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BRISTOL BAY SUBSISTENCE REGIONAL ADVISORY COUNCIL
PUBLIC MEETING

VOLUME II

March 24, 1999
8:00 a.m.

City Hall Assembly Chambers
Dillingham, Alaska

COUNCIL MEMBERS PRESENT:

- Daniel J. O'Hara, Chairman
- Harold R. (Robin) Samuelson, Vice Chairman
- Alvin Boskofsky, Secretary
- Robert Heyano, Member
- Andrew Balluta, Member
- Peter M. Abraham, Member
- Timothy M. Enright, Member
- Jerry Berg, Coordinator

P R O C E E D I N G S

(On record - 8:05 a.m.)

CHAIRMAN O'HARA: Okay. The first thing I'd like to do this morning is just give you the annual report that the Chairman's supposed to report to you on, and that's on Tab R as in Romeo.

And on 94-010, the ORV ATV thing that we dealt with, that Donald Mike gave us a report on for the Katmai and Lake Clark Preserve, working through that situation. We're not going to give up on it. We do want to have the local people in Kokhanok, Igiugig, and Levelock to have access to these resource by this method. And there's quite an extensive report on that there for about a page and a half, down through seven items.

UNIDENTIFIED VOICE: What tab are you in, Dan? I'm sorry.

CHAIRMAN O'HARA: R as in Romeo. And the next one is the Alagnak, the Branch River, and you need to keep in mind when we deal with this issue that the Katie John ruling carries a great deal of weight, and our presence as a Council is going to have a continual influence on what's going to be happening on that wild and scenic river. There's a place for those who want to float it and those who are permitted commercial users, and there's going to be a place for subsistence people as well, and we need to make sure we take an active involvement in that.

17(A) on the interagency cooperation on the moose situation at 17(A) is where we still have in place this plan where a certain number of animals have been permitted out under the federal system. Under state management actually, the State of Alaska I think issues the permit, if I'm correct. And actually it's a joint effort of the two that are working together on that, and I think the important issue is that we'll find out a little later on today when we get into our proposals is that there has been quite an increase in the number of animals that -- as far as the ratio of calves being born, and the animals increasing. It looks like pretty good forage and not too much in the way of predators.

And that's basically all that I'm supposed to report to you on today, unless Jerry had something else here that I might have overlooked?

MR. BERG: No, Mr. Chair. If there's -- if

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1 the Council would like to identify issues to include this
2 year's annual report, we can certainly record those issues at
3 this point.

4
5 CHAIRMAN O'HARA: Are there any issues that
6 the Council members want to make -- yeah, Robin?

7
8 MR. SAMUELSEN: Yeah, on page three, Mr.
9 Chairman, of your report, the interagency cooperation.

10
11 CHAIRMAN O'HARA: 17(A)?

12
13 MR. SAMUELSEN: 17(A). A vital component of
14 that was the Nushagak Advisory Committee.

15
16 CHAIRMAN O'HARA: Okay. Yeah, that's very
17 good. Anything else before I call on Donald Mike this
18 morning to give us a little bit of an insight, and it
19 pertains to maybe a new section, Jerry, of what we will be
20 dealing with on the annual report. It's going to be in next
21 year's report, and that is where 804 comes into as far as the
22 caribou herd in relation to Tier II. And Donald is familiar
23 with this, and if you think it's okay, I'd like to have him
24 take about five minutes, and then after this we'll have the
25 c&t finding by Pat McClenahan, if she's back. Donald, could
26 you come up here in a very clear, loud, precise voice, talk
27 to us? Yeah.

28
29 MR. SAMUELSEN: Mr. Chairman, while Donald's
30 coming up, is it appropriate to accept the Chairman's report,
31 so the record.....

32
33 CHAIRMAN O'HARA: Okay.

34
35 MR. SAMUELSEN:will reflect it?

36
37 CHAIRMAN O'HARA: That might be better to do
38 then now than -- okay.

39
40 MR. SAMUELSEN: So move.

41
42 CHAIRMAN O'HARA: Second?

43
44 MR. BOSKOFISKY: Second.

45
46 CHAIRMAN O'HARA: Alvin seconded. Any
47 further discussion? Question?

48
49 MR. SAMUELSEN: Question.

50

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

2
3 IN UNISON: Aye.

4
5 CHAIRMAN O'HARA: Opposed?

6
7 (No opposing votes.)

8
9 CHAIRMAN O'HARA: Identify yourselves,
10 gentlemen, and we'll give you five minutes, okay?

11
12 MR. MIKE: Donald Mike with Katmai National
13 Park.

14
15 MR. GREENWOOD: Bruce Greenwood, the Alaska
16 Regional Support Office.

17
18 MR. MIKE: I just want to give the Council a
19 little bit of background on the Mentasta caribou herd. Back
20 in the early 90s, the Mentasta caribou herd experienced a
21 decline in population, and the sport season was completely
22 closed off for -- so that the subsistence needs can be met.
23 And it was closed for -- during a two-year period for sport
24 hunting, and it was open only to subsistence. And the
25 Mentasta caribou herd continued its decline, and the Federal
26 Subsistence Board opened a registration hunt for only a 50-
27 caribou -- for 50 total harvest limit of only bulls, so --
28 and after a two-year season of a registration hunt with only
29 50 harvest limit, it was totally closed off for subsistence
30 for the next two years, so -- and as a result I guess the
31 National Park Service in cooperation with the Fish and
32 Wildlife Service developed a Mentasta Caribou Management Plan
33 to address the Mentasta population decline.

34
35 And from that plan, the local rural residents in the
36 Copper River felt that their subsistence weren't being met,
37 and they pushed for an 804 hunt. And as a result of that
38 plan, the interagency group identified that only up to 15
39 bulls can be harvested, and that was an 804 hunt. And this
40 plan was put forth to the Wrangell-St. Elias Subsistence
41 Resource Commission for their input as far as who is -- who
42 had the most dependence on the Mentasta caribou herd. And
43 the Subsistence Resource Commission identified the seven
44 Ahtna villages, traditional villages in the Ahtna region, so
45 -- and a total of 15 permits were issued, and that was our
46 804 hunt for Wrangell-St. Elias area, particularly in Unit 11
47 and 12.

48
49 So the 15 permit issued to the seven Ahtna villages,
50 the total permits were not filled completely out, so there's

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1 a total harvest -- I can't remember exact figures, but it did
2 not reach the total number.

