two in 14; and Sam, here, keeps popping up with these strange names of different hunting camps along the coast. And I just want to find -- I want to get a handle on how many people are actually down there operating, you know.

16 MS. SAVAGE: Um-hum. I have that number back at home. I have two guides for Aniakchak National Preserve.

17

MR. O'HARA: We know them, okay.

18

MS. SAVAGE: And I believe that Gary King operates out of Cinder River Lodge, which is -- it's -- .....

20 MR. O'HARA: On the Bering Sea side.

21 MS. SAVAGE: ..... it's really on the Bering Sea side.

22 MR. O'HARA: Over on .....

23 MS. SAVAGE: It's in the Cinder River.

24 MR. SAMUELSEN: And is he allo- -- .....

25

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MS. SAVAGE: But I'm sure he goes over to the other side.

2 MR. SAMUELSEN: Okay. Is he allowed like four or ten clients a year or is it unlimited?

3  
MS. SAVAGE: I currently don't know. It is something  
4- we can limit how many clients he has.

5 MR. O'HARA: Susan, can he go over the mountain to the Pacific side .....

6  
MS. SAVAGE: Yes.

7  
MR. O'HARA: ..... and take game?

8  
MS. SAVAGE: His guide area includes both the Bering Sea and the Pacific side.

10 MR. O'HARA: Does it include the area that is sectioned off up here? Yes, it does. Yeah, it does.

11  
MS. SAVAGE: Yes. Also, again, I'm not an expert in this area, but maybe Ron can help me out. My understanding is that the Federal Subsistence regulations do not apply to selected on conveyed land, 'cause that is not considered to be public -- .....

14  
MR. O'HARA: That's true.

15  
MS. SAVAGE: ..... Federal public land. But concessionaires, I believe, can operate on selected land but, of course, not on conveyed land.

17  
MR. O'HARA: What is a concessionaire?

18  
MS. SAVAGE: A sport guide.

19  
MR. HOOD: Permit. Someone with a permit.

20  
MR. O'HARA: Okay.

21  
MS. SAVAGE: Is that correct?

22  
MR. HOOD: Yes. I can go area by area and tell you the name of the guide in there and -- if it would be beneficial to the Board, a

24  
MR. O'HARA: Well, Ron .....

25

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1 MR. HOOD: ..... as far as the Refuge. We have, I  
believe, it's 29 total guides .....

2

MR. O'HARA: Okay.

3

MR. HOOD: ..... throughout the Refuge.

4

MR. O'HARA: But you see, Russell and Ted over here,  
5 gave us the area that pertained to Perryville and Ivanof.

6

MR. HOOD: Right.

7

MR. O'HARA: You told us those guys and the number of  
animals.

8

MR. HOOD: That's correct.

9

MR. O'HARA: (Indiscernible - away from microphone)  
10 quite insignificant. If those 13 animals or 12 animals walked  
over here, it would become very significant.

11

MR. HOOD: Um-hum.

12

MR. O'HARA: Take them away from the guides, I'd say.  
13 Up in this area now, you got two guides that pertain to the  
area that we have control over, is that right; Joe Klutsch and  
14 Gary King?

15 MS. SAVAGE: And -- yeah, you were going up past  
Kujulik Bay, you're actually .....

16

MR. O'HARA: Kujulik Bay and Aniakchak.

17

MS. SAVAGE: Yeah.

18

MR. HOOD: Okay. And the Reserve part (ph) it's Joe  
19 Klutsch and Gary King.

20 MR. O'HARA: Yeah, okay. That's Reserve part.

21 MS. SAVAGE: Yeah.

22 MR. O'HARA: And that's the part that we have had BBNA  
make a proposal on.

23

MS. SAVAGE: Um-hum.

24

MR. O'HARA: That's the only area we're dealing with.

25

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So those are the only two guys we're interested in. The guy at Black Lake, we're not making jurisdiction on him today, we don't (indiscernible - away from microphone) .....

2

MR. HOOD: Yeah, right. Anything that I have -- I could provide information.

MR. O'HARA: No. What I'm saying is you may give us all 29 names of guides which is not -- does not pertain to what we're doing here today, .....

MR. HOOD: That's correct.

MR. O'HARA: ..... although, it would be good. You have told us, then you said Yantarni has a guide which is out of the area that we're talking about today, but he does impact moose and caribou.

9

MR. HOOD: Right. He does have client.

10

MR. O'HARA: So in September, what Russell and Ted need to do then is to look at the Black Lake area, and driving the caribou away. These people aren't getting caribou, that's our job. Yantarni, if the guy is driving moose and caribou -- taking what's there and these guys are going up the coastline to get them, that's our job to do that. But until today, all we're going to deal with is Gary King and Joe Klutsch.

14

MR. HOOD: And that's -- .....

15

MR. O'HARA: And that's her.

16

MR. HOOD: ..... that's her.

17

MR. O'HARA: Yeah. And he's taking moose and caribou, the next question I have is how far up inland are -- these lands go? You showed up there, that those coastline selections are private lands.

MS. SAVAGE: Most .....

MR. STEPANOFF: You know .....

MS. SAVAGE: Yeah, most of them are selected or conveyed.

23

MR. O'HARA: I know these guys aren't walking up on the hillside there three miles and getting a caribou. I know that for sure.

25

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- 1 MS. SAVAGE: This is .....
- 2 MR. STEPANOFF: You know, around there, also, like  
Chignik Bay, there's still also a guide that goes -- camps out  
in that -- Ocean Beach it's called.
- 4 MR. O'HARA: Where is Ocean Beach at?
- 5 MR. HOOD: Yes, but that's village corporation lands.
- 6 MR. O'HARA: Yeah.
- 7 MR. HOOD: And that is within -- the village has to  
deal with that, that's .....
- 8 MR. O'HARA: Yeah, but see, that's not the land we're  
talking about, the land we're talking about is up here. We  
don't have any jurisdiction over that.
- 10 MR. STEPANOFF: Okay.
- 11 MR. O'HARA: And that's the point, you see, we could  
spend all day on the guys who .....
- 13 MR. HOOD: And we have no authority on village  
corporation lands that don't want authority on village  
corporation land.
- 15 MR. O'HARA: I think the question that this Committee  
has got to deal with before we go on to Taylor is these lands  
over here. Now, here's .....
- 17 MS. SAVAGE: Okay. Here -- Aniakchak starts here and  
here and goes up to here.
- 18 MR. O'HARA: Okay. But all this white land here, we  
don't have any authority over.
- 20 MS. SAVAGE: Well, I have a map at home, and the  
village all have maps that show which lands are selected and  
conveyed. Most of the coastal areas are selected or conveyed.
- 22 MR. O'HARA: How far back in, a mile, two miles?
- 23 MS. SAVAGE: Some, just a few miles, and some, pretty  
far back, some eight to ten miles, perhaps.
- 24 MR. O'HARA: Okay. That's good.
- 25

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1 COURT REPORTER: I can't hear anything that you're  
saying up there, I .....

2

MR. O'HARA: It's probably unimportant.

3

MS. SAVAGE: We're arguing over maps.

4

(Off record comments)

5

MR. O'HARA: We're trying to decide, Joe, on how far  
back from the coastline these private lands go, whether or not  
these people are walking back in there and getting a caribou or  
a moose; that's the issue. Yeah. Robin.

8 MR. SAMUELSEN: Before you allow a guide to operate  
within an area, do you do a survey of the populations .....

9

MS. SAVAGE: We -- that would certainly .....

10

MR. SAMUELSEN: ..... of moose or caribou that that  
person is targeting on and, also, take into consideration the  
subsistence take in that area?

12

MS. SAVAGE: Two part. We feel that with ADF&G we have  
a pretty good target on the whole caribou herd, but these  
localized movements, no, we don't really have a very good idea  
of the localized movements. Moose, again, we don't really have  
very good information. And this guiding system goes way back,  
probably before ANILCA, as far as I know.

16 MR. HOOD: Well back.

17 MS. SAVAGE: Well back. And it was just recently that  
a change was instigated. I think, a court case actually  
instigated a change. And whenever the Federal Government  
issues a permit, which we have not actually issued a permit yet  
for our sport guide program. Ron -- they've already gone  
through there and they have issued their permit. We have to  
prepare an analysis called an 810 analysis, which is an ANILCA  
required analysis which does take into account effects on  
subsistence. And I am going to preparing one of these analyses  
once the permits are being issued.

22

MR. SAMUELSEN: And villages will be able to comment or  
have their feelings known that they're not meeting their  
subsistence needs like the Perryville people or the Chignik  
people?

25

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MS. SAVAGE: It generally isn't a public comment procedure, but I definitely plan to seek input from Bristol Bay Native Association and -- well, from my Aniakchak Subsistence Resource Commission, which does represent some of the villages in that area, at the very minimum, that kind of public input.

3

MR. O'HARA: It's a good point. Any other questions of Susan? Thank you, Susan. Let us take the anthropologist, if he's in the room.

5

MR. BRELSFORD: Yes, I'm here, Mr. Chairman.

6

MR. O'HARA: And then we'll take a break after this and come back and do Moses and we'll vote.

8

MR. BRELSFORD: I don't think we had anything to add.

9

MR. O'HARA: Okay.

MR. BRELSFORD: I think you have more detailed and local information than we could add to it, so .....

11

MR. O'HARA: Okay. Before we have Moses, we'll take a break, then we'll have Moses talk to us. And I think maybe his testimony has already been given to us on the number of people that wrote over (ph) all three before it was broken down?

MR. DIRKS: Yes.

MR. O'HARA: Susan said something very significant, I think, and it might even pertain going back to what Johnson and the other guy with two caribou has, in 15.

MR. HOOD: Mel Gillis.

MR. O'HARA: Mel Gillis, okay. Susan said that Joe Klutsch and Gary King take an occasional caribou coming across in the Aniakchak and a bay -- Kujulik -- okay, that's the two areas we're dealing with -- take an occasional caribou that comes traveling through there. Okay. So that's a pretty important point on that side of the mountain where it slopes down like that. Because you've got the guys who go along the shoreline with their boats just like people in Nushagak go up the Nushagak and they might spend a week there hunting, you know. Those caribou might be available if Joe Klutsch and Gary King did not take them.

The downside of that is I don't know if anybody's going to walk three miles up past private lands to get those caribou.

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But that's not up to me, that's up to the Forest Ranger to deal with that. To me, that's a very important factor. If Joe and Gary are there, they're there not for moose and caribou, they're there for bear. Okay. Yeah. And how many cari- -- .....

3

MR. HOOD: I would say that they are there more for moose and bear.

5 MR. O'HARA: Yeah. Okay. But we have documents right here saying that the moose population has declined -- or that people are not getting moose in the Chignik areas, and they are on that side, 15. They're way down around the other side, almost to the Pacific side, and you, therefore, that's not -- that's a different situation. But on this side, the moose are 8- have walked down the Meshik hillside into the Pacific side into Kujulik and to Stepa- -- Aniakchak. They're down on that side, that's where they hunt on that side.

10 MS. SAVAGE: Yes.

11 MR. O'HARA: So that is pretty important.

12 MS. SAVAGE: But if you pass this regulation, you aren't going to necessarily help them because the sports season will still be open, the State sport season.

14 MR. O'HARA: Is that a Catch-22 again?

15 MS. SAVAGE: Well, wait, no.

16 MR. SAMUELSEN: No.

17 MS. SAVAGE: Never mind. Never mind, I didn't say that.

18

MR. O'HARA: Okay. All right. Anyway, .....

19

MS. SAVAGE: I re(indiscernible) that.

20

MR. O'HARA: ..... we'll take a break and maybe talk about that a little bit, too. Do you want a 10 minute break?

22 (Off record comments)

23 (Off record)

24 (On record)

25

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MR. O'HARA: Moses. Did you have any more information for us, Moses, or the ones that you gave for area-wide (indiscernible) or do you have more? Do you have any more on (C)?

3 (Side conversations)

4 MR. O'HARA: All right. We have no -- is Joe back at the pounding machine?

5 COURT REPORTER: Yes.

6 MR. O'HARA: Okay. He's there. And we don't have an anthropologist to deal with today, and Moses has already given us his report. We're to public comment. There's only one of you now?

9 (Off record comments)

10 MR. NELSON: Well, Mr. Chairman, I've talked with Roger Carlson on the telephone over this proposal, extensively, during the past couple of weeks. And he would, in turn, get -- he's on the Council, the Chignik Council, and he would get with the people and then get back with me on this proposal. And I know that they actually wanted more area than that, and we, after much discussion, decided that we'd narrow it down to the Aniakchak National Preserve.

14 This proposal will probably increase the hunting on the northern side; you know, if they talk about the balloon effect of, you know, of squeezing a balloon, and that's where their pressure anyway. We've heard testimony talk about the large brown bear hunting pop- -- you know, population that hunts down there. There's two guides. They say there's only two guides that hunt in there, but they're not talking two hunters, they're talking about two guides.

19 And a guide like Gary King does major advertising in major publications to bring as many people as he can get a hold of down. And he advertises his hunts on the Alaska Peninsula in major publication. So here, you know, you're talking about a lot of people.

22 Let me see, I'll look at my notes here. We heard the talk of the guided -- the hunters, you know, and guides of having a history -- a long history of being in the Aniakchak National Preserve. And we feel that the Native hunting of moose and caribou go back a lot further than these hunting guides do.

25

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1           And we talked, also -- we heard testimony that there  
are just a few moose and a few caribou that the Preserve people  
know about that go into this area. And then we talk about all  
the bear hunters that just take a few caribou and a moose out  
with them. Well, you know, if you take a few from a few that  
should leave you with zero, you know, as far as I can see. And  
so we're really concerned about. We're trying to make it so  
that the few caribou and the few moose that get into the south  
side of the range are available so that the subsistence user,  
the customary and traditional subsistence person, can fulfill  
their needs for their larders for the winter.

7           I don't know, do you have anything, Ted?

8           MR. KRIEG: Yes.

9           MR. O'HARA: Okay, Ted.

10          MR. KRIEG: Ted Krieg, Bristol Bay Native Association,  
Natural Resources Department. I guess one of the things that  
we're trying to promote, if it hasn't become apparent yet, and  
that's the use of local knowledge and traditional knowledge;  
you know, movement of wildlife, different types of animal,  
information that -- for communities or for, you know, cultural  
groups may have been passed down for many generations. And  
there's a big -- there's kind of a big movement right now to  
start using -- you know, trying to use more of that information  
and blend it with Western scientific knowledge and, you know,  
use comanagement or -- you know, types of strategies as -- you  
know, similar to the Nushagak caribou herd, you know, involving  
local people in the management.

17          So anyway, I just wanted to -- if that hasn't become  
apparent, that's, you know, one of the things that we're trying  
to do with the information that we're gathering.

19          Here, once again, for this Proposal 30(C), most of this  
information was focused on the Village of Chignik Bay and some  
of the concerns that they expressed, you know, that there's a  
lack of caribou in that area. I also held a meeting at Chignik  
Lake, Sam was at that meeting; we talked about some other  
issues. And you know, he's covered things for his area pretty  
sufficiently.

23          But anyway, you know, just the basic line is that  
people have expressed a need down there, and we're searching  
for, you know things that can help them out, get the animals  
that they need.

25

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1 One of the things that I wanted to bring up also was  
 that, you know, it's not only the sport hunting, but people  
 have just cor- -- you know, directly correlated -- and there  
 might be other factors also, but directly correlated, you know,  
 less animals, less caribou, less moose to increased activity in  
 the area, you know, sport hunting, sport fishing.

4

In fact, the Yantarni airstrip, I guess Surf Beach, as  
 they call it, you know, they said that that was an area that  
 they used to be able to get caribou pretty frequently. And  
 they -- when they were fishing, they always used to see caribou  
 there. And, you know, of course, not any more; it sounds like  
 the Yantarni airstrip is used pretty heavily, and there's a lot  
 of activity focused in that area.

8

And you know, that's just one example. Any questions?

9

MR. O'HARA: Any questions by the Board? Okay. Thank  
 you, Ted.