3

4 So have you got anything to add, Bruce?

5

6 MR. GREENWOOD: I could add a few more
7 details on that. What we had here, as Donald was mentioning,
8 we had 15 caribou that were available, and we had I would say
9 probably 1,000 hunters that were eligible for that. We had
10 18 resident zone communities. So what we -- what was decided
11 to do, we went to the Subsistence Resource Commission and
12 asked them, what should we do in this situation, and they
13 recommended giving it to the seven Ahtna villages, which we
14 felt had -- and people -- the SRC realized that the Ahtna
15 villages, that they had the longest-standing tradition of
16 using caribou in the area. So then these 15 caribou then
17 were divided amongst the Ahtna villages, so each village was
18 given two, and one village was given one caribou. And the
19 village chose who they wanted to give it to, and the villages
20 felt that the elders had the most dependence on the resource,
21 therefore they were given to the elders. And they chose to
22 have a designated hunter if the elders were unable to hunt.

23

24 And this allowed -- as Keith mentioned yesterday, the
25 804 process is very similar to the Tier II process. It's the
26 Federal Government's way of doing the Tier II process. One
27 of the criteria in the 804 process is direct dependence on
28 the resource. So we felt they were the most dependent on it.

29

30 Another factor was local residence or local area. We
31 felt everybody was local, and that there was availability of
32 other resources. We felt everybody in the Copper River Basin
33 area had the same availability of other resources, so it
34 really came down to the first factors, direct dependence, and
35 that's why the elders were given that.

36

37 But what we felt, that the best way, instead of the
38 Federal Government going through a long elaborate regulatory
39 process, or a process of giving -- dividing these permits
40 amongst these people, we felt -- we went down to the people
41 themselves and said who do you think should have these
42 permits? And that's how we handled it. And this was really
43 only a National Park Service issue, because it only affected
44 National Park Service lands, which made it somewhat simpler
45 for us to deal with.

46

47 CHAIRMAN O'HARA: I have a question for one
48 of you, if I could. So there was no state Tier II, it was
49 only a federal program only, so you didn't have to deal with
50 Tier II and the State of Alaska?

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1 MR. GREENWOOD: Right. That's correct.

2
3 CHAIRMAN O'HARA: I see.

4
5 MR. GREENWOOD: There is a situation that
6 happened last year in Unit 22 on muskox where there's a State
7 Tier II and a federal registration hunt, and I'm not sure of
8 the exact details. We could look it up and provide --
9 present it to you later if you'd be interested in that, but
10 they did work out some way to manage both hunts at the same
11 time.

12
13 CHAIRMAN O'HARA: Yeah. Well, we're into a
14 situation like that now where we have a lot of state lands
15 and a lot of federal lands, and not very many animals.

16
17 MR. GREENWOOD: Uh-hum.

18
19 MR. MIKE: If it's.....

20
21 CHAIRMAN O'HARA: Do you have any questions,
22 Council members?

23
24 MR. MIKE: If it's the wishes of the Council,
25 we can try to get a report from the Park Service in the
26 Wrangells on the 804 hunt process. So we can try to get a
27 copy for Council members.

28
29 CHAIRMAN O'HARA: If you could. Well, if we
30 could have it. We probably won't get it today, but we'll be
31 done with this proposal morning time.

32
33 MR. GREENWOOD: Yeah. And I think that
34 report that Donald mentioned, too, pretty much just describes
35 as Keith mentioned, no matter what you do, you have to make
36 -- you have to make a decision on your best judgement, but
37 you have to have some way of supporting that decision in a
38 supportive way, and what Donald's referring to is the people
39 out there at the Park Service actually wrote a report
40 describing how they went through this process, and how they
41 felt that, for example, the elders were the ones that were
42 most indicative, or most worthy of having that.

43
44 CHAIRMAN O'HARA: That's really interesting.
45 That's very informative. We appreciate that a lot. Any
46 question of Council member? Thanks, guys, we really
47 appreciate it. Okay.

48
49 One of the things that we need to deal with this
50 morning before we begin our proposals, and we're just about

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1 to do that, Pat McClenahan needs to talk to us about the c&t
2 report. This is very important to us, and we'll be handling
3 it a little later on during the day on other proposals, but
4 -- good morning, Pat, and.....

5

6 MS. McCLENAHAN: Good morning.

7

8 CHAIRMAN O'HARA:if you would help us
9 out this morning?

10

11 MS. McCLENAHAN: Mr. Chairman, I'm Pat
12 McClenahan, staff anthropologist. I'd like to give you a
13 brief report on the c&t working group, just an overview of
14 the issues that we discussed, and some of the recommendations
15 that came out of the workshop.

16

17 I want to stress, however, that I guess the
18 overriding factor when we came to the last moments of our
19 last working group meeting, is that there was a serious lack
20 of consensus about everything. There were, however, some
21 major themes which I'd like to discuss with you.

22

23 The c&t working group was established by the Federal
24 Subsistence Board in May of 1998, and the purpose of the
25 group was to address questions that councils had about the
26 c&t process. Members of the working group were Dan O'Hara,
27 Craig Fleener, Bill Thomas, and Ida Hildebrand, Sandy
28 Rabinowitch, Keith Goltz, Ken Thompson, and Elizabeth
29 Andrews. The working group met three times, on May 26th,
30 1998, on July 24th, 1998, and on November 18th, 1998. And
31 then there was one teleconference as well.

32

33 The working group's final meeting in November to
34 consider the Councils' formal recommendations on c&t
35 concluded with three areas of concern. Central was a lack of
36 agreement among the Councils regarding these issues, and the
37 inability of the working group members to come up with formal
38 recommendations, which to vote on.

39

40 The first concern was the importance of traditional
41 knowledge. This was really, really stressed. In particular
42 the need to incorporate traditional knowledge into the eight-
43 factor approach, and to weight it heavily. This point was
44 emphasized many times by the Councils and within the working
45 group. While traditional knowledge is being used by us as we
46 prepare our analyses, for example, both -- and also through
47 the recommendations that the Councils make to the Federal
48 Subsistence Board, still the Councils and the working group
49 members clearly requested and recommended a full recognition
50 of the importance of traditional knowledge.

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1 The second issue is doing multiple species analysis.
2 This topic was expressed in a variety of different ways, and
3 there was no agreement about it. One example of the concerns
4 addressed is, for example, since much of the information that
5 Staff gathers for the Councils for moose, caribou and bear is
6 the same, why can't Staff just prepare one analysis for all
7 species at a single time.