11 MR. KRIEG: Yeah.

12 MR. O'HARA: Any other public comment on this  
 particular issue today? What is the wishes of the Council?  
 Yeah.

14 MR. SAMUELSEN: Mr. Chairman, I move to postpone action  
 on 30(C) until the September meeting. I don't think -- I think  
 that Staff could provide us with additional information. What  
 I'd like to see is how many guides are operating in this area.  
 How many non-guided hunts are taking place in this area. I'd  
 like to see the harvest survey numbers, see if there was a  
 audit- -- a shift from the traditional subsistence take to the  
 sport hunter take.

18

I also -- because this area has a C&T finding, I'd also  
 like to look at the possibility of moving into a Section 804,  
 which is a Tier 2 hunt, because these people have a priority.

20

MR. O'HARA: Could you add one more area -- add one  
 more thing to that motion before we get a second? And that is  
 I think that Russell said you narrowed it down the best you  
 could, if you could expand that up to, you know, Yantarni and  
 Black Lake and look at some of those areas.

23

MR. SAMUELSEN: Okay.

24

MR. O'HARA: Would you mind as putting that as part of

25

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your motion?

1

MR. SAMUELSEN: I have no problem with .....

2

MR. O'HARA: Okay. Second?

3

MR. O'HARA: ..... adding it.

4

MR. O'HARA: Is there a second?

5

MR. O'HARA: Second.

6

MR. O'HARA: Okay. The Chair can't make a motion,  
So .....

8

MR. SAMUELSEN: No. I gladly accept it.

9

MR. O'HARA: Okay. Everybody understand the motion?  
Any comment or discussion? Call for the question.

10

MR. HEYANO: Question.

11

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

12

COUNCIL MEMBERS: (In union) Aye.

13

MR. O'HARA: Opposed? Okay. Good. We have Proposal  
Number 51, was it, that dealt with the Stoney River/Lime --  
excuse me -- I'm sorry, go ahead, Roy.

15

MR. MATSUNO: I had my proposal.

16

MR. O'HARA: Refresh my memory on that.

17

MR. MATSUNO: 36.

18

MR. O'HARA: Okay.

19

MR. MATSUNO: I think it was. But I'd like to table my  
proposal until this fall, and I'll get some more support.

21

MR. O'HARA: Is there a second?

22

MR. HEYANO: Second.

23

MR. O'HARA: Any further discussion? Question.

24

MR. LaPORTE: Question.

25

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- 1 MR. O'HARA: All those in favor say aye.
- 2 COUNCIL MEMBERS: (In union) Aye.
- 3 MR. O'HARA: Opposed? 36 is tabled until --  
 4 apparently, it's a subsistence -- September meeting, huh,  
 5 Helga?
- 6 MS. EAKON: Yes, your next meeting.
- 7 MR. O'HARA: Another proposal we need to deal with  
 8 before we get 1 and 2 is this matter of -- is it a proposal or  
 9 a request by Harold Huntington on the Lime Village -- .....
- 10 MR. SAMUELSEN: I think we postponed that until later,  
 11 didn't we?
- 12 MR. O'HARA: In this meeting. We're supposed to deal  
 13 with it now. Yeah.
- 14 MR. SAMUELSEN: Are we?
- 15 MR. LaPORTE: Is that a letter or something?
- 16 MR. O'HARA: It's a letter, and this is what the  
 17 problem is, is they would like from -- we hear a rumor in  
 18 Nikiski and a letter from Harold Huntington that he would like  
 19 to have someone on the Lake Clark Advisory Board, Tim, that you  
 20 people have up there. And there are nine people, three  
 21 appointed by the Governor, three appointed by the Secretary of  
 22 Interior and three appointed by this Committee. And it's my  
 23 concern that we not give up our three appointees, but if the  
 24 Governor and the Secretary want to give up one of theirs, let  
 25 them go for it. I don't know what your thoughts are. Tim,  
 that's your area.
- MR. LaPORTE: Yeah. I think everybody that's -- I'm  
 trying to remember who is all on that.
- MR. O'HARA: Ours are Dave Wilder, .....
- MR. MATSUNO: Mike Delkittie.
- MR. O'HARA: ..... Mike Delkittie and somebody else.
- MR. LaPORTE: Yeah. But I think the Governor  
 appointees, I think there's Carl Jansen (ph), and I think  
 they're all residents of that -- either Nondalton, Illiamna,  
 Newhalen or Pedro Bay. As far as my personal preference, I

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wouldn't care at all if Lime Village had a seat on it or, for that matter, if the guys in Nikiski were represented as well. How you technically go about doing it, I don't know how that's going to come apart.

3 But I think -- especially, like, Lime Village has been part of the Lake Clark process in the past and they're one of the user villages there. So I mean, I think they have a justifiable beef, you know; they're not represented on the Board itself (ph).

6 MR. O'HARA: Okay. What's the wishes of the Council? Do you understand what we're talking about? Yeah.

7 MR. HEYANO: Yeah, Mr. Chairman. I guess I'll tend to agree with you, is that we only get to pick three out of the nine as a Council. And I think it's fairly important that we maintain our three.

10 MR. O'HARA: Population-wise and everything, we're the biggest -- we hold the biggest piece of the pie. So we probably should make a motion here and decide what you want to do.

12 MR. LaPORTE: Another thought I had was I don't know what the problem with -- would be with them maybe making the Board a bigger board or something, that might be a thought or something.

14 MR. O'HARA: That's up to them, yeah.

15 MR. LaPORTE: Yeah.

16 MR. O'HARA: We have a time frame and a structure to work under, and as far as I'm concerned, nine is fine. There's seven of us here, if we had any more than that, we'd never get out of here. Yeah, Robin.

19 MR. SAMUELSEN: Yeah. I'll make a motion that we refuse the Western Interior's request. This is a public process, they could attend the meetings, submit proposals; they have plenty of access to the current process.

21 MR. O'HARA: Is there a second?

22 MR. LaPORTE: Second.

23 MR. O'HARA: Okay. Any further discussion?

24 MR. HEYANO: Yes, Mr. Chairman. I just might add is

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that, you know, I think we feel it's fairly important for us to protect our subsistence needs with our three representations. And if -- you know, make the recommendation that -- either through the Governor or -- is it the Secretary -- .....

3 MR. O'HARA: Um-hum.

4 MR. HEYANO: ..... who appoints the other three (ph).

5 MR. O'HARA: Any objection to that, Robin?

6 MR. HEYANO: And we sure don't have any objections for them obtaining (ph) a seat through those avenues, and that would probably be even supported, I would imagine, from the discussion I've heard .....

8

MR. O'HARA: Sure, yeah.

9

MR. HEYANO: ..... here today.

10

MR. O'HARA: Any further discussion? Question.

11

MR. SAMUELSEN: Question.

12

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

13

COUNCIL MEMBERS: (In union) Aye.

14

MR. O'HARA: Opposed?

15

MR. LaPORTE: I better abstain due to possible conflict  
 16 .....

17 MR. O'HARA: Conflict of interest. All right. You know, when you participate in the conversation of it, you're also swaying people so whenever .....

19 MR. LaPORTE: Um-hum.

20 MR. O'HARA: And that's a serious matter. For instance, I sit on the Advisory Board of the National Bank of Alaska, and your dad sits on the -- used to sit on the Sea-Fab board. And then a money -- a bank issue would come up with Sea-Fab or NBA and BBNA -- BBNC, and we would say we did not participate in this conversation, we did not vote. In other words, I didn't strong enough on the issue to try to sway somebody's vote you might be in question. And that is very important in a conflict of interest.

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So we'll let you get by this time, but next time we're going to really fix you. Big time. It might take two of us but we'll do it, Sam and me.

2

(Off record comments)

3

We have 1 and 2.

4

MS. EAKON: Wait. Before you leave this, what I'm going to do is draft the letter and then fax it to you.

6

(Off record comments)

7

MR. O'HARA: Yeah.

8

MS. SAVAGE? Can I make a quick comment on what you guys just said, I'm not .....

9

MR. O'HARA: Sure.

10

MR. NELSON: ..... really sure that -- Susan Savage, again. I'm not sure what the rule would be, but by ANILCA statute, to be appointed to the Lake Clark Subsistence Resource Commission from this Council, you either have to be a member of this Council or you have to be a member of a local advisory committee. So I'm not sure -- I mean, it's a requirement that you be both, so I don't see how it could be a conflict of interest, really.

15

MR. O'HARA: Okay. That's a good point, yeah.

16

MS. SAVAGE: Hey, but that's just my opinion.

17

(Off record comments)

18

MR. O'HARA: All right. Thank you, Susan. Are you coming up here to say something?

19

MR. FISHER: Probably in a minute.

20

MR. O'HARA: I see these guys with great, big, thick books sneaking up to the front, man, you got to watch them. Okay. You got -- do you have your direction?

22

MS. EAKON: Um-hum.

23

MR. O'HARA: All right. Now, are we ready to do 1 and 2 Number 1's on the floor. Who handles Number 1 from out there?

25

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1 MR. FISHER: Mr. Chairman, Bill Knauer will handle the  
initial part of Number 1, and then I'll step in.

2

MR. KNAUER: Mr. Chairman.

3

MR. O'HARA: Yes.

4

MR. KNAUER: Number 1 is somewhat different for two  
seasons. First, it is a proposal that has statewide  
implications, even though each council would only be addressing  
their particular region. And secondly, the existing  
subsistence regulation as expressed in this document is  
different from what was published in the proposed rule; and the  
proposal addresses this as opposed to what was existing.

8

So it's, essentially, a three step situation here. And  
that's -- if you look at the two right columns on this sheet  
that I have passed out, the existing regulation for subsistence  
rules, relating to the same day taking of certain animals with  
a firearm is different than proposed.

11

MR. FISHER: The Federal Register, huh?

12

MR. KNAUER: Right. What's in this document is in the  
far right column, and it would prohibit the taking of these  
furbearing animals with a rifle on the same-day-airborne. Now,  
nothing in any of the proposals or in any of the regulations or  
proposed rules prohibit the dispatch of an animal that is  
already legally trapped or snared. So you're only talking  
about the use of a firearm to shoot a free-ranging animal.

16

And under the existing subsistence rules, it's  
prohibited for the taking of wolf or wolverine and there is a  
difference if you take it under a hunting license or under a  
trapping license. The -- under a hunting license, the taking  
of red fox and arctic fox is prohibited same-day-airborne, but  
and the same-day-airborne taking of coyote or lynx is  
allowed. Under a trapping license, currently, under the  
Federal program, it's allowed if you're over 100 feet from the  
airplane. In the proposed regulation for next year, it would  
be prohibited across the board.

22 The proposal that you're looking at is the State is  
proposing to allow the taking of coyote, red fox, arctic fox  
and lynx if you're 300 feet from the airplane. So what they  
would like to see is the regulation to show -- or to read like  
the second column under the existing State, the trapping area,  
that's what they -- that's what this proposal would do;

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Proposal Number 1.

1

MR. O'HARA: And that's it in a nutshell, huh?

2

MR. KNAUER: Yeah. I can't tell you -- Dave will address the -- .....

4

MR. O'HARA: Okay.

5

MR. KNAUER: ..... the biology of the matter.

6

MR. O'HARA: All right. Okay. Any questions? Thank you. All right. Okay, Dave, are you next to address this?

7

MR. FISHER: Yes, Mr. Chairman. As far as the biology goes on these furbearers, I don't really have a lot of information on the furbearers. I do know that the wolf population is increasing due to the fact that there's an excellent prey base out there; the Kilbuck caribou herd is expanding, most of the Mulchatna caribou herd is expanding and the moose population is stable to increasing in some of the areas there in Unit 18 -- or Unit 17 and 18.

12

I guess I'd ask, maybe, Larry Van Daele if he had -- would have anything, maybe he could expand on that a little bit, .....

14

MR. O'HARA: Sure, okay.

15

MR. FISHER: ..... in a little bit more detail.

16

MR. O'HARA: Larry, would you like to?

17

MR. VAN DAELE: Larry Van Daele, Fish & Game. What's your request? What would you like me to do, tell you about each species or in general or whatever you prefer.

19

MR. O'HARA: I guess, we just need a little guidance on whether we would be interested in addressing all these animals on the same-as-airborne hunting with an aircraft.

21

MR. VAN DAELE: Okay. I think your two primary species to be concerned with on this would be red fox and wolf, 'cause those would be the ones that are used most often by same-day-airborne hunters in the Unit 9, Unit 17 area.

23

Red fox populations are cyclic, they go up and down about every five years or so out here, usually with rabies being the factor causing them to go down. Human harvest,

25

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typically, does not have a big impact except in local areas.

1

Wolf populations, as Dave mentioned, have been increasing the past couple of years in Unit 17; I believe they're stable to increasing in Unit 9. Unit 9 is such a diverse unit that they're going to have pockets all throughout the area. We have a healthy wolf population in Unit 17. At this time, we don't have a concern like they do up around Denali Park, with an overpopulation of wolves, but we do have an increasing population at this time.

6

MR. O'HARA: Yeah, Robin.

7

MR. SAMUELSEN: Larry, I have, you know, people down at Clark say they're seeing wolves at Clark, behind Ekuk; people traveling to Portage Creek are seeing them on the river between Black Point and Portage Creek. People in Ekwok that are coming from Ekwok down are seeing them throughout the Iowithla right across on the ridge across town here. The people from Ek4wok, Stuyahok and Klignik-- or Ekwok and Stuyahok that are going across the river hunting caribou now are seeing wolves -- packs of wolves. There as a airplane reported a pack of about 13 right behind Black Point earlier this winter.

12

Is there a shift in -- of the population of wolves from the outer fringes down into this area or is it a population explosion or a combination of both?

14

MR. VAN DAELE: In my opinion, it's an increase of the existing packs. That there is a pack that runs between Ekuk, Black Point and Portage, that's the same group of animals; roughly 17 or 18 animals in that particular pack. The Iowithla has a separate pack that goes all the way up to Muklung's and back; that's got anywhere between six and ten. These numbers are just based on the same kind of stories I hear that you hear. There is a pack around Aleknagik of about eight animals, right by the Village of Aleknagik, up towards Lynx Land and such. And a couple packs up around Stuyahok and Ekwok on the other side.

20

But yeah, there has definitely been an increase in the number of wolves in the past two years in this area. And as Dave alluded to, most of that is because we have a tremendous prey base out there for them. We know of no wolves that follow the herd, you know, like you see on your wildlife documentaries where you have the wolves that always follow the caribou. I have no indication of that happening.

24

What it appears is happening in Unit 17, and probably

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in Unit 9, the packs have territories that they stay in year-round. They take advantage of caribou while the caribou are there, but they rely on moose and smaller animals in the times that the caribou move away from their area.

3 MR. O'HARA: Okay. Any other questions? Yes.

4 MR. STEPANOFF: Yeah. Yeah. We have a problem down where I'm from, Chignik, of where we hunt there, like, Black Lake area and then on the Pacific side in the bays, there's wolves out there, too.

6

MR. VAN DAELE: I think that's a real important thing, Sam, is this idea of a wolf problem. It depend- -- that's such a volatile issue right now in Alaska of what is a wolf problem. To certain user groups, if you shoot a wolf, then you have a wolf problem because you shot one of them. To people who subsist on moose and caribou, if you see a wolf killing what you want to eat, then that's a wolf problem. To me, as a biologist, as long as the wolves are not causing a decline in the overall populations, then we don't have a problem yet. And that's what I mean when I say we don't have a problem.

12 I don't think, right now, wolves are limiting our moose or caribou populations in Unit 17. Unit 9, I'm not as familiar with, and that may be the case in local areas down there. I defer to you on that.

14

MR. O'HARA: Robin.

15

MR. SAMUELSEN: Well, I think our fears are from the old-timers that tell us stories in the '20s and '30s and up until the early '40s of the devastation, what a pack of wolves can do to the animals when, back at that time, reliance on moose and caribou was a matter of pure survival. We didn't have jet service into these areas. And the wolves took a tremendous toll on resources. That's how the Village of Togiak was started, it was started on this side, but with the ice running and the wolves killing off the reindeer that they had, they moved to the other side to get away from the wolves; consequently, the wolves crossed the river also.

21

MR. VAN DAELE: And that's a concern that I have and I share with you guys is that right now, we have a lot of caribou around, as I mentioned before, and the wolves can rely on those caribou when they're around. But if and when our caribou herds crash, and we know they will eventually, that's just the way of life in the North Country here, we're going to have an abnormally high wolf populations if it not's kept at a

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reasonable level. Those wolves will, in turn, start eating the moose in larger numbers.

2           The other concern that I have is that if we get the proper snow conditions where wolves can travel on top of the snow, the crusted snow, and moose can't, they fall through and are floundering in it, yeah, wolves will kill an awful lot of animals awful fast, and they won't always eat everything they kill, from what we've seen. You know, it's just like a pack of dogs, wolves aren't devils and wolves aren't something to be glorified, they're something to be managed.

6

The reason I don't think we've had wolf problems in Unit 17 in the past 40 years or so is because we've been able to keep wolves at a constant level. We've never had an extremely high harvest around here. Reported harvests have always been under 70 or so animals each year. But after the Federal wolf killings, you know, in the '50s, and so -- '50s and '60s, I believe it went into -- is that right?

10

MR. O'HARA: '50s.

11

MR. VAN DAELE: '50s.

12

MR. O'HARA: Yeah, for sure.

13

MR. VAN DAELE: That put them down to an artificially low level, and we've kept them at that level because of the hunting level we've had. Access has always been a problem out here, the airplane has been an important means of access for wolf hunters and keeping them at that level. I, as a biologist, see it as an important management tool, but I'm not going to get into the philosophical end of it here.

17

We also, in recent years, have seen improved access from snow machines. Snow machines are going faster and farther than they ever had before.

19

MR. O'HARA: Yeah.

20

MR. VAN DAELE: In the tundra areas, boy, that's an effective way of killing wolves. In the treed areas, it's a lot tougher to get wolves that way. So these are all points to balance as you discuss this.

23

MR. O'HARA: Robin.

24

MR. SAMUELSEN: Not for Larry but for the National Park Service people here. It says under the -- their comments here,

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it says: The Service believes authorization of same-day-airborne taken of use -- by use of a firearm or weapons inevitably invites violations of the Federal Airborne Hunting Act. And what I want to know is how many vio- -- how many hunters were out or what percentage of violations did you guys observe?

4 MR. FISHER: Are you asking .....

5 MR. SAMUELSEN: Whoever.

6 MR. FISHER: I don't .....

7 MR. SAMUELSEN: I mean, that's a pretty broad statement, and I want to get a little more specific than that.  
8

9 MR. VAN DAELE: Maybe the Park Service could .....

10 MR. SAMUELSEN: If there was 100 hunters out there and citations issued, we know that there's 10% of the hunters that are flying are violators.  
11

12 MS. SAVAGE: As the sole remaining member of the National Park Service at this meeting, I really cannot address that. I'm not really spiffed-up on some of these airborne related regulations. The one thing I do want to point out is that under National Park Service regulations, you cannot use a firearm as a method under a trapping license.

15 MR. FISHER: I can maybe add a little bit to that.

16 MR. SAMUELSEN: Um-hum.

17 MR. FISHER: We do have fairly good harvest information statewide, Fish & Game has that. And I guess if I was to take that information and then talk to a lot of the land managers, the Refuge managers and Park people across the state and then talked to our Law Enforcement Branch and also talked to the State Law Enforcement Branch, we could possibly make some sort of a correlation there. But I -- it would take a little bit of time, .....

21 MR. SAMUELSEN: Well, .....

22 MR. FISHER: ..... but we could look into it a little bit.

24 MR. SAMUELSEN: ..... I think when you put an ambiguous statement in there like that, you got to have the facts to back  
25

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it up.

1

MR. FISHER: Uh-huh.

2

MR. SAMUELSEN: I mean, any time you pass a regulation or whatever, you're going to have abusers, and to classify -- because of same-day-airborne, there's going to be some violations, we shouldn't do it, you know. We wouldn't be using vehicles nowadays, we wouldn't be doing a lot of things, if we followed that same principle.

6

MR. FISHER: Well, and then just, I guess, recently, over the last several years, the sensitivity of the issue has -- or the volatility or whatever you want to call it has certainly brought the whole thing to light and made it very controversial. But I guess we could, possibly, look into that and try and make some sort of .....

9

MR. SAMUELSEN: Well, if we're going to continue on the track, .....

11 MR. FISHER: Yeah.

12 MR. SAMUELSEN: ..... I want to see specifics.

13 MR. FISHER: Better data on that.

14 MR. SAMUELSEN: I want to see better data.

15 MR. FISHER: Okay.

16 MR. O'HARA: Okay. Any other questions? Um-hum.

Robert.

17

MR. HEYANO: The same concern Robin brought up is that the abuse of the -- concerning the State same-day-airborne regulation and by the potential abuse of federal regulations prohibiting harassment for the taking of wildlife from an aircraft. Under a similar (ph) situation under this book (ph) if your method and means, you have in here -- and these are when taking wildlife for subsistence purposes, you may not use a motorized vehicle to drive, herd or molest wildlife. You have another one that says in here from a motor driven boat, if the motor has been completely shut off and the boat's progress from that motor's power has been stopped.

23

Now, are you equally concerned with the abuse using those two types of -- motorized vehicles or transportation methods as you do aircraft? And if so, I've never seen you

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people address those concerns.

1

MR. FISHER: Well, I would say we would be concerned with all of those, and each one presents a different type of logistics problem as far as the law enforcement goes. Yes, we would be concerned with all of those.

4

MR. HEYANO: To the point where you would prohibit those uses as you are proposing to do here or suggesting here?

5

MR. FISHER: Well, I guess it depends on what -- the severity of the situation. If it does become a problem, then yes, we would. The land managers on almost all of the refuges throughout the state have expressed some concern about the potential for illegal harvest with same-day-airborne. And we brought that out in Staff comments in our discussion there in the Analysis.

9

MR. HEYANO: Well, I see you object -- or the Park Service, at least, objects to the same-day-airborne because of the potential abuse. I have never seen that statement or these other abuses (ph).

12

MR. FISHER: The other thing, too, I guess, maybe our -- we sort of took a middle of the road approach here, our Staff in Anchorage. We also realized, too, that this proposal could provide for additional subsistence opportunities, too. We have concerns but, yes, we do realize there is some good to it, too.

15

MR. O'HARA: Any other questions of Dave? Larry? Thank you very much. Thank you. Taylor, did you have .....

17

MR. BRELSFORD: Yeah. I think there are a couple of points, Mr. Chair -- .....

18

MR. O'HARA: ..... some comments you'd like to make?

19

MR. BRELSFORD: Taylor Brelsford. Robert and I spoke just a little bit last night about the effort to identify what the historic patterns on the use of aircraft in support of trapping activities have been. And I think it points us to one of the problems in trying to deal with a statewide proposal, and that is that there is great variation in the species status in different parts of the state, and also in the historic traditions and the use of aircraft.

24

So what has happened in here is we've tried to generalize, in the paragraph, the bottom paragraph on Page 3,

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talking about the fact that there are histor- -- there are cases in some rural areas where aircraft had been used for a substantial period of time. I knew of that from Bristol Bay. I've heard it in Sidney Huntington's testimony with regard to the Galena area. I know that aircraft have been utilized in some areas quite consistently for a lengthy period of time.

4 At the same time, when we get into Unit 18 and the Yukon Delta, people tell us that hey, the only folks using aircraft are the sport users. We don't know why you're even bringing this up to us. In their view, subsistence users don't use aircraft.

7 So we've had a little bit of trouble trying to generalize or keep a clear perspective about the regional -- the specifics of each region in responding to a statewide proposal. And I think the challenge before this Council is to think about what's the appropriate regulatory structure for this region. And if this is an area where the historic pattern is the use of aircraft is a part of the historic and traditional subsistence practices, we -- the Council needs to identify that. And in your recommendation, base your rationale on the fact that there's a customary or a traditional practice to be protected here. I think that would be the best way to focus this Council's commentaries.

13

The second point I wanted to make had to do with this kind of regulatory divergence between the State's approach and the Federal program's approach. The State is clearly moving towards increasing use of -- or towards allowing wider opportunity for the use of aircraft in support of trapping, including the taking of wolves. That's kind of a big strategy that the State Government is involved in right now.

17

The Federal Government has been careful -- cautious about that and, perhaps, influenced by a whole lot of policy considerations that are national and, you know, way outside of our league. But certainly, the Federal Government is kind of cautious about this idea of the use of aircraft in support of taking of animals and in the trapping.

21 So I think what we're going to need to do is to identify for the Board where aircraft constitute a traditional subsistence method. They have a mandate to provide for those. In the regions where that's the case, that may tip their interest; that may get their attention and tip their decision for those areas where there is that historic pattern. They may be more inclined to provide for the use of aircraft in a same-day-airborne.

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1           So maybe, I could quit with that and answer any other  
questions, if you might have them.

2

          MR. O'HARA: Does anybody have a question? Rob --  
Robert.

4           MR. HEYANO: Are you the person who is going to be  
doing the C&T findings for the Board or doing the research for  
it?

6           MR. BRELSFORD: Actually, the Board doesn't have to  
make a specific finding of -- there's not the same regulatory  
process to identify customary methods and means and harvest  
levels. That's a smaller, sort of thing that they can address  
in an individual bag -- an individual subpart (d) proposal, a  
proposal of this sort.

9

          So if the Board says we want more documentation, my  
branch would be the -- we would be the staff to go out and  
prepare that. The Board may find the testimony and the  
Council's recommendations completely sufficient to go ahead  
with a proposal of this sort.

12

          So if it has to be done in a more formal fashion, I  
would -- we'd work with the people to do it. If the Board is  
already convinced, and I think there, you know, is pretty wide  
recognition that aircraft have been employed in certain parts  
of the state for many years, that's not new to them or to any  
of us. And they may be prepared to proceed just on that basis  
alone.

16

          MR. O'HARA: Anybody have any more questions of Taylor?  
Thank you.

18          MR. HEYANO: We could call him back later.

19          MR. O'HARA: You bet. We will do that.

20          MR. BRELSFORD: I won't go away.

21          MR. O'HARA: Moses, did you have any thoughts for us?

22          MR. DIRKS: We had seven written comments for Proposal  
Number 1, three was in support and then four opposed. The in  
support of Proposal Number 1 was the Alaska Bowhunters  
Association, and because it aligned the Federal with the State  
regulations. And the same thing was with the Great -- I mean,  
Golden North Archery Association. An individual, Solomon from  
25

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Kaltag, said that he agreed with the proposed regulation which defines the method of take, the species that are covered and the length of open season.

2

MR. O'HARA: Did he oppose it? He opposed it?

3

MR. DIRKS: No, he was in support.

4

MR. O'HARA: Support?

5

MR. DIRKS: Um-hum. And those that objected to Proposal Number 1 was the National Park Service. This proposal would not directly affect national park or monument lands in Alaska, since the use of aircraft for access for the purpose of taking fish and wildlife for subsistence uses within park and monument is prohibited by National Park Service regulations.

9

And then Robin mentioned the same-day-airborne taking of use of firearms was -- invites violations to the Federal Airborne Hunting Act.

11

And also opposed was the Upper Tanana/Forty Mile Fish & Game Advisory Committee in Tok. The committee favored not allowing the same-day-airborne hunting of wolverine. As written, the proposal extended the minimum distance from airplane to harvest fox, coyote and lynx to 300 feet instead of the present regulation of 100 feet.

14

And the Alaska Wildlife Alliance, they were strongly opposed to the this proposal for several reasons, and then they give the seven reasons for that; and those were included with your packet. And an individual from Tok, Zabielski, was opposed to any same-day-airborne shooting for any reason except to dispatch trapped or snared furbearers, including wolf and wolverine. Same-day-airborne shooting is not acceptable to the large majority of people. It is unenforceable and unnecessary and should not be allowed on public lands to accommodate Alaska Department of Fish & Game's agenda.

20

And that concludes the written public comments.

21

MR. O'HARA: Okay. Any questions of Moses? Yeah.

22

MR. MATSUNO: On here, they have wolf prohibited, but on the regulation change, they have wolf included for over 300 feet.

24

MR. O'HARA: Is that a problem for you?

25

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MR. MATSUNO: Well, if they have it prohibited here and allow it in the same regulation, you know, that's .....

2 MR. O'HARA: There is a conflict, huh?

3 MR. HEYANO: Well, this is what the State of Alaska is proposing in this book here. This is what the Feds -- the Federal people are proposing. See the difference.

5 MR. O'HARA: The one on the right-hand side?

6 MR. MATSUNO: Yeah.

7 MR. O'HARA: Okay. Thank you, Moses.

8 MR. O'HARA: At this time, I'd like to open up the -- Statewide Proposal Number 1 for public testimony. What? BBNA's not jumping to their feet?

10 MR. NELSON: I'd like to speak on -- you know, just for myself, not as a BBNA employee or -- you know, just .....

11

MR. O'HARA: All right. What's your name?

12

MR. NELSON: Russell Nelson.

13

MR. O'HARA: Joe Smith. I'm only giving you a bad time, Russell.

15 MR. NELSON: Russell Nelson, pilot and airplane owner.

16 MR. O'HARA: Okay. Talk to us.

17 MR. NELSON: You know, there's about 370 people -- there's 1 out of every 370 people in the United States that are a pilot, and only 1 in 1,600 people actually own an airplane. And a lot of times, we get treated like special people, you know. If you drive your car down the road and hit a tree, you can drive home and fix your fender; if you're taxiing your airplane and hit a tree, well, the Feds try to string you up and charge you with all kinds of things and take your license away.

22 It's -- you know, we -- and I, for one, am kind of getting tired of being treated so special in life, of with the way they treat airplane owners. I feel that an airplane owner spends a lot of money on an airplane, he has to annual his airplane, unlike a car. You have to bring your car -- your airplane to the service station and get charged phenomenal

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prices to keep that thing certified to fly for the rest of the year. Somebody can go out and buy a \$7,000.00 or 8,000 -- \$10,000.00 snowmachine and enjoy privileges that are being denied me as an airplane owner.

3 And so, you know, if -- I wish the Board would look -- not look at us airplane people as being special people any more and treat like us everyone else, and let us go and harvest the resource, since that's where we choose to put our money.

5

MR. O'HARA: Okay. Any questions of Russell? Thank you. Are there any other individuals who would like to testify on Statewide Proposal same-day-airborne on wolves? Yes.

7

MR. PERKINS: Yeah, hi. I'm Steve Perkins from Koliganek (ph), and I'm a subsistence user; I have been for, I don't know, 15 years or better, in this area. And I use a skiff, and an airplane, and a snowmachine for trapping, to take furbearers; and a airplane less and less all the time because the laws keep getting more restrictive.

11 I just want to say that an airplane is a customary and traditional way to take furbearers, especially wolves and wolverines. There is probably no motorized vehicle in Unit 9 and 17 and Unit 19, maybe, that's preceded an airplane, as far as being customary and traditional. And it was widely used. There's people in the audience here, and the Chairman, and a lot of people that can probably fill you in with a little bit of history.

15

But anyhow, I wrote the -- I looked at the Staff comments on this Proposal Number 1, and some of the things that are in there. I understand the people -- the Staff people that put together aren't here today. Some of them are slanted and misleading, by my way of thinking. And also, there's probably quite a few numbers in there that are wrong, and even some of the State numbers are probably -- some of those are off a little bit.

20 Like Dick Seller said at a meeting one time, when they were trying to make it so you couldn't use an airplane for harvesting wolves on the Preserve, that I got guys out here that take 25 wolves every year from their dog team. They were being penalized, so they didn't bother to say that they'd taken them with the aid of an airplane, they told them they went out with their dog team and got them that way.

24 I see a 40% number in there, and I'd say that it's just my -- nobody will ever really know. But in this area here,

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Unit 9, 17, probably most all the wolves were killed somehow the same-day-airborne; probably way over 40%, probably closer to 90% would be my guess from the people I've talked to and whatnot.