8
9 When subsistence hunters are out hunting, they are
10 opportunistic, they take whatever is available within the
11 regs that we follow. Customary and traditional use
12 determinations have been made for most of the species and
13 most of the communities; however, some cases still exist
14 where a community is making requests for many species at a
15 time. One such request was a back-logged proposal from
16 Region 5, from, let's see, I think that Kwethluk was making a
17 request that was a multiple request.

18
19 We are proposing a combined analysis. This
20 recommendation can be accommodated within the existing
21 process, and in fact is being applied in several proposals
22 this year. None of them are this region's proposals,
23 however. Region 2 has cross-over proposals, and they're
24 listed here in this little report that you have in your book.

25
26 The third issue addressed was differences between
27 regions. This refers to differences in how customary and
28 traditional use determinations are done between the regions.
29 It was identified as a potential problem for Councils when we
30 deal with overlap proposals. In the event that our region
31 were to apply c&t in a different way, say, from Region 5, we
32 might have difficulties when we considering those overlap
33 proposals.

34
35 When I spoke to Ida Hildebrand before I came, she
36 asked me to stress that we can do c&t, but we don't
37 necessarily have to follow the eight factors. We could have
38 a modification of those factors. This could be managed under
39 the current regulations, and would not require a change in
40 regulations. She also -- and the region -- each Regional
41 Council would create a process of its own. The big rub would
42 be cross-over proposals when we are dealing with cross
43 regional questions.

44
45 And that in a nutshell is it for the three questions.

46
47 Recommendations. Nine out of ten of the Councils
48 clearly recommended keeping c&t determinations in some form
49 as part of the regulatory process. Four Councils voted that
50 the process for doing c&t be developed by the Councils.

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1 So what's next? The findings of the c&t working
2 group do not require any changes in the regulations.
3 However, some additional guidance may be needed to provide
4 direction to Staff and Councils on some of the variations
5 desired between the Councils. Given the legal opinions
6 requested by the Board on certain aspects of the c&t process,
7 Chairman Demientieff requested that this overview of the
8 committee recommendations be provided to each of you
9 Councils. And the Board will take these recommendations up
10 at an undetermined time in the future. In the meantime, the
11 subsistence program will continue operating under the current
12 c&t process as outlined in our regulations, with a plan for
13 resolution of any remaining issues prior to next fall as we
14 begin the new regulatory cycle, and assume responsibility for
15 fisheries.

16
17 Dan was at each of these meetings, and probably would
18 like to elaborate.

19
20 CHAIRMAN O'HARA: We -- Robin was supposed to
21 have gone, and his time did not allow him to go. We might
22 have gotten something done if Robin would have been there,
23 but I could not -- we just could not get anything defined
24 down to where we had something to give to the Board that was
25 concrete. And I think the three issues that you brought up
26 here, the importance of traditional knowledge, multiple
27 species analysis, and difference between regions is all we
28 came away with from the table.

29
30 Beth, with the Alaska Department of Fish and Game, I
31 don't know if you want to come to the table this morning and
32 offer any thoughts since you were on line with us. Did you
33 want to make a comment this morning a little bit on how we
34 struggled with the c&t thing? Do you feel comfortable doing
35 that?

36
37 MS. ANDREWS: I could make a few comments.

38
39 CHAIRMAN O'HARA: Okay. Come on up and give
40 us your name and it might help us out a little bit here. We
41 appreciate the fact that you were on I think all three
42 meetings, weren't you on line with us.....

43
44 MS. ANDREWS: Uh-hum. (Affirmative)

45
46 CHAIRMAN O'HARA:with the
47 teleconference, and.....

48
49 MS. ANDREWS: Uh-hum. (Affirmative)

50

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1 CHAIRMAN O'HARA:maybe one in person?

2

3 MS. ANDREWS: Uh-hum. (Affirmative)

4

5 CHAIRMAN O'HARA: Yeah. Okay.

6

7 MS. ANDREWS: That's correct. My name's
8 Elizabeth Andrews, Alaska Department of Fish and Game, and
9 I'm the Department's coordinator on the State/Federal
10 Subsistence Program.

11

12 For the c&t working group that was just described,
13 the Department participated to provide the members with some
14 idea of how this -- the eight criteria came about in the
15 state regulation, and then they were subsequently adopted by
16 the federal program.

17

18 Basically, the State uses the eight criteria, as many
19 of you know, to identify what are the customary and
20 traditional uses. And so it's -- becomes a guideline for
21 evaluating subsistence uses. So in order to provide for a
22 subsistence use, subsistence regulations, there has to be a
23 description of what is that pattern of use, and so we use the
24 eight criteria to describe what those patterns of uses are,
25 and it's not -- it's not a rubber stamp type of thing. It's
26 not a, you know, you have to get a score of 100 on eight
27 criteria in order for it to be a subsistence use. They're
28 viewed in a whole way. Each one of them is weighed by our
29 Board as to its importance. And so it doesn't mean that,
30 well, if there's only seven of the eight criteria that really
31 were met, that it's not a subsistence use. That's not the
32 case at all. It's more guidance for our board to evaluate
33 patterns of use, and make a determination of customary and
34 traditional uses. So it's not like you have to have all the
35 eight criteria. It's not like you get so many points for
36 each one. It's nothing like that. It's more to give you an
37 idea of how is that pattern of use characterized. It gives
38 you a standard measure across the state to allow differences
39 among regions. It's not going to be the -- you know, the c&t
40 pattern of use of moose in one region is not going to be the
41 same as another, but that's not to say that it's not a
42 subsistence pattern. It just provides the framework for
43 identifying those subsistence uses so they can be provided
44 for under the state law.

45

46 CHAIRMAN O'HARA: Uh-hum. Thank you,
47 Elizabeth. I think -- do you have any questions, Council
48 members? No. Okay. Thank you very much, ladies. I think
49 it's something that has to be done region by region.

50

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1 MR. SAMUELSEN: Yeah. A comment, Mr.
2 Chairman.