3           And yeah, I had the same -- a lot of the federal agencies are real concerned about the chance for abuse of the Federal Airborne Hunting Act, but they don't seem to be concerned with other motorized vehicles. I think, when you're out with your snowmachine, the chances for abuse are right there also. You see a wolf, and you want to pursue it, but you can't because if you herd, molest or harass that wolf, you'll be in violation of a State and Federal law, and/or.

7

          It's also customary and traditional subsistence way to take wolves is to chase and pursue wolves with an airplane and a snowmachine. And I think that the reason why that these proposals are being -- the State's proposal is in the process of being denied, I think, by the Federal Board -- or not necessarily by the Federal Board, but why it's under so much scrutiny and concern by these federal agencies is that they're driven by outside interests; radical environmental groups.

12           And I guess that's all. I hope the Board takes local people's feelings into consideration and the actual facts instead of being pressured by someone else whereto -- you know. I've got nothing more, I guess.

14

          MR. O'HARA: Whoops, don't leave, we might want to ask you some questions. Any questions by the Council on to Steve? No? Thank you, Steve.

16

          MR. HEYANO: I do, Mr. Chairman.

17

          MR. O'HARA: I'm sorry. Robert.

18

          MR. HEYANO: Steve, how long have you been harvesting wolves in this area?

20

          MR. PERKINS: Probably about 15 years.

21

          MR. HEYANO: What percentage of that has been done with the aid of an aircraft?

22

          MR. O'HARA: All of them?

23

          MR. PERKINS: I think so.

24

          MR. O'HARA: You don't own a snowmachine, huh?

25

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1 MR. PERKINS: Yeah, I got a snowmachine.

2 MR. O'HARA: A snowmachine.

3 MR. HEYANO: In your opinion, what's the wolf  
population doing in these game management units we're  
discussing?

5 MR. PERKINS: Healthy and increasing.

6 MR. O'HARA: Steve, you don't feel that the population  
would be threatened then by a same-day-airborne hunting with  
aircraft, huh, or should there be a trigger system set in there  
where so many can be tagged or .....

8

MR. PERKINS: Yeah. I think it could all be done by  
seasons and bag limits.

10 MR. O'HARA: Um-hum.

11 MR. PERKINS: Seasons and/or bag limits. I don't think  
there's -- no, I don't think there's any danger.

12

MR. O'HARA: I don't have any further questions. Thank  
you. Russell, yours was a request for same-day-airborne  
hunting, too, right?

14

MR. NELSON: Yes. And one final comment on the  
harassing of the wildlife with airplanes. You know, if you  
have a snowmachine, you can go out and buy a 500 to \$800.00  
snowmachine, and run out and harass the wolf. And if you get  
caught harassing a wolf, they can take away your snowmachine.  
But if you got a 15, 20,000, 30,000 -- maybe a \$60,000.00  
airplane -- and which prices are, you know, even -- Supercubs  
now are worth about \$60,000.00. If you get caught harassing a  
wolf, to go and harvest it with your airplane, they're going to  
take your airplane away. So, I think that in itself, that  
\$60,000.00 airplane, is a lot of incentive for you not to go  
out and illegally harass that wolf.

21 MR. O'HARA: Okay. Thank you. Any other -- yes.

22 MR. VAN DAELE: Larry Van Daele, Fish & Game.

23 MR. O'HARA: Are you giving public testimony?

24 MR. VAN DAELE: Just real quick, I want to. Our  
records concur with what Steve said, roughly 90% of the harvest  
25

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in Unit 17 is with the aid of an aircraft, in most years.

1

MR. O'HARA: Okay. Any other public testimony here today? Dick. Give us your name, just for the record, Dick, if you would, please; just in case we can't remember who you are.

3

MR. ARMSTRONG: Richard Armstrong, Dillingham. I first came to the Mulchatna country in 1936, and have resided in the area ever since, ending up in Dillingham. I've hunted wolves with the aid of an airplane since 1949, sometimes every year and sometimes just occasionally.

6

I don't think there's any reason for curtailing the taking of the wolves same-day-airborne. They've even stated that here in their discussion. And I think that there's -- I take exception to the fact that they've said that the aircraft is not used in subsistence in this area. It's been used ever since I started flying; before I started flying, they were using aircraft for subsistence. And practically every airplane that's in the area, at one time or another, was used as an aircraft for subsistence, whether it's an air taxi airplane, as I used to. I would fly people out to do their subsistence hunting, and I'd take them subsistence fishing or trapping, and with an aircraft. So it has been used in the area extensively.

13 And like Steve said, most of the wolves, until -- well, even now and recently, a lot more of them, I think, are being taken with snowmachines, but the majority of them are taken with an aircraft. And I'm like Russell, I don't like to be singled out. I don't see any reason to single out the aircraft owner. He's -- just because he owns an aircraft shouldn't mean that he couldn't go and get a wolf with the aid of that aircraft, I don't think.

17

I also think that we should be allowed to take Wolverines with the aid of an aircraft. But I don't know if that is included -- could be included in this proposal or not.

19

In closing, I -- in their conclusion, they say same-day-airborne taking of furbearers would not be expected to adversely effect recognized customary and traditional uses of those species; and then, it also includes here or users. Now, I don't know how they could -- whoever came to this conclusion, could say how it might adversely effect me. But if I needed a ruff for my parka, it might adversely effect me; or if I needed to sell that skin to buy flour for the kids for some bread, it might adversely effect me.

24

So I would take exception of them saying that it

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wouldn't adversely effect me, because I don't know how they could determine that it wouldn't adversely effect me if I didn't to get a chance to go and harvest these animals. I think that's really all of what I had that wasn't covered.

3 MR. O'HARA: Okay. Thank you, Dick. Robin.

4 MR. SAMUELSEN: Dick, in '36, when you were up on the Mulchatna, or between the period of '36 and '49, were there other -- before you became a pilot, were there other pilots around the area taking wolves; say, like Red Flansberg, Bill Ingram or Fennels (ph) or anybody around here?

7 MR. ARMSTRONG: Johnny Walatka, he used to fly Carson, who was the .....

8

MR. O'HARA: Marshal.

9

MR. ARMSTRONG: He was the Federal -- no, he was the Federal Game Warden. And he used to fly him and hunt wolves, because the wolves were harassing the reindeer; when they had the reindeer corral right there back of Black Slough, in that wood patch. And the wolves would come right in and split up the reindeer and drive them off. And he was doing some of that hunting.

13

I made a list of some of the people that -- the old-timers that hunted wolves, prior to the time that I did. There was Bill Ingram, Roy Smith, Walter Noden, Peter Hansen, John Walatka, Herb Nicholson, Franklin Smith and my father, Ken Armstrong; they were some of the older ones. And some of the others, like, Sherb Smith (ph) and -- there was another Smith.

17 UNIDENTIFIED VOICE: Albert (indiscernible - away from microphone) .....

18

MR. ARMSTRONG: Albert never did much of the wolf hunting, I don't think, but -- I mean, with an airplane, not to my knowledge; he may have.

20

MR. SAMUELSEN: Dick?

21

UNIDENTIFIED VOICE: (Indiscernible - away from microphone) Babe Allsworth .....

23

MR. ARMSTRONG: Uh-huh. Could be.

24 MR. O'HARA: Babe Allsworth, yeah. Yeah, Babe Allsworth and Mary, his wife.

25

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1 MR. ARMSTRONG: Yeah.

2 MR. O'HARA: Do you remember the days -- the Federal  
days when the Federal Marshal went out and killed hundreds and  
hundreds of wolves with an aircraft in the '50s?

4 MR. ARMSTRONG: Our Governor, Jay Hammond.

5 MR. O'HARA: We didn't put any names to that.

6 MR. ARMSTRONG: Yeah.

7 MR. O'HARA: You weren't supposed to say names, okay.

8 MR. ARMSTRONG: Yes. And in 1952 -- I had been flying  
on the North Slope at Umiat in '51, and my dad and I hunted  
some wolves. And there were lots of them; even in the  
summertime, we would see lots of them. And the Federal people  
went in there to Umiat, in the spring of '52, and they took 250  
some wolves in a three week period with three airplanes. And  
that's when the caribou herd built up, that North Slope herd,  
and the moose built up in there, and the sheep and, you know,  
the same with this area here.

13 MR. O'HARA: May I ask you a question, Dick? The days  
in which -- we haven't hunted wolves with an aircraft for quite  
a while now. But the days when you hunted them on a regular  
basis, like even before statehood, Federal days, there was a  
good population of wolves, obviously. And do you feel like we  
still have a pretty good population of wolves now to where you  
could use aircraft and still maintain a wolf population?

17 MR. ARMSTRONG: Yes.

18 MR. O'HARA: We got to compare what was then and what's  
now, as far as the use of aircraft also.

19

MR. ARMSTRONG: Well, due to my health, I haven't  
hunted in the last three years, so I don't know. But prior to  
that time, I got a wolf right here, close on the Iowithla. And  
I went farther up the Mulchatna to my cabin there, and there  
was a lot of sign, we didn't see any, the snow conditions was  
pretty old. By the time I got up there, it was like a week  
after it had snowed, and there were tracks but they was hard to  
follow.

24 MR. O'HARA: Any -- Robin.

25

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MR. SAMUELSEN: Dick, when you go wolf hunting, success doesn't come on every trip out does it?

2 MR. ARMSTRONG: Oh, no. No. And even in the days when you were shooting from the air, the chances of getting every wolf are very remote, because the wolves are not dumb. You know, the minute they hear the airplane, or the minute you start after them, they're either in the mountains, if you're close to the mountains. They like to go in the mountains because there's less snow and it's very difficult to get them. And the other way, they go into the creek bed, into the timber, or they go in -- you know, into a stand of timber.

7 And I've had them just go in and sit down in the middle of a big wood patch and just sit there and watch you go around, and they just stay there, and laugh at you, you know, it seems like.

9

MR. O'HARA: As you run out of gas. Any other questions? Well, thank you very much, Dick, we appreciate your testimony today.

11

MR. ARMSTRONG: Thank you for your .....

12

MR. O'HARA: Yeah. Any other ques- -- or public testimony?. Joe.

14 MR. CHYTHLOOK: Mr. Chairman, Joe Chythlook. I'm not old enough to be a wolf hunter yet, but I used to do some flying. And I guess the only -- the point that I wanted to emphasize was that, as Russell mentioned and Dick alluded to, it seems like that whenever wolf hunting issue comes up, the aircraft is a target for, you know, being a vehicle, supposedly, that does the most harm or is the easiest one that people have for getting wolf.

18

The flip-side, I guess, is as people get that idea and more and more try to endorse it before either a Board of Game of Federal Board, it seems like that it's going to create kind of more and more an ill-feeling on the part of aircraft users towards, you know, some of the other people that have also, within the last few years, acquired snowmachines, and have become accustomed to using them, because of, you know, technology creeping in and coming into our area. We can't avoid that, and people have learned to rely and use snowmachines for trapping and hunting wolves and so on.

24 And it seems like that sometimes when we create regulations to respond to one outcry from the public, we often  
25

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-- or the boards often act in response, sometimes, without, you know, thinking out the effect that it may have negatively on the other user groups.

2

So I guess, the point is that I hope that this Council, in dealing with this one, doesn't fuel up whatever fire might have already started in feeling by some of the people that might cry in return and say well, if you're picking on us, why don't you pick on, you know, bona fide users of snowmachines that may want to go after same resource. So I just wanted to make that point.

6

MR. O'HARA: Any questions of Joe? Thank you, Joe, appreciate it. Any other public testimony on Proposal Number 1, Statewide use aircraft for game? Yeah.

8

MR. PERKINS: I just forgot one thing here.

9

MR. O'HARA: You got to come up, Steve.

10

MR. PERKINS: It says here in this Discussion -- Staff Discussion that aircraft are not extensively used for subsistence purposes, and the practice of taking furbearers by aircraft was not widespread. I know better than that, and I think that a lot of you guys sitting on the -- I mean, I can think of, probably, 30 names, right now, of people that live in the area that we're discussing that do or have used aircraft for the subsistence taking of all furbearers. Chairman, you must know that many or nearly so on -- you know. I just wanted to

16

MR. O'HARA: Yeah. Good, appreciate that. Thank you.

17

MR. PERKINS: Yeah.

18

MR. O'HARA: Do we have any other members of the public that would like to testify on Proposal Number 1?

19

MR. NELSON: Yeah. One final comment on the history of using aircraft. I know my dad, Alfred Nelson, had an airplane, and I remember flying up to my Uncle Peter's cabin in his airplane. And my Uncle Sonny Nelson also had an airplane, and I know that I can remember being up at the cabin with him flying in, and I know he used his airplane for subsistence also. So there is a real history of using aircraft around here.

24

MR. O'HARA: I think -- I don't think that's even in question. You know, like Dick Armstrong mentioned, his father,

25

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Ken, who I knew when I was a little, tiny boy, and he was middle-aged then, and he was flying for those very purposes.

2 MR. SAMUELSEN: (Indiscernible) Orville, huh, Orville Wright?

3

MR. O'HARA: Okay. We'll take a 10 minute break, and then we'll come back and we'll address the proposal.

5 (Off record)

6 (On record)

7 MR. O'HARA: What is the uses of the -- since we've closed public hearing, what is the wishes of the Council on Proposal Number 1, statewide wolf hunting, same-day-airborne? Robert.

9

MR. HEYANO: Mr. Chairman, I move we adopt Proposal 1.

10

MR. O'HARA: Is there a second?

11

MR. LaPORTE: Just before we second it.

12

MR. O'HARA: Whoa.

13

MR. LaPORTE: Could we get like a real good -- I mean, exactly what does it say? Sorry.

15 MR. O'HARA: Do you withdraw your motion?

16 MR. LaPORTE: I mean .....

17 MR. O'HARA: Okay. Do you want to withdraw your motion then until he's familiar (ph)?

18

MR. HEYANO: Sure.

19

MR. O'HARA: Okay. He's pulled his motion, go ahead. Do you need a little clarification?

21 MR. LaPORTE: Okay. I just want clarification exactly. I mean, is that -- I see the word "wolverine" highlighted in this and -- but is this, basically, to bring the same-day-airborne for all these furbearing species on Federal lands into right now, you can do it on State lands under a trapping license.

24

MR. O'HARA: Um-hum.

25

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1 MR. LaPORTE: But I mean, is that what we're doing is  
paralleling that with State regulations or .....

2

MR. O'HARA: Yes.

3

MR. BRELSFORD: It's exactly the case.

4

UNIDENTIFIED VOICE: Yeah.

5

MR. O'HARA: Okay. Now, let me -- and I had the same  
question, too, Tim, is we're talking about a wolf, a wolverine,  
coyote, red fox, arctic fox, lynx, all of them?

7

MR. BRELSFORD: Right. The reason the wording is a  
little awkward is the head of the section says the following  
methods and means are prohibited.

9

MR. O'HARA: Um-hum.

10

MR. BRELSFORD: And so it would be taking or assisting  
in the taking of wolverine by firearm before 3:00 a.m., that's  
still -- that would be prohibited under the .....

12

MR. O'HARA: Okay.

13

MR. BRELSFORD: ..... proposed part. And then there is  
some exceptions, and the exceptions where same-day-airborne  
would be okay, it would be no longer prohibited, that's the  
shaded part that says taking arctic fox, red fox, coyote, wolf  
or lynx if the person is over 300 feet from the airplane at the  
time of the taking.

17 So, on Tim's point, that this would basically bring the  
Federal regulation into line with the current State regulation,  
that's exactly what the State had proposed and that's what this  
language would do.

19

MR. O'HARA: Very good. Okay.

20

MR. LaPORTE: And is that .....

21

MR. BRELSFORD: You've got to love the Federal Register  
to get it (ph).

23

MR. LaPORTE: Yeah. Is that under a trapping license?

24

MR. O'HARA: Or a hunting license?