3
4 CHAIRMAN O'HARA: Sure. Uh-hum.
5

6 MR. SAMUELSEN: I was on the original Board
7 of Fish that made most of the c&t findings for the State of
8 Alaska, and our first meeting, Mr. Chairman, just to give you
9 an idea the complexity of a c&t finding, was in Southeast
10 Alaska. We didn't cover all species because we ran out of
11 time, and we spent 33 days doing c&ts in Southeast.....
12

13 CHAIRMAN O'HARA: Wow.
14

15 MR. SAMUELSEN:using the eight
16 criteria.
17

18 I guess looking at the federal process that we're
19 operating under, and the state process, and listening to the
20 comments of the attorney yesterday, I would hate to be a
21 Federal Subsistence Board member sitting in Anchorage with 12
22 Regional Councils out there, devising their own criteria and
23 to making c&t determinations, then going and arguing before
24 the Federal Subsistence Board when they've got 12 different
25 sets of rules to play with, which potentially could happen.
26 And that's got me a little concerned. I think that the
27 Bristol Bay Region needs to work under the same rules as the
28 Kuskokwim Region or Arctic Slope Region so we have some form
29 of consistency within this program.
30

31 And I just want to stress that making c&- -- like in
32 Bristol Bay here, for example, we have basically c&t on
33 everything, and what the Board did from that learning
34 experience in Southeast was Subsistence Division gave reports
35 on amount of fish that was harvested by individual species,
36 whether there was rainbow in there, or grayling, as well as
37 salmon, burbot, moose, caribou. And we just said, okay,
38 let's -- you know, you've given us enough information.
39 We'll leave it up to other boards, thank God, to come back
40 and do the individual finding, but we'll give Bristol Bay
41 this blanket c&t finding for these species. And -- because
42 it's -- once you enter into the arena of making c&t
43 determinations, the clock stops, and it's really a slow
44 process. I just wanted to, you know, caution as we move
45 forward I guess.
46

47 CHAIRMAN O'HARA: Would you recommend then to
48 this Council today, Robin, that we maybe go back again for
49 another year and continue to work this process out with a
50 representation from our Council, to see if we can have the

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1 other regions and Bristol Bay come up with a c&t
2 determination that we can all live with as one rule? Is
3 that.....

4
5 MR. SAMUELSEN: Well, I think.....

6
7 CHAIRMAN O'HARA:what you're saying?

8
9 MR. SAMUELSEN: Yeah. I think the Federal
10 Subsistence Board, once they realize the abyss that they're
11 going to be falling in in making c&t determinations, and --
12 are going to want a structured set of guidelines that we
13 could all go down and check off. As Elizabeth said, in
14 making -- in using the eight criteria, or the attorney said
15 yesterday, we don't have to. At least that gives you a
16 structure. And most of the time using the eight criteria, it
17 -- you know, it can -- it encompasses all the subsistence
18 activities. You know, you've got the intergenerational
19 transmission and knowledge where you're passing it down, and,
20 you know, and methods and means and preserving all this kind
21 of stuff.

22
23 Yeah, I think I'd be in favor of that,.....

24
25 CHAIRMAN O'HARA: Good. Yeah.

26
27 MR. SAMUELSEN:of looking at that, Mr.
28 Chairman.

29
30 CHAIRMAN O'HARA: Would you be interested in
31 -- see, you're the original one appointed from our committee,
32 and the time frame was such that you couldn't make it, and I
33 took your place. Would you be interested in going back now
34 with -- if you have -- if time permitted, and I could --
35 somebody could be an alternate for you if you don't make it?

36
37 MR. SAMUELSEN: Yes, Mr. Chairman.

38
39 CHAIRMAN O'HARA: Okay.

40
41 MR. SAMUELSEN: And I'm sorry I missed that
42 meeting.

43
44 CHAIRMAN O'HARA: That's okay.

45
46 MR. SAMUELSEN: I wanted to make it,
47 because.....

48
49 CHAIRMAN O'HARA: We had an alternate. That
50 was fine.

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1 MR. SAMUELSEN:of my past experience on
2 that, you know.

3
4 CHAIRMAN O'HARA: Yeah. That would be good.
5 Yes, Pat, would you like to come to the mike and give us your
6 name again?

7
8 MS. McCLENAHAN: Pat McClenahan. Mr.
9 Chairman, could I make a suggestion? I think that the
10 committee would be more successful if there was a member from
11 each of the Councils. I think that, and maybe I'm being
12 presumptuous, I think that some people were reluctant to
13 speak for Councils that were absent. Did you get that
14 impression?

15
16 CHAIRMAN O'HARA: Yes.

17
18 MS. McCLENAHAN: Yeah.

19
20 CHAIRMAN O'HARA: Uh-hum. We just -- we were
21 left up in the air.

22
23 MS. McCLENAHAN: Yeah.

24
25 CHAIRMAN O'HARA: We come away from a whole
26 year's work with nothing really basically is what -- and I
27 felt totally frustrated that we spent that much time and
28 money, and people's committee time to do nothing, you know.
29 So what do you mean? That's right. Okay. Yes.

30
31 MS. McCLENAHAN: That each Council is.....

32
33 CHAIRMAN O'HARA: See,.....

34
35 MS. McCLENAHAN:represented.

36
37 CHAIRMAN O'HARA: The Chair made a committee.

38
39 MS. McCLENAHAN: Yeah.

40
41 CHAIRMAN O'HARA: Let's take a member from
42 each Council. You'd be our representative, and you'd need an
43 alternative, and then let's recommend to the Federal Board
44 when we meet with them here in May that this Council would
45 like to see a member from each Council sit down with the
46 Staff and the Chairman of the Federal Board and come up with
47 a definition of c&t.

48
49 MS. McCLENAHAN: Thank you.

50

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1 CHAIRMAN O'HARA: Okay. That's a good idea.
2 Is that okay? Robert?

3
4 MR. HEYANO: Well, I guess, Mr. Chairman, you
5 know, I don't know where this process is going, but as a
6 Council member, I feel perfectly comfortable working within
7 the eight criteria that was developed by the State. You
8 know, I think if you're looking at it statewide, we
9 definitely have to have some sideboards, but I don't think
10 it's got -- I don't think it would work if it's stringent to
11 where there's no room for individual Councils to make some
12 interpretation.

13
14 CHAIRMAN O'HARA: Uh-hum.

15
16 MR. HEYANO: You know, the State is so huge
17 and the people are so different, and the patterns are
18 different, that I just don't see how it could work, you know,
19 and I've run across that same experience dealing with the
20 State Board of Game and Board of Fish when you get into
21 statewide proposals. There's always some area of the state
22 where it doesn't fit.

23
24 CHAIRMAN O'HARA: Uh-hum.

25
26 MR. HEYANO: So, you know, I -- the eight
27 criteria that's been developed by the State, I feel real
28 comfortable working under that scenario, you know, and if --
29 I guess if this group is going to look at something similar
30 to that, that's one thing, but I don't think you could
31 standardize it.....

32
33 CHAIRMAN O'HARA: Uh-hum.

34
35 MR. HEYANO:rigidly throughout the
36 whole state and have it work, you know. And I think what
37 this does is allow the individual Councils to make their
38 argument before the Federal Subsistence Board.