25

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1 MR. NELSON: It's trapping.  
2 UNIDENTIFIED VOICE: Trapping.  
3 MR. BRELSFORD: That's trapping.  
4 MR. O'HARA: So you can fly and get this animal same-  
5 day-airborne 300 feet from your airplane with a trapping  
6 license?  
7 MR. BRELSFORD: (Nods affirmatively.)  
8 MR. O'HARA: Okay.  
9 MR. NELSON: But not a hunting license.  
10 MR. O'HARA: But not a hunting license.  
11 MR. LaPORTE: Right.  
12 MR. O'HARA: Okay. Are you ready?  
13 MR. HEYANO: I'm ready, I guess, for -- just so Tim  
14 knows where I was planning on going with this, Tim, is that I  
15 was going to move for adoption of Proposal 1 and then, if that  
16 was successful, I was going to also offer an amendment, which  
17 would include wolverines; and that would be different from the  
18 State regulation.  
19 MR. O'HARA: Okay.  
20 MR. LaPORTE: Okay.  
21 MR. O'HARA: Any other questions by the Council?  
22 What's the wishes of the Council on Proposal Number 1?  
23 MR. HEYANO: Mr. Chairman, I move for adoption .....

24 MR. O'HARA: Okay.  
25 MR. HEYANO: ..... of Proposal 1.  
MR. O'HARA: And is there a second?  
MR. LaPORTE: I'll second it.  
MR. O'HARA: Tim seconded it. Any further discussion?  
MR. HEYANO: Mr. Chairman.

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1 MR. O'HARA: Yes.

2 MR. HEYANO: I'd like to offer an amendment to  
Proposal 1 that would include wolverine.

3 MR. O'HARA: Okay. And you consider that, I guess, a  
friendly amendment, huh, since you are friendly? Is that okay  
with you, Tim?

5 MR. LaPORTE: That's fine.

6 MR. O'HARA: All right. Any further questions,  
discussion on the matter? Call for the question.

8 MR. SAMUELSEN: Question.

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

10 COUNCIL MEMBERS: (In union) Aye.

11 MR. O'HARA: Opposed?

12 MR. MATSUNO: Aye.

13 MR. O'HARA: Okay. One opposition. Six to -- 5 to 1,  
excuse me. 5 to 1, okay, it passes. Any further comment to  
Proposal Number 1?

15 MR. SAMUELSEN: Mr. Chairman?

16 MR. O'HARA: Yes.

17 MR. SAMUELSEN: Yes. I'd like to request that Staff do  
analysis on the C&T finding of same-day taking of bulls and  
bearing animals in Unit 17 and 9.

19 MR. O'HARA: Is that a motion on the motion?

20 MR. SAMUELSEN: Yes.

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

22 MR. HEYANO: Second.

23 MR. O'HARA: Okay. There's a second to the motion.  
The motion deals with -- go ahead, speak to your motion, Robin.

24 MR. SAMUELSEN: Yeah. You know, with the controversy

25

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surrounding the taking of wolverines and wolves in the airborne -- the different factions that are working against this practice, I think it's imperative that we document as soon as possible the customary and traditional practice, and methods and means of taking these animals in our unit. As pointed out earlier, the interior villages, they might not use airplanes; they might've used, perhaps, but public testimony has indicated from Dick Armstrong, who's lived in the Mulchatna -- arrived in the Mulchatna in '36 and started flying in the '40s there, and his dad previous. And he's brought out some real good -- a real good historical perspective on the use of airplanes in this area. And I think that Staff needs to go back and document that and -- so we could bring forth our comments to the Federal Subsistence Board when the time is appropriate.

8 MR. O'HARA: Okay. Is there any -- everyone understand the motion that's on the floor before us? Any discussion? Call for the question.

10 MR. SAMUELSEN: Staff.

11 MR. O'HARA: Excuse me.

12 MR. SAMUELSEN: Does Staff have any questions?

13 UNIDENTIFIED VOICE: No, I understand the issues, thank you, (indiscernible - away from microphone) .....

14 MR. O'HARA: Did you have a problem?

15 MR. KNAUER: I don't believe you voted on your main motion, you just voted on the amendment .....

17 MR. O'HARA: That's right. He's .....

18 MR. KNAUER: ..... for a wolverine, so you already have a motion on the floor.

19 MR. SAMUELSEN: That's right.

20 MR. O'HARA: ..... (indiscernible) on the Robert's Rules of Order. Okay. Could we just hold off on that motion for a second, .....

22 MR. SAMUELSEN: Yes.

23 MR. O'HARA: ..... if you would, please. We need to address the main motion. We voted on the amendment, and now the mot- -- thank you, otherwise, we would not have addressed

25

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the issue. All those in favor of the overall -- yes.

1

MR. HEYANO: I just have a couple of more comments before we vote, so .....

3 MR. O'HARA: Okay. Okay.

4 MR. HEYANO: ..... is it already time to do it (ph)?

5 MR. O'HARA: You bet. And we're talking about Proposal Number 1.

6

MR. HEYANO: Okay. Mr. Chairman, I'm going to be voting in favor of Proposal Number 1 because from the information and the firsthand knowledge on Unit 17 and 9 in particular, and given the public testimony we received, it's pretty clearly, to me, that the use of an aircraft for taking wolf and wolverine have been customary and traditional before the statehood; in fact, '49, I guess is -- and before 1949 as we have heard.

11 I did a limited amount of research pulling just the recent information from the annual reports from the State of Alaska, and I'd like to share that for the record. In Unit 9, 86- -- 1987 to 1987, 62% of the wolves taken in Unit 9 was aircraft; '87/'88, 51%, '89- -- '88/'89, 59; '89/'90, 49; '90/'91, 41; '91/'92, 33; and '92/'93, 12%.

14

Also, Mr. Chairman, in the '87/'88 report on Unit 17, by an area biologist: Harvest generally reflects the suitability of snow conditions for tracking and landing rather than the availability of wolves. Most of these 95% were taken with firearms.

17

Also, I have here a table that's Historical Wolf Harvest in Unit 17, '62 to '88. In 1962 to 1963, a hundred percent were air shot; '63 to '64, a hundred percent were air shot. There is no figure until we get to '65/'66 in which a hundred percent was. '66/'67, 50; '67/'68, 96; '68/'69, 97; '69/'70, 100; and '70/'71 was also 100.

21 Also, Mr. Chairman, although it's not in our area, it came along with the studies as -- of Unit 19 for '87/'88, the biologist states: The high '87/'88 wolf harvest was probably due to several factors, good flying and tracking conditions that existed sporadically throughout the late winter and early spring. Eighty-one percent of the harvest was facilitated through aircraft transportation.

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And in the '88/'89, Unit 17, again, quoting from the area biologist, this is: Because land and shoot method of harvesting wolverines was initially prohibited during the reporting period, a reduced harvest had been expected.

3           So Mr. Chairman, I guess -- I think it clearly shows just on -- even a limited amount of resource that some aircraft were taking wolf and wolverine (indiscernible) Unit 17.

5           MR. O'HARA: Thank you, Robert, for that further information.

6

MR. MATSUNO: Mr. Chairman.

7

MR. O'HARA: Yes.

8

MR. MATSUNO: I'd like to make a comment on why I'm going to oppose it.

10          MR. O'HARA: Um-hum.

11          MR. MATSUNO: I oppose it -- I mean, I see the reasoning behind it. it's a good, you know, management tool, and also there's good customary and traditional use. But I've seen too much abuse of it, and also I don't think it's a fair base.

14          MR. O'HARA: Okay. Thank you. Any other comments from the Council before we vote on the overall Proposal Number 1? Call for the question.

16          MR. SAMUELSEN: Question.

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

18          COUNCIL MEMBERS: (In union) Aye.

19          MR. O'HARA: Opposed?

20          MR. MATSUNO: Aye.

21          MR. O'HARA: One opposition, and it's 5 to 1. Okay. Now, if we could bring your motion back up on the floor, if you'd please, Robin.

23          MR. SAMUELSEN: I so move, Mr. Chairman. I think the Staff has got the gist of my motion as far as getting the C&T at Unit 9 and 17, the same-day-airborne taking of wolves and wolverine.

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1 MR. O'HARA: Any questions or do we all understand the  
motion? Call for the question.

2

MR. HEYANO: Question.

3

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

4

COUNCIL MEMBERS: (In union) Aye.

5

MR. O'HARA: Opposed? Okay. It's unanimous. And we  
have one more statewide proposal and that's Number 2. And  
Dave, if you would address that, please?

7

MR. FISHER: Yes, sir, Mr. Chairman. Proposal Number 2  
submitted by the Alaska Department of Fish & Game would align  
Federal hunting and trapping regulations with those of the  
State. Now, the only thing here that affects the Bristol Bay  
Region Unit 9 and Unit 17 is hunting, if you'll look on Page 7  
of your book -- well, let's go back, look over on Page 6 and  
you'll see Unit Number Unit 9, the harvest limit is 10, right  
down below that is Unit 17, the harvest limit is 10. The  
proposed regulation change, over on Page 7, would reduce that  
to five for hunting. We're only talking about hunting here.  
We've already discussed the biology at some length.

13

And really, the only concern that the Staff had was we  
felt that this decrease would not affect the wolf harvest.  
There is an adequate -- a hunting season that's pretty liberal  
with a no limit that firearms can be used there as a legal  
means .....

16

MR. O'HARA: Okay.

17

MR. FISHER: ..... of take under trapping. That's all  
I have.

19

MR. O'HARA: All right. Thank you. Any questions of  
Dave? Moses? Excuse me, anthropologist?

20

MR. BRELSFORD: Thank you, Mr. Chairman. I think  
there's actually very little to add. It may be useful to  
underscore, again, that unless Federal lands are specifically  
closed, State regulations do apply. And so in this instance,  
what Dave has said, the change in hunting harvest limits would  
not affect harvests under trapping licenses. And so the  
overall effect is really very negligible. And .....

24

MR. O'HARA: Okay.

25

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1 MR. BRELSFORD: ..... I'll leave that there (ph).

2 MR. O'HARA: Moses, did you have -- we'll get to you in  
one second, Steve, we won't leave you out.

3  
MR. DIRKS: For Proposal Number 2 we had six comments,  
written comments; four in support and two opposed. And in  
support of Proposal Number 2 was Izembeck National Wildlife  
Refuge. The Office of Subsistence Management is attempting to  
make wolf bag limits in Units 9 and 10, Unimak Island,  
consistent with State bag limits for the species in these  
units, and they support the action.

7  
An individual, Solomon from Kaltag, supports consistent  
with State regulations and reduces the confusion on harvest  
times and bag limits. And the Bowhunters Association and also  
the Golden North Archery Association supports the proposal  
because it aligns the Federal with the State regulation.

10  
And those in objection to Proposal 2 -- Number 2 was a  
individual from Tok, opposes the increase of open season dates,  
wolf taking in August, September and April have little value  
and is a great waste of resources, and seasons should not be  
adjusted to accommodate Alaska Department of Fish & Game's  
agenda on public lands.

14 And also in objection to Proposal Number 2, the Alaska  
Wildlife Alliance. They don't support the proposal for four  
factors in the documents they made because of that. You have  
those.

16 MR. O'HARA: Um-hum.

17 MR. DIRKS: If you want me to go over those, I could do  
that.

19 MR. O'HARA: No.

20 MR. DIRKS: And those were the two that were .....

21 MR. O'HARA: Those were the two? Okay. Any questions  
for Moses? Okay. Thank you, Moses. We'd like to open up  
Proposal Number 2 to bring into compliance some of the hunting  
only dates on a statewide basis; 17 and 9, of course, pertain  
to -- 9 and 17 pertain to us. Any public comment from the  
audience today on this?

24 Yes, Susan.

25

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1 MS. SAVAGE: I just wanted to reit- -- Susan Savage. I  
wanted to reiterate, again, what I did before is that this  
would have a practical effect on National Park Service  
Preserves because trapping -- a firearm is not allowed under a  
trapping license in National Park Service areas. So this would  
have a practical limit.

4

MR. O'HARA: Not allowed where?

5

MS. SAVAGE: In National Park Service areas.

6

MR. O'HARA: Um-hum. Okay. Thank you. No questions  
for her. Any other public comment on this issue today?  
Hearing none, we'll close public -- Steve, excuse me. Did you  
have a .....

9

MR. PERKINS: No.

10 MR. O'HARA: That's okay. All right. Go ahead. We'll  
close public comment and Robin.

11

MR. SAMUELSEN: Okay. I'd just ask Staff, this is  
basically a housekeeping proposal, bringing our -- bringing the  
regulation in line with the Federal program, right?

13

MR. O'HARA: I understand that. Dave or Larry, maybe  
you could help us out on that?

15

MR. VAN DAELE: I'm sorry, I was .....

16

MR. FISHER: I didn't hear the question.

17

MR. SAMUELSEN: This is basically a housekeeping  
proposal to align the two regulatory agencies, State and  
Federal, into line?

19

MR. VAN DAELE: That's correct.

20

MR. SAMUELSEN: Okay.

21

MR. O'HARA: Yeah. And you do wolves on August 10th?  
Yeah, Larry. For hunting.

22

MR. VAN DAELE: Wolf, this is hunting rather than  
trapping. And the reason we allow wolves to be taken on  
August 10th is they're taken as a big game species rather than  
as a furbearer type of species. It allows people that are out  
there for moose or caribou seasons, if they happen to see a

25

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wolf, they could take one at that time.

1

MR. O'HARA: Okay. Thank you. I remembered that, after I asked the question. The guys on the Peninsula do it. All right. Yes.

3

MR. SAMUELSEN: I move for adoption of Proposal Number 2.

5 MR. O'HARA: Second.

6 MR. LaPORTE: Second.

7 MR. O'HARA: Any further discussion? Yes.

8 MR. SAMUELSEN: Mr. Chairman, the Staff has indicated this is basically a housekeeping proposal, the Council here has indicated that to avoid mass confusion amongst the public that we try, to the best of our ability, to align proposals with the State and Federal agencies.

11 MR. O'HARA: It's a good proposal. All those in favor say aye.

12

COUNCIL MEMBERS: (In union) Aye.

13

MR. O'HARA: Opposed? Okay.

14

Now, we have one little item here that was left to us by Peter under public testimony. He asked if we'd read into the record, since he had to go home early today, if you don't mind, Council Members.

17 Peter Abraham from the City of Togiak, Box 106, Togiak, Alaska. Open seasons on caribou in Togiak Wildlife Refuge, after a study of two years, in 17(A). What he is wishing to take place here is to come before the Council and within a two year time, after some study by the Refuge people, that they consider having a caribou season, apparently, on caribou in the surrounding area two years from now. But he'd like to have Staff look at what the resources are.

21

Okay. Does the Council understand that?

22

The second thing he asked me that I read, the same thing: Peter Abraham -- Peter M. Abraham, the City of Togiak, Alaska. Open season on moose in Togiak Wildlife Refuge after a study of two years in 17(A). Same thing as the request for the study of caribou. He would like you to look at this and within

25

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a two year period of time, he would like to see a harvest in this area of caribou and moose. Okay. Will you read that in the record?

2

All right. Go back to the agenda, it's been a long time, and we have finished all proposals now, right? Completed?

4

MS. EAKON: Yes.

5

MR. HEYANO: Mr. ....

6

MR. O'HARA: Yes, go ahead.

7

MR. HEYANO: I guess, Mr. Chairman, it was brought to my attention that -- and I don't know exactly how we will handle this, if, in fact, we want to handle it. But there's a discrepancy between the State moose season and the Federal season to date by five days in 17(B). Is that something we want to take care of at this meeting, and can we take care of it at this meeting or .....

11

MR. O'HARA: Maybe we could ask Staff about that. Dave, did you hear the question, that there is a discrepancy in dates between the State of Alaska and the Federal program on Refuges .....

14 MR. HEYANO: No.

15 MR. O'HARA: .... or Federal lands?

16 MR. HEYANO: Federal lands, 17(B).

17 MR. O'HARA: Federal land on 17(B).

18 MR. HEYANO: There's a difference.

19 MR. O'HARA: What lands would that be?

20 MR. HEYANO: It's that open country. 17(B) is up in Nushagak uppermost (ph) (indiscernible - interrupted) .....

21

MR. O'HARA: Up in the .....

22

UNIDENTIFIED VOICE: Right here.