39
40 CHAIRMAN O'HARA: With the eight criteria?

41
42 MR. HEYANO: Well, you know, yeah, that's
43 what that process does. You can have different
44 interpretations, but at least there's some sort of criteria
45 that you reference.

46
47 CHAIRMAN O'HARA: I guess it's important then
48 that we would -- the representative and alternate from this
49 Council would convince 11 other Councils that that's what we
50 want.

00170

1 MR. HEYANO: Well, I'm just speaking as --
2 you know, as an individual member, but, you know,.....

3
4 CHAIRMAN O'HARA: Well, I think that's.....

5
6 MR. HEYANO:and I guess it doesn't have
7 to be that criteria, but I think a process similar to that.

8
9 CHAIRMAN O'HARA: I think it has to be that
10 criteria, because we just don't get anything done if you
11 don't say, hey, these are the set of guidelines that we can
12 go through, let's make a decision on it. And if this Council
13 will agree on that, it will a step at least in the right
14 direction.

15
16 MR. SAMUELSEN: Well, Mr. Chairman,.....

17
18 CHAIRMAN O'HARA: Yeah, go ahead.

19
20 MR. SAMUELSEN:I think the way to
21 approach it is go in with the mind set that the eight
22 criteria would be the guiding principles,.....

23
24 CHAIRMAN O'HARA: Uh-hum.

25
26 MR. SAMUELSEN:as well as them three
27 items mentioned under Section 804 that are our guidelines.
28 And if we could get a blend, and an understanding between us
29 and the Federal Subsistence Board on how we're going to make
30 the determinations, using both sets of criteria, I think we'd
31 all be better off.

32
33 CHAIRMAN O'HARA: Uh-hum. Let's, so we can
34 get off this subject and keep going, if you're interested in
35 going, and, Robert, if you could be an alternate? I think
36 I've had enough c&t for a year. I just don't like being that
37 frustrated without making a decision and going ahead and
38 doing something. So -- is that okay? All right. Any other
39 discussions on the c&t? Thank you very much.

40
41 Jerry, where are we at?

42
43 MR. BERG: Let's see. I don't know if you
44 guys -- the issue under 7E, for a request for solicitor's
45 opinion on same-day-airborne. That paper was presented to
46 the Council last fall. We put it in there again on this
47 agenda, because some members were not present at the last
48 fall meeting, so it was discussed last fall. I don't know if
49 you guys want to discuss it again at this meeting, or.....

50

00171

1 CHAIRMAN O'HARA: Anyone would like to have a
2 lively discussion on airborne and go on record again?

3
4 MR. HEYANO: Well, I guess, Mr. Chairman, I
5 was the one that requested it, and I was the one that was
6 absent from the last meeting, but I thought it was important
7 that we at least discuss it so we'd come away from -- as a
8 Council, with an understanding of what that opinion is. And,
9 you know, from past experiences, we've been told that we
10 couldn't consider or allow same-day-airborne, because it was
11 in violation of the federal Airborne Hunting Act. In reading
12 the solicitor's opinion, that isn't necessarily true.

13
14 CHAIRMAN O'HARA: It is not true.

15
16 MR. HEYANO: And we can and the Federal
17 Subsistence Board can, if they choose to do so, so, you know,
18 I think that's an important opinion. And I just want to make
19 sure that, you know, that we have consensus that we agree
20 that's what the solicitor's opinion says.

21
22 CHAIRMAN O'HARA: I agree with you 100
23 percent. I think we ought to just let it be read into the
24 record that this is legal, if -- and this is an access rule.
25 If at some time that we should decide to use this. Do we all
26 understand that? Okay. We're not sitting here, going to do
27 an airborne thing today. We just want to know that. And
28 this is -- you know, this is one of those deals where I think
29 that this Advisory Council needs to be very strong and saying
30 we did the research, and we asked the second question, and
31 Staff might have had their ideas, and -- but this is what the
32 law reads. So that's very important. Okay.

33
34 MR. HEYANO: Yes.

35
36 CHAIRMAN O'HARA: Anything else, Robert?

37
38 MR. HEYANO: No. That's.....

39
40 CHAIRMAN O'HARA: Okay.

41
42 MR. HEYANO:perfectly. Thanks.

43
44 CHAIRMAN O'HARA: All right. I think we're
45 pretty well finished up with old business then. We're ready
46 to start proposals at this time?

47
48 MR. BERG: I think so, yeah.

49
50 CHAIRMAN O'HARA: Okay. Since we're all

00172

1 fresh and ready to go, and I asked the Council, Robert and
2 Robin, before you got here, if we would allow the Council
3 today when we deal with proposals to maybe to take the ones
4 that we felt were the -- had the greatest need, deal with
5 them first. And I think the first thing we should deal with,
6 and we'll ask Jerry to start off with this process, would be
7 the caribou issue. Is that okay?

8
9 MR. SAMUELSEN: Yeah.

10
11 CHAIRMAN O'HARA: Okay.

12
13 MR. SAMUELSEN: I have no problem, I just
14 have a comment, Mr. Chairman.

15
16 CHAIRMAN O'HARA: Sure.

17
18 MR. SAMUELSEN: And maybe this is just
19 discussion for the Advisory Board here that under the 9(E)
20 caribou scenario that we're operating under now, and the
21 State going to a Tier II, my notes reflect that subsistence
22 take over there is roughly around 1200 animals, that under
23 Tier II there's going to be a shortage of animals, because
24 the maximum they could harvest under a subsistence Tier II
25 hunt is 600 animals. Efforts made by both the State of
26 Alaska and counterparts, Federal Subsistence Board and the
27 full board, which controls all lands in 9(E), we have failed
28 to reverse the trends of decline in caribou populations over
29 there. Dick Seller's staff report yesterday, he said that
30 the bull to cow ratio was about three to one, if my notes are
31 correctly, the calf to cow ratio should be about 50 to 100,
32 50-slash-100, on an average down there. We've got roughly a
33 30 to 100. And then we got into a pretty interesting
34 discussion on predator/prey relationships. And those ratios
35 reflected to the best estimate possibly a one to three. And
36 we've heard from subsistence users and Staff that there's
37 been an increase in bear and wolf population in 9(E) which
38 may be having a detrimental effect to rebuilding this caribou
39 herd.