23

MR. LaPORTE: That portion that includes all Mulchatna River drainage upstream, including the adjacent river .

25

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1 MR. O'HARA: What page of our .....

2 MR. LaPORTE: Page 70.

3 MR. SAMUELSEN: 68.

4 MR. O'HARA: 68. Do we got a map?

5 (Side conversations)

6 MR. O'HARA: What's the problem?

7 MR. SAMUELSEN: The State says September 20th and  
the .....

8 MR. HEYANO: The State says September 15th and the Feds  
have September 20th.

9 MR. O'HARA: We should .....

10 MR. HEYANO: It used to be the 20th.

11 MR. O'HARA: Would you like to make the State 20 or the  
12 we didn't make this one.

13 MR. HEYANO: 15.

14 MR. O'HARA: 15.

15 MR. HEYANO: There you go.

16 MR. O'HARA: Can we do that in this part of the  
program, Helga? We can, huh? Yes?

17 MS. EAKON: Seasons, yeah.

18 MR. O'HARA: Are you there to address us?

19 MR. VAN DAELE: Only if you want me to.

20 MR. O'HARA: Okay. You can speak to us.

21 (Side conversations)

22 MR. O'HARA: In the interim, could you go ahead and if  
23 you'd like to make a comment, Larry, give -- .....

24 MR. VAN DAELE: Larry Van Daele, .....

25

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MR. O'HARA: ..... give us your name.

1

MR. VAN DAELE: ..... Fish & Game. Just as a point of information, the State Board of Game changed moose season in Unit 17(B) and (C) during their last meeting last fall, I believe it was. The reasons they changed the seasons was concern about overharvest of moose because of the influx of caribou hunters; in other words, we wanted to kill more caribou but we didn't want those people to kill a moose while they were here also.

6

After those regulations were instituted, the Federal Board did not receive the changes in a proposal form before their deadline; consequently, it was not included in this proposal packet to align the two seasons. There is very little Federal land involved in this, it's patchwork. There's a little bit of Lake Clark Preserve, some BLM lands, and a few BLM lands on the Iowithla River.

10

We have sto- -- tried in the past to have aligned seasons in Unit 17 to prevent any confusion, and that's all this would be would be a housekeeping proposal to, again, align those.

12

MR. O'HARA: That's what it is.

13

MR. VAN DAELE: And if I could, I don't know if it's appropriate, but a possible method of doing this would just be to make a proposal to align State and Federal seasons in Unit 17 along the current seasons in the State regulations. Rather than try to get ins and the outs, perhaps, you could just submit our State seasons as a proposal, with the explanation that you want to align those.

17

MR. O'HARA: Are you shaking your head for some reason?

18

MR. KNAUER: Mr. Chairman. The submission of a new proposal, much like in the State process, would not be accepted because of the -- the deadline has passed, and it would not have been subjected to public scrutiny and comment.

21

MR. O'HARA: Let's put it on the September schedule.

22

MR. SAMUELSEN: Move.

23

MR. HEYANO: Is that what we want to do? I think we could do amended Proposal 33 again, too, if you wanted to, but we could wait till September. That's fine, we can just wait till September.

25

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1 MR. O'HARA: That's a whole year.

2 MR. SAMUELSEN: No.

3 MR. HEYANO: No.

4 MR. O'HARA: It's not?

5 MR. SAMUELSEN: No.

6 MR. HEYANO: One hunting season.

7 (Side conversations)

8 MR. O'HARA: Mr. Chairman?

9 MR. O'HARA: Yeah. Um-hum.

10 MR. HEYANO: I guess due to the fact that the -- what  
Staff has told us on the public comment period and whatnot, we  
are only talking about a small portion of land in 17. I move  
we put it on the September -- agenda for the September meeting.  
12

MR. O'HARA: Is that what you were driving at, too,  
Robin?

14 MR. SAMUELSEN: Yeah.

15 MR. O'HARA: Okay. Second?

16 MR. SAMUELSEN: Second.

17 MR. O'HARA: Any discussion on this motion? All those  
in favor say aye.

18

COUNCIL MEMBERS: (In union) Aye.

19

MR. O'HARA: Opposed? Okay. Are we totally finished  
with proposals now?

21 We have other new business in the back, on your agenda.  
And one of them is Judge Holland's litigation update. And  
Belga, are you going to talk to us about that?

23 MS. EAKON: Yes. It will be very brief. I did give  
you a copy of Judge Holland's preliminary order, it's amongst  
our papers. And it is -- it does have concepts about -- legal  
concepts that you might want to, when you go home, kind of read  
25

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carefully. Could you please pass these down?

1

I did get an update on this topic from the Office of Subsistence Management, and Mr. Chair, with your indulgence, I would like to read it into the record.

3

MR. O'HARA: Okay.

4

MS. EAKON: And here are copies for the audience.

5

This is as of February 22, 1994. The most important subsistence litigation before the U.S. District Court for Alaska is the consolidated cases of Katie John versus United States of America and State of Alaska versus Bruce Babbitt, Secretary of the Interior. There are two key parts to these cases. The first has been described by Judge Holland as a "Who" question; the second is described as a "Where" question. And there have been recent developments on each question.

10 First of all, the "Who" question. The State of Alaska contends that ANILCA does not give the Secretary of the Interior authority to directly regulate the subsistence uses of fish and wildlife on public lands. The Federal Government disagrees. Judge Holland issued an order on November 19th, 1993 that indicated he was seriously considering the State's view that the legislative history of ANILCA shows that Congress did not intend the Federal Government to directly manage subsistence. He also stated the Court's concern that this matter had not been adequately briefed. He ordered supplemental briefings on this issue. These briefings were filed in mid-January, and the matter is now before Judge Holland for his consideration and decision.

17 Second of all, the "Where" question. This question concerns whether navigable waters are considered to be public lands as defined by ANILCA. If they are, the subsistence priority found in Title VIII would apply to navigable waters. The Federal and State Government position has been that because the title to the lands underlying navigable waters generally belongs to the State, the navigable waters are not considered public lands. Katie John and the other plaintiffs disagree and believe that Congress intended for the subsistence priority to include navigable waters.

22

Judge Holland issued an order from chambers on January 13, 1994 scheduling oral arguments on this issue for February 4, 1994. He included a proposed order for the attorneys to review, based on the Court's initial evaluation of the issues. He has not yet made a decision on this case. His

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proposed order provides insight as to what Judge Holland is considering.

2 If he were to issue this order as proposed, it would have major implications for subsistence management. The proposed order concludes that all navigable waters and coastal waters within a three mile territorial limit would be considered public lands for the purposes of ANILCA's subsistence priority. The Federal Government has not yet established a position on how it would respond to such an order from the Court. The State and Federal Governments asked for additional time to prepare their arguments, and the Judge rescheduled oral arguments for March 18, 1994.

7

MR. O'HARA: Is there any questions or comments from the Council on Judge Holland's updating on this issue? Any other comments, Helga?

9

MS. EAKON: No.

10

MR. O'HARA: Okay. Thank you. We'll accept that under either new business, and you have also -- Taylor, did you want to address Number 31?

12

MR. BRELSFORD: Yes, Mr. Chairman. I have a written statement from my office concerning the removal of Proposal Number 31 from consideration at this time. I'd like to read that into the record. I have copies for the public as well and for our loyal Court Reporter.

15

Taylor Brelsford, Fish & Wildlife Service. Proposal 31 requested that regulations for subsistence taking of wildlife on Federal public lands in Alaska allow for the use of off-road vehicles, ORVs, in the Katmai National Preserve for subsistence purposes only. This proposal was removed from further consideration and Staff evaluation based on the conclusion that the proposal is not a matter for which the Board has regulatory authority. The Board has regulatory authority only over matters related to the subsistence taking of fish and wildlife on the Federal public lands in Alaska.

21 Regulations concerning national parks in Alaska, found in 36CFR13.46, provide for the use of snowmobiles, motorboats, dog teams and other means of surface transportation traditionally employed by local residents engaged in subsistence uses. The National Park Service has determined that ORVs are not a traditional means of surface transportation employed by local rural residents engaged in subsistence uses in Katmai National Preserve. Because of this determination,

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the use of ORVs in Katmai National Preserve is not considered to be related to the subsistence taking of fish and wildlife and, therefore, not a matter for consideration by the Board.

2

MR. O'HARA: Are you talking about this Board or the main Federal .....

4 MR. BRELSFORD: The Federal Subsistence Board.

5 MR. O'HARA: So we can't advise them on this.

6 MR. BRELSFORD: The determination made in our office was that this was properly a question raised with the National Park Service directly; that it's a park management and regulatory issue, not one on which the Federal Subsistence Board has authority.

9 MR. O'HARA: Any questions by the Council? Yes, Robert.

10

MR. SAMUELSEN: Mr. Chairman.

11

MR. O'HARA: Robin, excuse me.

12

MR. SAMUELSEN: I wrote a letter to Helga on -- and I think you all have a copy of the pulling of this proposal. It is my opinion that it is -- that ORV use has become a additional and -- a customary and traditional tool in the way people gather subsistence, meet their subsistence needs. Before dogs, people walked, and they used a dog team and it was a slow evolution to snowmobiles and motorboats. And with the advent of three-wheelers, they started using three-wheelers.

17 I think it's more of a policy tool. I've requested that in my letter to Helga that -- and I think you have a copy 18 I wanted the U.S. Solicitor General's (ph) opinion on the use of ORV use. I think at this time, I'd also request that a COT finding be made in -- on ORV use in the Katmai Park.

20 I think that -- I think the Park Service was arbitrary in pulling it. This is a public process, and for Staff to sit down and arbitrarily pull a proposal after it's gone through the review process doesn't speak too highly of this process, in my eyes. I think there's a due process on pulling a proposal.

I don't think curtesy was shown to the people that submitted the proposal, and on behalf of the people that requested it, who's been using it, ORVs in Katmai.

24

So I think that, at this time, I'd like to move that we

25

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do a C&T finding on ORV use in Katmai.

1

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

2

MR. HEYANO: Second.

3

MR. O'HARA: All right. Any further discussion by the members of the Council? Do you understand the motion? All those in favor say aye.

5

COUNCIL MEMBERS: (In union) Aye.

6

MR. O'HARA: Opposed? Let the Minutes show that it's unanimous. We will have that -- at least, progress starting toward that in the September meeting.

8

MR. SAMUELSEN: Mr. Chairman?

9

MR. O'HARA: Yes.

10

MR. SAMUELSEN: While we're on 31, is there some mechanism that when people submit proposals and the Department sees fit to pull them, after they've gone through review and comment period, that those -- you know, I could see prior to the review and comment period. But after it's been commented on and gone through the 60 day notice and everything, what gives the Department the right to arbitrarily pull any proposal?

15

MR. O'HARA: Who has the answer to that, from the Staff?

16

MR. BRELSFORD: Well, I think the matter at issue here is whether the proposal addresses an area where the Board has jurisdiction. And if the Board has no jurisdiction, the timing of that proposal is probably not the big point. I believe it's fair to say that if -- that a determination about jurisdiction should be made very quickly, when the proposals come in. And that determination should be made, and proposals should either go in the book or not go in the book based on an initial and a sound determination regarding jurisdictions.

21

That was not done in this case. It was originally put into the proposal booklet and sent out for public commentary. And then, there were further discussions between the agencies that resulted in a very carefully considered determination about the jurisdiction, and that's the point at which it was called.

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MS. EAKON: Mr. Chair. In reply to Robin's question about the mechanism -- what kind of mechanism to make sure that, you know, these sorts of things don't happen. I think it's fair to say that the Office of Subsistence Management, you know, admits that they made a mistake; it was their fault in not notifying the person who made the proposal promptly. Okay. I think that the Office of Subsistence management does acknowledge that, you know, they made a procedural mistake.

5 But the heart of the issue is what Taylor's addressing, the matter of jurisdiction. The way I read it, it is a National Park -- there is a agency specific regulation that addresses it. The Park Service has addressed this. But as their coordinator, I think that you could argue that it is arbitrary -- it may be an arbitrary interpretation. Okay.

8

MR. SAMUELSEN: And that's what I recommended, that the U.S. Solicitor's General put an opinion out on it. 'Cause out of that opinion, we need to know if we need to go to Congress and change -- and solicit the help of our congressional delegation in changing this, which we fully intend to do.

11

MR. BRELSFORD: I think it might be helpful to take things one step at a time. Right now, this discussion is about which forum the questions are going to be answered in; whether the questions are to be answered by the Federal Subsistence Board or by the National Park Service.

14

And I think, basically what's being proposed here, what's being -- the determination of my bosses is that the proper forum is the National Park Service. That the questions of fact about customary and traditional uses, or the guts of the thing, be raised directly with the Park Service as the management agency.

18 So we're really talking about where to -- what forum to work in at the present time. And it would be down the road if 19 asking for reconsideration in the proper forum, if the answer's -- if the outcome is not satisfactory, then it's probably time to think about other avenues of redress. But at the present time, we're really talking about who to take up the question with what's the appropriate forum.

22 MR. O'HARA: Robin.

23 MR. SAMUELSEN: Mr. Chairman. Will we have them answers by September, and also, possibly, a preliminary finding of our September meeting?

25

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MR. BRELSFORD: I think what we can commit ourselves to is a clear outline for the Council's benefit of what the procedures would be in the proper forum to revisit this question of ORV use. I think we owe you a road map as to where to go and what the steps and the procedures would be, and we can commit ourselves to providing you that.

4 I think it is also an appropriate request on the part of the Council that Staff information be developed addressing a question of facts. And that that information be forwarded to the appropriate forum for consideration.

6

Now, we will need to coordinate with the Park which Staff will conduct any additional compiling of information and so on, I can't answer that at the present time. But I think, on behalf of the Federal program, we can commit to identifying the steps, the procedures and to trying to develop preliminary information for further consideration.

10 MR. O'HARA: Is that satisfactory, Robin, to what you need to do?

11

MR. SAMUELSEN: Yeah.

12

MR. O'HARA: I just kind of wonder if the time frame will be done by September. I guess you'll work at it, huh?

14 MR. BRELSFORD: Well, we take direction from the Council as to questions that are of concern and that need additional information.

16 MR. SAMUELSEN: Well, you know, Mr. Chairman, to be honest, I just don't think that three-wheelers fit into the -- how the National Park Service sees the world evolving in Bush Alaska. And I think it was arbitrary and capricious of them to pull this proposal. I mean, every village you go in, you see more people driving three-wheelers. In the summertime, wintertime, you see them driving them down in Sam's country. Usually, there's 15 outside everybody's house that needs repair.

21 MR. O'HARA: Yeah.

22 MR. SAMUELSEN: And you know, I think just because the National Park Service feels that they're not is not good justification in my eyes, they've got to prove it to me. And that's what I want, I want to see proof.

24

MR. O'HARA: You'll have that in September. Okay.

25

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Thank you.

1

MR. HEYANO: One quick .....

2

MR. O'HARA: Yeah, you bet.

3

MR. HEYANO: ..... question before Taylor goes. The problem we're having here, is this similar to the same people -- the same problem that the people in Anaktuvuk Pass went through -- the community of Anaktuvuk Pass?

6

MS. SAVAGE: This is similar.

7

MR. BRELSFORD: Let me turn to the Park Service.

8

MS. SAVAGE: I think it's somewhat similar, it's the same use; it's the use of ORVs and determining whether -- I guess, what the definition of traditional use is is, perhaps, where the fine line is going to be drawn.

10

MR. O'HARA: Robert.

11

MR. HEYANO: And then, as a result of that, they are allowed to use them in certain sections of whatever form of government land they're on, am I not right, correct?

13

MS. SAVAGE: My understanding of that issue is that there is a huge land swap going on, and I'm not sure whether there will be any ATV (ph) use allowed on Park Service land. There is a large swap of land between the corporation and the Park Service. I'm not sure if that's going to happen, it's got through legislation too (indiscernible - voice lowers) occur.

17

MR. HEYANO: So currently, they're prohibited from using them in Park land or whatever that -- Arctic Wildlife Refuge?