40
41 And I think as we listen to Staff here today, that
42 just adopting whatever the Council here does, adopting a Tier
43 II situation and turning our backs on it, and thinking that
44 the herd's going to improve, I think we're kidding ourselves,
45 and I think we need to look at this in a holistic approach.
46 And I know it's not popular to look at predator control, to
47 step up procedures, but I think it's our duty to look at it
48 in a holistic approach and if we need to liberalize, and I'd
49 like Staff to think about this, if we need to liberalize bear
50 seasons, or anything else to help that caribou population

00173

1 rebound, that we should have everything on the table within
2 the context of the -- rebuilding that caribou herd.

3
4 And, you know, I don't know all the regulations on
5 the hunting, and how many permits are issued, and whatnot,
6 but, you know, I'd like to look at maybe increasing them
7 permits in some areas. And maybe with the economic
8 devastation is provide some economic opportunity to them
9 villages that would allow them to go out and bring hunters
10 out and harvest bear on federal lands that we identifying as
11 having an overpopulation of moose -- or of bears.

12
13 But, you know, I'm going to look at all them aspects
14 as we walk through these proposals or this scenario today,
15 and by staff reports, and I think it all needs to be tied
16 into the over-all management in 9(E) when it concerns
17 caribou. Thank you.

18
19 CHAIRMAN O'HARA: Good. Thank you very much,
20 appreciate it. Any other comments, Council members, before
21 we act on this first proposal? The one we're looking at is
22 32, Jerry?

23
24 MR. BERG: Yes, that's correct, Mr. Chair.
25 We'll start out with the caribou issue for Units 9(C) and
26 9(E), and in general we'll follow the description that's
27 described in the agenda, that I'll go ahead and introduce the
28 proposal, then we have the lead staff person in our office
29 that will give the up -- give a presentation on the analysis
30 of the proposal. Alaska Department of Fish and Game will
31 provide any comments they have. Other agencies are allowed
32 to make comments following Fish and Game. The Fish and Game
33 Advisory Committee Chairs will follow agency comments, and
34 then I'll read in a summary of the written public comments
35 that we've received in our office, and then we'll open --
36 then it will be open for public comments to -- from people on
37 the floor, and then the Regional Council deliberation and
38 recommendations.

39
40 CHAIRMAN O'HARA: All right.

41
42 MR. BERG: So with that, Proposals 32, 33 and
43 34 have been combined, and you'll find that under Tab U, page
44 34 is where it begins in your book, and proposal 32 is for
45 Unit 9 caribou, Unit 9(C), it's is proposed for four bulls,
46 season dates August 10 to September 30, and November 1 to
47 March 31, Unit 9(E), August 10 to September 30, and November
48 1 to March 31. And it's proposing that caribou hunting on
49 federal public lands on the Pacific side of the Alaska
50 Peninsula from Stepovak Bay to Cape Igvak be closed -- are

00174

1 closed to federal -- to nonfederally-qualified subsistence
2 users.

3
4 Proposal 33 proposes that Unit 9(E) caribou,
5 remainder, be open to one bull with a date of August 10 to
6 September 30, and remainder, three bull, open from November
7 15th to April 30th, and federally public lands would be
8 closed to caribou hunting except by rural residents of Unit
9 9(E).

10
11 And Proposal 34 is for Unit 9(E) caribou, would leave
12 the regulation that's currently in place for four caribou,
13 the season of August 10 to April 30. It's proposing that all
14 drainages of the Pacific Ocean from Cape Igvak southwest to
15 and including the south side of Stepovak Bay are closed to
16 caribou hunting except by federally-qualified users. And
17 it's also proposing that in Unit 9(E) moose, remains one
18 bull, the seasons would remain the same, September 1 to
19 September 20, and December 1 to December 31, and all
20 drainages on the Pacific side from Cape Igvak southwest to
21 and including the south side of Stepovak Bay are closed to
22 moose hunting except by federally-qualified subsistence
23 users.

24
25 And with that, Dave Fisher is the biologist who's the
26 lead author for the analysis, and I'll turn it over to Dave.

27
28 MR. HEYANO: Mr. Chair?

29
30 CHAIRMAN O'HARA: Yes.

31
32 MR. HEYANO: Procedurally here, going through
33 these caribou proposals,.....

34
35 CHAIRMAN O'HARA: Uh-hum.

36
37 MR. HEYANO:and maybe this is the way
38 we have to get to the end result, but in my mind, reviewing
39 the information when it's recommended that there's only 600
40 caribou to be harvested, and the subsistence harvest in the
41 past where there needs are 1200, it's clear in my mind, I
42 guess, if we accept those two numbers, that wherein the --
43 what's the section? Seventeen or.....

44
45 MR. SAMUELSEN: Seventeen.

46
47 MR. HEYANO: Seventeen. None of these
48 proposals we're going through addresses that situation, and I
49 think it's going to be an interesting process for us since
50 it's the first time. And just thinking this through, Mr.

00175

1 Chairman, would it be appropriate if we could agree or
2 disagree on the harvest, allowable harvest? And then I think
3 that would focus our attention on which way we're going to
4 go. Obviously if we don't agree, -- what I'm thinking, if we
5 don't agree with the 600 harvest, and we agree that the herd
6 can sustain a 1200 animal harvest, then proposals probably
7 are valid. But if we agree that the herd can't sustain a
8 1200 harvest, and some number lower than, then these
9 proposals.....

10
11 CHAIRMAN O'HARA: Are void.

12
13 MR. HEYANO:really don't apply,.....

14
15 CHAIRMAN O'HARA: Yeah. Yeah.

16
17 MR. HEYANO:because we don't have any
18 room to consider these proposals.

19
20 CHAIRMAN O'HARA: If I could just go one step
21 further than what said, Robert, I was asked this morning,
22 have we taken into consideration this Northern Alaska
23 Peninsula caribou and moose workshop plan that we had last
24 fall, which was the first step in this process we're having
25 right now, realizing that we had such a decline in animals?
26 It makes this plan somewhat moot, really, because the animals
27 are gone, you know. We're not dealing now with even a plan.
28 We're dealing with 600 animals and a few on federal lands is
29 really what it boils down to, if you want to just get to the
30 bottom line. And, you know, it's pretty incredible I think
31 as far as an experience in gaining knowledge, that that many
32 people came from the villages to look at the problem we had,
33 and now we're giving it back to them with a certain number of
34 animals. A big time reduction. And a few animals on federal
35 land.