19

MS. SAVAGE: As far as I know, they are; although, there may be an exception because they may be doing a study there, but I'm not fully up-to-date on that.

21

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

22

MR. SAMUELSEN: Mr. Chairman. I think they've allowed the exception.

23

MS. SAVAGE: They may have, for the study.

24

MR. O'HARA: Okay. All right. Yes, Robert.

25

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1 MR. HEYANO: Yes. I guess, can you provide us or  
somebody provide us with what happened up there and where that  
2 exactly is, just in case there is a C&T finding for ORVs or  
whatever they are?

3

MS. SAVAGE: Yes, I can .....

4

MR. HEYANO: Thank you.

5

MS. SAVAGE: ..... do that.

6

MR. O'HARA: Any other further discussion on that  
7 issue? Okay. Yes, Ted.

8

MR. KRIEG: Mr. Chairman, are you taking comments from  
the public on this?

9

MR. O'HARA: I don't think so.

10

MR. SAMUELSEN: No, there's no action.

11

MR. O'HARA: No, there's no action on it, we're just  
12 getting information -- gathering information on it. It will be  
in September, though, when we get to -- you have a burning  
13 issue?

14 MR. KRIEG: Pardon me?

15 MR. O'HARA: Did you have a burning issue on that?

16 MR. KRIEG: Yeah.

17 MR. O'HARA: How burning is it?

18 MR. KRIEG: Well, there's -- I guess one thing that I  
wanted to do is I've got a Proposal 31 updated with additional  
19 information that I'd like to at least, you know, give to the  
Council Members so they -- .....

20

MR. O'HARA: You can give it to us.

21

MR. KRIEG: ..... they can inform .....

22

MR. O'HARA: Yeah. And because that will be an action  
23 item -- or it will be brought up as an agenda item in Janu- --  
I mean, September, if you'd like to give that to us now, but I  
24 don't think we're going to take any more comment on it right  
now.

25

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1 MR. KRIEG: Okay.

2 MR. NELSON: Mr. Chairman, I have a question.

3 MR. O'HARA: Sure.

4 MR. NELSON: On Robin's request for a Solicitor's  
opinion on this thing, is there anything going to happen with  
5 that? I haven't heard anybody talk to that, you know, since  
that was first mentioned. Do you guys -- .....

6

MR. O'HARA: Was that part of your motion, Robin?

7

MR. SAMUELSEN: I believe it's been .....

8

MR. NELSON: Are you guys going to request a  
9 Solicitor's opinion to see if what the Park Service -- or  
what's been done to that proposal is the right thing to do?

10

MR. SAMUELSEN: I think it's been forwarded.

11

MR. O'HARA: What's that, Robin?

12

MS. SAVAGE: Whose Solicitor are you going to go to?

13

MR. SAMUELSEN: Helga, has that been forwarded to their  
14 office?

15 MR. NELSON: It says here General (ph), I would  
imagine.

16

MS. SAVAGE: Oh, there is a different solicitor for  
17 each agency.

18 MS. EAKON: Yes. A copy of your request went to the  
Office of the Subsistence Management, it went to National Park  
19 Service Regional Office, and a copy was sent to the Department  
of Interior, Solicitor's Office.

20

MR. O'HARA: We have another item here.

21

MR. BRELSFORD: I think the simple answer is there  
22 certainly will be a response. Letters to the Government do not  
go unanswered, and letters to senior government officials  
23 responsible for legal policy certainly don't go unanswered. So  
there certain -- there will be .....

24

MR. O'HARA: They may get here the same day we have a

25

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meeting, but they get answered, huh?

1

MR. BRELSFORD: Well, it'll be carefully considered, too, I'll tell you that.

3 MR. O'HARA: No lead in their pencil. Thank you, Susan. Helga, we had a letter from the Naknek/Kvichak Advisory Committee in regards to this issue up here of what -- the section right here has a big notice, it says you can't hunt on this area here, and there's a lot of misunderstanding that takes place between -- for the people who come up to Big Creek, and then they come here and they see this sign that says no hunting on this property, that is withdrawn by -- what Native 7- is it a Native corporation or State lands, Ron?

8 MR. HOOD: Alaska Peninsula Corporation. But where is this No Hunting sign you were talking about?

9

MR. O'HARA: Right here on the river. Alan Aspelund talked about that. Anyway, what we got to do is respond to the Naknek/Kvichak Advisory Committee. And we have a letter from Sue (ph) Aspelund, maybe you can just read it and we'll write a response to it.

12

MS. EAKON: Sue Aspelund, Secretary, Naknek/Kvichak Fish & Game Advisory Committee; January 8, 1994; addressed to Daniel O'Hara as Chair of this Council. Dear Dan, as directed at the January 4, 1994 Naknek/Kvichak Fish & Game Advisory Committee meeting here in Naknek, I am writing to your Council for information regarding a subsistence issue on Federal land. Could you clarify for us the status of subsistence hunting regulations on Federal lands, specifically the Alaska Peninsula Corporation land selection within the Becharof Refuge? There appears to be conflicting information regarding the status. We look forward to hearing from you on this issue. If you have any questions on our request, please contact me at 246-4296 or Ralph Angasan at 246-6126.

19

MR. O'HARA: All right. So what we need to do is write a response to Sue at Naknek/Kvichak Advisory Committee on what our responsibilities are on Federal lands and how this affects Native lands which they're putting a request for on Federal lands; is that right, Ron?

22

MR. HOOD: I'm not sure what Alan understands in this issue. And I'm the source of this because we tried to explain to Alan Aspelund where he could take his antlerless moose and where (indiscernible - away from microphone) -- selected (ph).

25

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Like I said, I think I'm the source of your -- of this problem. Alan came into our office to get a permit for a subsistence moose hunt on -- along Big Creek in Unit 9(C). We attempted to show him, with our maps, where the Federal subsistence started on the Refuge. And we have a Refuge sign 3- boundary sign where the Refu- -- as you come along Big Creek, on the west bank, that let's people know that they are now entering the thing. But then they have to travel down the creek a considerable distance more to the Three Hills area; and we have a yellow post on the west side that lets people know that they're now in the -- as they pass that post, they can hunt in -- they're in the Federal lands area that they could hunt.

7

And we tried to explain to Alan that the selected lands by the Alaska Peninsula Corporation were subject to State regulations. Therefore, he could take an antlered bull in there but he couldn't take an antlerless animal. And that's the heart of the trouble. And we even prepared a map, and this, basically, is the area in that -- that he can't (ph) hunt, the only thing, the yellow area there.

11

MR. O'HARA: Yeah. And something .....

12

MR. HOOD: And he can't hunt for -- using the Federal permit.

14

MR. O'HARA: Yeah, that's right. That's just something that we don't have jurisdiction over, and that he's going to have to go to the State of Alaska with. And it's just that simple. I mean, the Peninsula Corporation has withdrawn that land, they go under State regs, and we don't have any say-so over it. And yet, we're kind of getting a black eye because they got to go all the way up this creek now, past these signs, into Federal lands, now get your moose.

18

So it's a misunderstanding, and let's write them a letter and I'll sign it, when you get it compiled.

20

MS. EAKON: And I will include a copy of the regulations which speak to this, it's under Definitions, Subpart (A) where it speaks directly to this.

22

MR. O'HARA: Guaranteed reading for good nighttime reading, that'll put you to sleep for sure, Helga. All right. That's just a clarification of the thing, okay? If that's okay with the -- now, the same-day-airborne, we took care of, I understand correctly.

25

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1 MR. HEYANO: No.

2 MR. O'HARA: On what?

3 MR. HEYANO: On Refuge lands.

4 MR. O'HARA: Do we need to deal with Refuge lands,  
 same-day-airborne? Helga, where are we at on that? We have  
 that as an agenda .....

5 MS. EAKON: We are now H(4), Closing of same-day-  
 6 airborne on Refuge lands that was requested by Robert Heyano  
 for discussion.

7 MR. O'HARA: What did we do? We just did a wolf thing.

8 MR. HEYANO: Mr. Chairman?

9 MR. O'HARA: Yes.

10 MR. HEYANO: I guess my question would be if the  
 Federal Subsistence Board adopted Proposal 1, would that  
 supersede the closing of same-day-airborne taking of animals on  
 11 Refuge lands, which is being proposed today; is that the same  
 or .....

12 MR. KNAUER: No, sir, it is not. The National Wildlife  
 13 Refuge System in Alaska, which is the on-ground manager of the  
 refuges up here, Division of Refuges & Wildlife, has proposed a  
 14 regulation which would close Refuge lands to same-day-airborne  
 taking of wolves and wolverines in Alaska. Currently, the --  
 15 there are prohibitions on Park Service lands.

16 And the reason this has come about is not relative to  
 national pressure but within the refuge manual that the refuges  
 17 operate under, are statements that regard promoting positive  
 hunting values and hunter ethics; and that hunting on refuges  
 should generally be superior to that available -- I mean, these  
 are things that are part of the national system. And the  
 18 refuges, across the United States, are undergoing what's called  
 a compatibility determination, to determine whether or not the  
 19 uses that are occurring on the refuges are compatible with the  
 laws and regulations under which they are supposed to operate.  
 20  
 21

22 The refuge manual specifies that land vehicles should  
 23 only be used to provide access to a hunting area and not as a  
 24 technique to make hunting easier, put wildlife at a  
 disadvantage or increase hunter success. Now, here in Alaska,  
 25

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we are aware that airplanes supplant cars or trucks as a means of access. And therefore, it's the belief that aircraft should meet the same standards, that of providing access rather than an actual hunting technique.

3 And there has been a concern about the problem for enforcement regarding violations of the Airborne Hunting Act. And on the second page of the document I have passed out are descriptions of a number of significant violations that have occurred on refuges.

6 And these would supersede and subsistence regulation relative to access, because currently, the various land managing agencies have the authority to regulate access in compliance with their own regulations.

8

MR. O'HARA: Robert, what are your wishes?

9

MR. HEYANO: Well, I guess, just a couple of more questions. That -- is that -- so the refuge people can regulate access on their lands, is that what you are saying?

11

MR. KNAUER: That is correct. Each Federal agency can regulate access, how it's done.

13 MR. HEYANO: How does the refuge people handle subsistence uses on their lands?

14

MR. KNAUER: Subsistence uses, now, not access for subsistence but subsistence uses, are managed through the Federal Subsistence Board.

16

MR. HEYANO: Okay. How about access?

17

MR. KNAUER: Access is managed by each individual agency; in fact, that's the discussion that you just held on the off-road vehicle use in Katmai; that is managed by the land managing agency, in that case, the National Park Service. It varies from agency to agency, also, as far as the means allowed where it's allowed and so on.

21 MR. HEYANO: Okay. So -- excuse me, Mr. Chairman.

22 MR. O'HARA: No, you've got the floor.

23 MR. HEYANO: So what you're telling me is that the same process we're going to go through with the ORVs with the Park Service is going to be the same process, if this Council wishes to pursue this, is with the Refuge people?

25

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1 MR. O'HARA: On same-day-airborne?

2 MR. HEYANO: Right. Access. We're talking access.

3 MR. KNAUER: You're talking access with aircraft?

4 MR. HEYANO: It doesn't matter what we're talking  
access is. I guess, the situation we have is the Park Service  
5s saying that ORVs -- no access in parks. The Refuge people  
are saying no aircraft access.

6

MR. KNAUER: What they're saying is that the -- they're  
7 saying that aircraft should only be used for access not as a  
mechanism of the hunt.

8

MR. HEYANO: So actually what we're talking about is  
9 methods and means here, not access, is that right? Who  
controls methods and means or Refuge land?

10

MR. KNAUER: You're absolutely correct, that it is a  
11 convoluted issue in that regard.

12 MR. O'HARA: So where do we go from here?

13 UNIDENTIFIED VOICE: It sounds like a lawyer.

14 MR. HEYANO: Mr. Chairman, I don't know where we go  
from here, but I guess I just find it a little disturbing that  
15 the -- whoever is responsible for governing this Federal piece  
of land can, what I call, arbitrarily make a rule or regulation  
16 prohibiting some type of us, irregardless of what the history  
of that use is and the effects in the area, whether it be ORVs  
17 or aircraft and whatnot. And they go through and they list  
these reasons, but I think we know what the real reason is, is  
18 that they're getting a lot of pressure from the people who are  
extremely animal friendly; the same people who we see in here  
19 that -- who are partially, if not directly, responsible for  
the decline in the fur prices here.

20

MR. O'HARA: Um-hum. How would you like to change  
21 that?

22 MR. HEYANO: I don't know. I can't get an answer on  
how to do it. We're talking methods and means, we're -- that's  
23 what we're talking. I will have to know who is in charge of  
methods and means.

24

MR. KNAUER: I would suggest that if this Council

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wishes to make comments relative to this proposed regulation, there is, on the second page, the address -- the name and address of the individual to send those comments to, it would be George Constantino, U.S. Fish & Wildlife Service, 1011 East Tudor Road, Anchorage, Alaska, 99503.

3

MR. O'HARA: Want do to that, Robert, have it for the September meeting?

5 MR. BRELSFORD: Mr. Chairman, I'd like to propose a way out, perhaps.

6

MR. O'HARA: Yeah, okay, Taylor.

7

MR. BRELSFORD: I think the heart of this question, the tradition and the historic pattern of use of aircraft we've been through in great length. You've provided a very full record, actually adding substantially to any information that's been available before. What the Council may choose to do is to address those same comments, perhaps, provide a copy of the transcript of this section of the meeting, and convey that to this forum, and say that we've been through the -- the policy question here we've looked at, we would like to speak in opposition to the proposed rule and here's our rationale, here's our reason. And that way, you're getting double power out of the work that you've done through the early part of the afternoon.

14

MR. KNAUER: That makes sense.

15

MR. BRELSFORD: And it just takes the same information, the same positions and applies it in this policy forum without need to spend a lot more time on it.

17

MR. O'HARA: And when does that come back to us, Taylor

18

MR. BRELSFORD: Well .....

19

MR. O'HARA: Will we have that by the September meeting 20 we can dwell on it again?

21

MR. BRELSFORD: This .....

22

MR. O'HARA: Is that the answer to what we're doing?

23

MR. BRELSFORD: You would want to do this as quickly as possible because officially, the comment period ended on this February 22nd. However, it's my understanding in talking with some of the individuals that they would still be interested in

25

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the viewpoint of the various regional councils.

1

MR. O'HARA: Okay. Well, let's do that then.

2

MR. HEYANO: Sounds great.

3

MR. O'HARA: Do you want to put it in the form of a  
motion?

5

MR. HEYANO: I so move.

6

MR. O'HARA: In those exact words.

7

UNIDENTIFIED VOICE: More or less.

8

MR. O'HARA: Second?

9

MR. SAMUELSEN: Second.

10

MR. O'HARA: All right. Does everybody understand what we're driving at here, now? We were dealing with the airborne issue, and all of a sudden we find out there's regulations saying that we may have a problem on our hands. We'll find out about this in September. All in favor say aye.

13

COUNCIL MEMBERS: (In union) Aye.

14

MR. O'HARA: Opposed?

15

MR. MATSUNO: Aye.

16

MR. O'HARA: Okay.

17

MR. SAMUELSEN: Mr. Chairman, how many more items -- action items do we have, and when is people's planes leaving? I know it's getting close to crunch time here.

19

MR. O'HARA: Okay. We're just done here in about five minutes.

20

MR. SAMUELSEN: Okay.

21

MR. O'HARA: 51, Unit 19, what would you look at (ph)?

22

MS. EAKON: Pro- -- H -- Item H(5), Proposal 51 regarding Unit 19, Lime Village.

24

MR. O'HARA: We took care of that.