36
37 So I think you're right. It's immaterial these
38 proposals any more. We're dealing with a devastated
39 resources. So the question I have, I guess, for Jerry then
40 is they give us one through eight that we have to deal with
41 as far as the steps we have to go through to do one proposal.
42 Do we need to go through all those steps if we're going to
43 deal with -- if this Council is going to say let's put 600 on
44 a table, and then a certain number on federal lands, do we
45 still go through all these steps, Jerry?

46
47 MR. BERG: Yeah. Boy, I might defer to
48 Taylor to see if he could give us some direction on.....

49
50 CHAIRMAN O'HARA: Where's Taylor?

00176

1 MR. SAMUELSEN: He's back there.

2

3 MR. BERG: He's in the back of the room. If
4 he could come up and.....

5

6 CHAIRMAN O'HARA: Is that your question that
7 you have or not?

8

9 MR. HEYANO: Well, yes, it is, Mr. Chairman,
10 because I could see us go through these proposals, and, you
11 know, spend considerable time on them, and if we agree as a
12 Council that 600 is the number and 1200 is the need, we're in
13 a different situation and different arena with a different
14 set of rules to look at.

15

16 CHAIRMAN O'HARA: Uh-hum.

17

18 MR. HEYANO: And I guess I would like to take
19 maybe -- take those.....

20

21 CHAIRMAN O'HARA: Okay.

22

23 MR. HEYANO:if we could agree on those
24 two things, and then just go right to the chase and look
25 at.....

26

27 CHAIRMAN O'HARA: Uh-hum.

28

29 MR. HEYANO:how we're going to
30 implement the.....

31

32 CHAIRMAN O'HARA: Okay. Yeah.

33

34 MR. HEYANO:Section 17.

35

36 CHAIRMAN O'HARA: We've had a thorough report
37 from a biologist already who is very close to the resource.
38 So why don't we just ask if we have a -- you know, just go
39 ahead and have the Council take this up as discussion before
40 we get to Dave Fisher and Taylor. Council members, what's
41 your thoughts? Is this something that we should kind of come
42 to a consensus on, and work through that caribou situation?
43 I think that would be a good idea. What are your thoughts?

44

45 MR. ENRIGHT: I think I agree with Robert,
46 you know. I mean, these things are -- we've only got 600, so
47 these proposals, you know, I mean, we might as well not even
48 use them, you know.

49

50 CHAIRMAN O'HARA: Oh, no. Yeah. What are

00177

1 your thoughts, Andy?

2

3 MR. BALLUTA: I agree with Robert, yeah.

4

5 (Whispered conversation)

6

7 CHAIRMAN O'HARA: Peter? What do you think?

8

9 MR. ABRAHAM: I'm just listening right now to
10 see what happens.

11

12 CHAIRMAN O'HARA: Okay. Robin, do you.....

13

14 MR. SAMUELSEN: Yeah, I agree with Robert,
15 Mr. Chairman. I think whatever the Council adopts, if it is
16 the 600 number, based on that action, these other proposals
17 will be no action items.

18

19 CHAIRMAN O'HARA: Alvin, what do you think?

20

21 MR. BOSKOFISKY: I like what he says, too.

22

23 CHAIRMAN O'HARA: Okay. And, Robert, that's
24 a good suggestion, and so, Jerry, what -- where do we short
25 circuit this system to get the job done? Are you going to
26 give us a lengthy report, Dave, on.....

27

28 MR. FISHER: On the 600 figure, Mr.
29 Chairman,.....

30

31 CHAIRMAN O'HARA: Yeah, sure.

32

33 MR. FISHER:Dave Fisher, Fish and
34 Wildlife Service, Anchorage office. Maybe just a little bit
35 of background here. This Proposal 32 was sort of a result of
36 the workshop. Since then, a lot of things have happened.
37 This Council meeting was scheduled I think early March?

38

39 CHAIRMAN O'HARA: Uh-hum. (Affirmative)

40

41 MR. FISHER: We took a look at the situation,
42 we also took a look at -- we meaning the staff and the refuge
43 took a look at what the Board of Game had -- or the
44 Department of Fish and Game had proposed to the Board of
45 Game, and we thought, well, what we should do is postpone our
46 Council meeting and see what the Board of Game does. I think
47 Dan was on a telephone conference with us, and Dan bought
48 into that, and it was a recommendation of the staff to
49 postpone this meeting. So that's where we are on that.

50

00178

1 And if we deal with Proposal 32, we will take care of
2 Proposal 33 and 34. They'll just fall in place, because
3 whatever we decide on 32 will fit 33 and 34. There is a part
4 in 34 that deals with moose, and we'll handle that when we
5 get to Proposal 36.

6
7 As far as the number of 600 animals, we bought into
8 that based on the situation and based on what Dick Sellers
9 has told us, and based on the information that I know about
10 the herd, and from what you people have said, and historical
11 data and so on, and what the refuge has says, so we're pretty
12 -- we're set on that number 600. Now, the little handout
13 that I gave you yesterday is sort of a revision of our
14 preliminary conclusions based on that 600. And what I
15 proposed to do here on 32 is I won't have any lengthy
16 presentation, because that was handled yesterday by Mr.
17 Sellers as far as the biology goes. And there's been a lot
18 of other discussion that's touched on the caribou thing, so I
19 was just prepared here to talk a little bit on 32 and then go
20 in and go through our recommendations, and go into questions.

21
22 MR. SAMUELSEN: Question.

23
24 CHAIRMAN O'HARA: Yes. Go ahead.

25
26 MR. SAMUELSEN: I guess my question then is
27 since staff has bought off on the 600 animals, are you saying
28 staff has bought off on 600 animals on state land and the
29 Tier II permit hunt on state land. Doesn't this.....

30
31 MR. FISHER: Staff has bought off on 600
32 animals total harvest, combined federal and state lands.

33
34 MR. SAMUELSEN: But procedurally, don't we
35 have to -- as a Council have to recognize that and make that
36 recommendation also to the Federal Subsistence Board?

37
38 MR. FISHER: Well, it depends on.....

39
40 MR. SAMUELSEN: Whether it be 600, 800, 1200
41 or.....

42
43 MR. FISHER: Pretty much, yes.

44
45 MR. SAMUELSEN: And we could put other
46 stipulations on there, because we're only dealing on federal
47 land?

48
49 MR. FISHER: Well, I guess maybe I'm getting
50 a little bit ahead of myself. Has everybody read our.....

00179

1 MR. SAMUELSEN: Yeah, got it right here.

2
3 MR. FISHER:sort of revised preliminary
4 conclusions?

5
6 CHAIRMAN O'HARA: Yes. Uh-hum. You have a
7 ten percent factor there of.....

8
9 MR. FISHER: Yes.