25

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- 1 MR. HEYANO: No, we didn't, Mr. Chairman.
- 2 MR. O'HARA: Yeah. We .....
- 3 MR. HEYANO: That was put on as a request by me  
and .....
- 4 MR. O'HARA: I'm sorry, Robert, I thought we voted  
on .....
- 5 MR. SAMUELSEN: Robert's keeping us here now.
- 6 MR. O'HARA: Okay.
- 7 MR. HEYANO: No, it is. Just quickly, Mr. Chairman, as  
I was reading through the Proposal Booklet, what caught my eye  
on Proposal 51 is that Lime Village is asking for an exclusive  
subsistence use area for Lime Village alone, which expands  
their current use. Now, I know we have no jurisdiction in  
Unit 19 and they want to do it for moose and caribou. And I  
just -- I guess in the light of subsistence to have an  
exclusive use per community, I thought that kind of strange  
but .....
- 12 MR. O'HARA: What'd you give Nondalton? That's pretty  
exclusive, wasn't it? Actually, we did that.
- 14 MR. HEYANO: On what?
- 15 MR. O'HARA: On bear and moose. How about that (ph)?
- 16 MR. HEYANO: Well, my understanding on that,  
Mr. Chairman, if those other communities would come in and  
request it, we'd be -- we'd be required to.
- 18 MR. O'HARA: Do that, too?
- 19 MR. O'HARA: Also.
- 20 MR. O'HARA: Okay. What would you like to do on 51,  
then, what do you think would be .....
- 21 MR. HEYANO: I just brought it to the attention of this  
Committee, if they choose to do nothing, that's fine with me.
- 23 MR. O'HARA: Are they asking for this exclusive right  
within the Park?
- 24 MR. HEYANO: No.
- 25

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1 MR. BRELSFORD: No.

2 MR. O'HARA: No?

3 MR. BRELSFORD: No, it does not extend into the Park.

4 MR. O'HARA: On Federal lands?

5 MR. BRELSFORD: It is on -- their consideration is on  
the Fed- -- on Federal public lands .....

6 MR. O'HARA: Refuge?

7 MR. BRELSFORD: ..... in the vicinity of the village.  
No, these would be BLM lands, under the jurisdiction of BLM.

9 MR. O'HARA: Is there any feelings that this Board  
would like to address, this council would like to address on  
exclusive subsistence on BLM lands up in the Lime Village area?

11 Hearing none. Apparently, they're not interested,  
Robert, so -- okay.

12 MR. BRELSFORD: Mr. Chairman, for informational  
purposes, we'd be happy to provide the Staff Analysis on  
Proposals 51, 52 and 53; they're contrary proposals from the  
Village and from the State. Robert, either for you directly or  
for other members, further discussion of those would be  
available if you would like.

16 MR. O'HARA: Okay. That'll be fine. We appreciate it.

17 MR. HEYANO: This is in that -- yeah.

18 MS. EAKON: A packet of information addressing that  
very statement has been provided you.

19 MR. O'HARA: Okay. Thank you. The last issue is  
selling of Native allotments. How do we impact the selling of  
Native allotments as the Council? Do you want to tackle that  
issue today? Robert, you brought that up. You're a workhorse.

22 MR. HEYANO: Well, Mr. Chairman, I guess, we can table  
it till the September meeting. It was brought to my attention  
from individuals that I'm in contact who are subsistence users  
as they brought to the -- they brought their concerns to me is  
that the selling or leasing of Native allotments in what they  
classify as key subsistence areas as having an impact to the  
25

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selling and leasing of allotments to sport -- commercial sport fish and sport hunting activities as having an impact on subsistence -- on their subsistence uses.

2

I realize we have no regulatory powers over allot- -- .....

4 MR. O'HARA: Um-hum.

5 MR. HEYANO: But it is an issue that was brought to my attention as having an impact on subsistence.

6

MR. O'HARA: Well, I just don't know what jurisdiction we have to deal with it. I don't like it at all, but I don't think I have any control over it. That's something that was done by a power other than me. Any thoughts that you might have? Robin?

9

MR. SAMUELSEN: Taylor, can we -- is it within our scope to create like subsistence zones on Federal land or proposed Federal subsistence zones?

11

MR. BRELSFORD: Well, I think -- I don't know the exact answer. I'm sorry. Taylor Brelsford, Fish & Wildlife. I've not seen a specific analysis for authorities to establish subsistence zones of that sort. But in any event, they -- it would be restricted to only the Federal lands, and it would not .....

15 MR. SAMUELSEN: That's what I mean, yeah.

16 MR. BRELSFORD: ..... be possible to do that on private landowners, corporations or Native allottees.

17

MR. O'HARA: That would be a good one to have on the September meeting, to see what -- if we could draw a line, saying hey, you might sell this allotment within this Federal area but this is going to be now a subsistence section.

20 MR. BRELSFORD: Well, I .....

21 MR. KNAUER: If you can do that.

22 MR. O'HARA: You don't think we can do that?

23 MR. BRELSFORD: I think some of the difficulty is that even if it passes from an allottee to a lessee or a private landowner, it's still outside the scope of -- it's not on Federal lands, it doesn't come under the jurisdiction of the

25

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Federal Subsistence Program. It moves from one party to another party, all the time remaining under State jurisdiction, as far as wildlife management.

2

MR. O'HARA: Let's say they sell 180 acres right -- prime time, right in the Seversen Peninsula, a Native allotment right there. And now the caribou are moving through there, and we say this zone is now a subsistence zone, there'll be no commercial hunting or guiding in this area. This is -- it might be your allotment, either sides of it and all sides of it, this remains subsistence. I'll bet you we can do it.

6

UNIDENTIFIED VOICE: You can't.

7

MR. BRELSFORD: Who wants to .....

8

MR. O'HARA: No, that's all right, don't bother with it. We'll do it in September, but I'd like to check with Ron a little bit more and Russell a little more with it then. Because we would've done it today, if -- we did it today on the Seversen Peninsula, saying this is not -- this is a subsistence area.

12 MR. HOOD: No.

13 MS. SAVAGE: No, that was Federal land.

14 MR. NELSON: You only ruled on Federal lands on Seversen Peninsula.

15

MR. O'HARA: We're talking about .....

16

MR. HOOD: You can't rule on private lands.

17

MR. O'HARA: No. But you can rule around the parameters of the private lands on Federal lands. And there are Native allotments on Federal lands.

19

MR. BRELSFORD: Well, that's true.

20

MR. O'HARA: And you can rule around those boundaries with that, we can.

22 UNIDENTIFIED VOICE: You can, you can do that.

23 MR. O'HARA: We can. Okay. That -- .....

24 UNIDENTIFIED VOICE: But you can't rule on those -- on the lands (ph).

25

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1 MR. O'HARA: That's all we can do. No, we can't rule  
on them, you're right. You're a hundred percent right.

2

MR. HOOD: But it would not apply to those lands within  
that thing (ph).

4 MR. O'HARA: That's right.

5 MR. HOOD: We do not have any management .....

6 MR. O'HARA: I understand that.

7 MR. HOOD: ..... authority on private lands within the  
Refuge.

8

MR. O'HARA: That's right. I understand that. Yeah.  
But the boundaries from there on out, if it's drastically going  
to affect subsistence issues, which Robert brought up, thank  
you -- if they could be affected, I think it's something real  
worthwhile looking at.

11

All right. The place of the next -- excuse me. Place  
of the next meeting. We have Illiamna, Port Heiden, Togiak or  
-- Illiamna, Port Heiden or Togiak. I think we've done Naknek  
and Dillingham. Any comment?

14 MR. HEYANO: As far as September meeting?

15 MR. O'HARA: Yeah.

16 MR. SAMUELSEN: This is developing proposals, I take  
it?

17

MR. BRELSFORD: That's correct.

18

MS. EAKON: Yes.

19

MR. LaPORTE: Well, is there -- are there dates set  
already in September?

21 MR. O'HARA: No.

22 MR. LaPORTE: 'Cause usually in September, we're pretty  
busy killing rutted moose. Where am I?

23

MR. SAMUELSEN: No.

24

MR. O'HARA: Put that right on the record.

25

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1 (Off record comments)

2 MR. LaPORTE: One thing, just a comment, I mean, in  
Illiamna, that time of the year has good commercial service in  
and out of it, twice a day, seven days a week with Alaska  
Airlines.

4

MR. O'HARA: Meal, lodging?

5

MR. LaPORTE: There is quite a bit of lodging there but  
you'd want to speak for it pretty early in September with --  
it's a busy time in Illiamna, yeah.

7

MR. O'HARA: Well, you guys, have you -- do you have  
any concerns of where you'd like to go? Yes.

9 MR. KNAUER: Mr. Chairman, there may be some adjustment  
in the Federal proposal and regulations process, such that the  
meeting may not be appropriate for September, it may actually  
be moved into October. We're not quite sure yet exactly what  
the process will be. That will be coming up for discussion  
over the next month or so. You may wish just to decide where  
you wish to have it, and then let your coordinator advise you  
as to a time frame in which to have it.

13

MR. O'HARA: Would there be a problem with me getting  
on a phone with each one of you, Council Members, and deciding  
the location and time of the next meeting? We can talk about  
on the phone, come to an agreement?

16 MR. LaPORTE: I don't have any problem with that.

17 MR. O'HARA: That not a problem.

18 MR. HEYANO: We could set it right now, as far as I'm  
concerned, Mr. Chairman.

19

MR. O'HARA: Okay. Set it.

20

MR. HEYANO: I move we have it at Illiamna.

21

MR. O'HARA: All right. And then we'll leave that --  
is there a second? Is there a second?

23 MR. SAMUELSEN: I'll second it, providing there's  
space.

24

MR. HEYANO: Well, obviously, yeah.

25

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1 MR. SAMUELSEN: I mean if we can't .....

2 MR. O'HARA: How big is your house, Tim?

3 MR. LaPORTE: Pretty big.

4 MR. O'HARA: Pretty big, huh.

5 MR. SAMUELSEN: 'Cause I think we got a staff of about  
20 that's .....

6 MR. O'HARA: We're going to have bureaucrats as far as  
the eye can see.

8 (Off record comments)

9 MR. O'HARA: All right. Let us decide -- you know, we  
can decide September or October. All those in favor say aye.  
10

COUNCIL MEMBERS: (In union) Aye.

11

MR. O'HARA: Opposed? Is there any public comments out  
there today? Russell and Ted, jump to your feet.

13 MR. NELSON: I think we've pretty much exhausted all of  
our .....

14

MR. SAMUELSEN: Mr. Chairman, if the meeting isn't  
feasible in Illiamna, I'd recommend that the alternative be  
Naknek.

16

MR. O'HARA: Naknek?

17

MR. SAMUELSEN: Um-hum.

18

MR. O'HARA: Okay. That's good. Everybody agree on  
that? Okay. That's fine. Yes, Ronald.

20 MR. HOOD: May I address the Board for just a second?

21 MR. O'HARA: You bet, you certainly can. Are you our  
Staff comments now or public comments?  
22

MR. HOOD: Yeah, I'm your public comments on that.

23

MR. O'HARA: Okay.

24

MR. HOOD: I just want to compliment the Board on the  
25

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action of the thing. I've been very impressed with the way you all dealt with all the issues. Then I want to alert you, coming into your mail next week, will be this bright orange piece of paper, this thing. This is the final Public Use Management Plan for the Alaska Peninsula/Becharof Refuges. We're asking -- we have a 30 day comment period, after which the Regional Director will make a final decision, after reviewing all the comments that we receive on it. We will be going out to the villages next month in the area along the peninsula and soliciting comments.

6 MR. O'HARA: In 30 days, you're going to do that, Ron?

7 MR. HOOD: Yes.

8 MR. O'HARA: You start your public hearings on that?  
Okay.

9 MR. HOOD: Yeah. A very rapid process on the final.

10 MR. O'HARA: You like our system but, huh?

11 MR. HOOD: Yeah.

12 MR. O'HARA: I like that, I like (indiscernible) but I have this thing in my hand. All right. Any questions?

13 MR. HOOD: I just want to alert you to this.

14 MR. O'HARA: Okay. Thank you, I appreciate that. Any other Staff or public comments? Yeah.

16 MR. BRELSFORD: Yes, Mr. Chairman. I, too, would like to express my deep appreciation for the care and the conscientiousness of the deliberations. And I also need to say good-bye, I'm afraid I'm not going to be able to attend the Bristol Bay meetings in the coming months. I feel like I fell off a cliff; I was asked to take on the supervisor's responsibilities for the Social Sciences Branch Statewide, and one of the trade-offs was that I had to give up a couple of the regions that I have worked with more directly. So a fellow, George Sherrod, who has pretty extensive experience in the Interior, including in Nondalton, will be the Staff social scientist for the Bristol Bay Regional Advisory Council.

22

And it's a little bit of a sad heart -- I mean, this has been really, I think, a real privilege to work with a Council that brings this kind of insight and care in balancing resource management and subsistence user concerns. And I've appreciated the chance to work with you guys, even a little

25

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bit, and I'll see if I can't weasel a way to come in every once in awhile, even if I don't have a real obligation.

2 MR. O'HARA: Well, better than that, though .....

3 MR. BRELSFORD: Thank you very much.

4 MR. O'HARA: Yeah, thank you. We appreciate that. Better than that, though, we have someone to go to at the next step up.

6 MR. BRELSFORD: Well, I guess that's true too, you know,

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8 MR. O'HARA: Don't forget that either, because we won't forget that. Well, thank you, Taylor, we appreciate your help, too.

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10 MR. BRELSFORD: Thank you.

11 MR. O'HARA: Joe.

12 MR. CHYTHLOOK: Yeah, Mr. Chairman. I just want to, I guess, reiterate the fact that since advisory committees on the State level and your council are, I guess, given the command of dealing with regulations on adjacent lands and so on, and regional council meeting such as this, as I've observed for the last couple of days, can be the means for local advisory committees to have some real, you know, useful local input. I think that we'd like to encourage your coordinator and Staff to be, you know, a little bit more, I guess, in communication with us.

17 I'm the Regional Coordinator for Southwest Advisory Committees here. And if information that might be addressed by local advisory committees, such as Illiamna, up in their area, Lower Bristol Bay, down in the area that you guys spend considerable time with, and even Naknek Advisory Committee, which are fairly adjacent to Federal lands, I would like to have -- you know, have this information ahead of time. So as we plan for advisory committee meetings, we would -- I would make sure that this stuff is discussed. And this could be true, you know, for Chignik Advisory Committee as well, because I think we're all, basically, trying to deal with the same stuff.

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24 And input from the local advisory committee to your Council, I think, is one step that is needed. Because as I see the process, I don't see much room for local advisory committee

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participation on the board level.

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MR. O'HARA: Yeah.

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MR. CHYTHLOOK: But I think that on this level that we can certainly utilize the opportunity.

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MR. O'HARA: Of each other.

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MR. CHYTHLOOK: Yeah, for the -- you know, we .....

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MR. O'HARA: Yeah, to get that information. Yeah.

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MR. CHYTHLOOK: And then, it may be that I could talk or Board support section into allowing chairmen of advisory committees in the future to come and make comments to you, you know, because you're meeting in a local area, and I think that we could possibly try to get some funding to allow for them to participate in this process.

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MR. O'HARA: That would be good. Along those same lines, Joe, we appreciate you saying that, and BBNA has said hey, you align -- we align ourselves with you; you know, like a Jack-in-the-box jumping up and down. Ted and Russell sound like a law firm, you know, up here, and that's very important. We're not going to go out and do anything now without BBNA because we're the BBNAs, we are -- this Board is representative of really what happens in the grassroot situations of all of our areas, and BBNA's, and the advisory boards on the State level, it's going to have to be very important what we do. So we appreciate that.

16

MR. CHYTHLOOK: Yeah. I just want to also mention I appreciate, you know, your ability to sit down and listen. And I also realize that this Council potentially has a lot of power, and I was making kind of a joking comment there to Robert there the other day, sitting in this Council, it's just like sitting on a Board of Game and having about the same amount of power. So I appreciate the opportunity to participate.

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MR. O'HARA: Thank you, appreciate it. Okay. We don't have any more Staff comments or anything? Well, thank you very much for coming out, we appreciate you being here. Nothing else from any Council Members, comments, before we close?

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Motion for adjournment.

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MR. SAMUELSEN: So moved.

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1 MR. O'HARA: Second.

2 COUNCIL MEMBERS: (In union) Second.

3 MR. O'HARA: We're out of here. Okay. Thank you.

4 (Off record)

5 (END OF PROCEEDINGS)

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