10
11 CHAIRMAN O'HARA:of the 600 on federal
12 lands?

13
14 MR. FISHER: Yes, And the ten percent factor
15 is an estimate we use based on past harvest. I think past
16 discussion on this issue has showed, the report that Ted
17 Krieg did with Fish and Game, that shows that most of the
18 harvest occurs off of federal lands.

19
20 Initially what we wanted to do, and I sat in on the
21 Board of Game meeting. Dan was there. Jerry was there. And
22 there are some other people here that were there. When they
23 passed what they did, my little wheels starting going, and I
24 thought, well, hey, that's need. We'll just go with a Tier
25 II, we'll adopt the state seasons, we'll adopt the one
26 harvest limit We will still close federal public lands to
27 nonqualified hunters, and those people that get a Tier II
28 permit that are qualified to hunt on federal public lands,
29 can hunt on federal public lands. We won't have to go into a
30 federal permit process and have a duplicate process, and so I
31 thought, well, gosh, my job's made pretty easy. The job --
32 I'll make that recommendation to the Council, and it will
33 just kind of sail along here real smooth.

34
35 But they started taking shots in my office at what
36 I'd proposed. Well, gosh, would we be meeting our mandates
37 under ANILCA if we just went with a Tier II system? And we
38 discovered we probably wouldn't. There are some users out
39 there that would not qualify for a Tier II permit, but would
40 qualify for a federal registration permit. Does everybody
41 understand that?

42
43 CHAIRMAN O'HARA: Yes.

44
45 MR. HEYANO: No.

46
47 MR. FISHER: In other words, you could have,
48 say, a school teacher or somebody that lived in Anchorage,
49 and they moved out to King Salmon. They wouldn't probably
50 qualify for a Tier II permit to hunt, but they would qualify

00180

1 for a federal registration permit to hunt on federal lands.

2

3 CHAIRMAN O'HARA: Now, wait a minute. Say
4 that again? That I don't agree with.

5

6 MR. BOSKOFISKY: That would have to be
7 (Indiscernible -- simultaneous speech).

8

9 MR. SAMUELSEN: I thought you understood it.

10

11 (Indiscernible -- simultaneous speech)

12

13 CHAIRMAN O'HARA: I did, until he said that.

14

15 MR. BOSKOFISKY:amount of time out
16 there?

17

18 MR. FISHER: Yes. There's no -- as long as
19 that person establishes his residency in King Salmon or any
20 one of those villages that are.....

21

22 CHAIRMAN O'HARA: And lived in Anchorage?

23

24 MR. FISHER: Moves out from Anchorage.

25

26 CHAIRMAN O'HARA: Okay. And would be
27 eligible to live -- to get an.....

28

29 MR. FISHER: Well, he.....

30

31 CHAIRMAN O'HARA:animal on federal
32 land?

33

34 MR. FISHER: Well, say the fellow's an
35 airplane mechanic for Pen Air in Anchorage. Moves out to
36 King Salmon and that's his residency. He buys a house or
37 rents a house, and he would immediately qualify as a rural
38 resident.

39

40 CHAIRMAN O'HARA: Yes. A federal user on
41 federal lands. Okay. Now,.....

42

43 MR. FISHER: That's correct. But he probably
44 wouldn't qualify for a Tier II permit. Let's say he
45 never.....

46

47 CHAIRMAN O'HARA: Okay.

48

49 MR. FISHER:hunted caribou in -- or
50 Northern Alaska Peninsula caribou herd.

00181

1 CHAIRMAN O'HARA: Yeah. Okay. All right.

2

3 MR. FISHER: So that's kind of a loophole,
4 and that's when they said, well, if we just went with a Tier
5 II permit, we probably wouldn't be meeting our mandate under
6 law. Well, oh, gosh. Okay. You shot a hole in what I kind
7 of proposed. So we're looking at federal registration
8 permit. Now, if everybody applies for a Tier II permit that
9 lives out in the rural areas, there shouldn't be -- any of
10 those permits shouldn't go to people that don't live, with
11 maybe a small exception, and Dick Sellers maybe want to
12 elaborate on this, or Elizabeth may want to elaborate on this
13 a little bit more, but they're more up on the Tier II system.

14

15 So if you had a Tier II permit, and you qualified for
16 a Tier II permit, and you were qualified to hunt on federal
17 lands, you could hunt on federal lands and state lands. If
18 you had a federal registration permit, you could only hunt on
19 federal lands. So we put the -- we had to put the -- we felt
20 as though we had to put the federal registration permit in
21 there to cover that loophole, to keep somebody from saying,
22 well, hey, I read your regulations, and I didn't get a Tier
23 II permit, but I qualify to hunt on federal public lands.
24 What's the deal here? So we wanted to avoid that, and we
25 arrived at.....

26

27 CHAIRMAN O'HARA: Uh-hum.

28

29 MR. FISHER:a harvest of 600 animals
30 based on the biology, and we said, well, to allow for some
31 hunting on federal public lands, we estimate that the past
32 harvest has been around ten percent, so this is -- I'm just
33 throwing this out. This isn't anything that we've really
34 agreed to with Fish and Game. We've run it by them and we
35 haven't gotten negative comments, but I think Sellers will
36 buy into this, so we figured, well, possibly if we issue 600
37 permits, ten percent of those would be permits for federal
38 public lands, and 540 would be Tier II permits. That's just
39 sort of our draft recommendation.

40

41 CHAIRMAN O'HARA: Robert?

42

43 MR. HEYANO: So can a person apply for -- if
44 we follow your recommendation then, then an individual can
45 apply for a state permit and a federal permit?

46

47 MR. FISHER: He could, but there would be no
48 advantage.

49

50 MR. HEYANO: Well, you know, I guess I go

00182

1 back to your argument where the school teacher came in this
2 fall and he's setting up shop there, if.....

3
4 MR. FISHER: Yes, you.....

5
6 MR. HEYANO:if you're only going to
7 allow 60 and there's been people who have been there and has
8 grandparents buried there and probably parents buried there,
9 I'm sure that that school teacher isn't going to get the
10 permit anyway, because there's going to be other people who
11 are more qualified.....

12
13 MR. FISHER: Right.

14
15 MR. HEYANO:for those 60 permits,
16 so.....

17
18 CHAIRMAN O'HARA: Under the federal program.

19
20 MR. HEYANO: Right.

21
22 MR. FISHER: You're right. I mean, -- but we
23 didn't.....

24
25 MR. HEYANO: Just to give them the
26 opportunity to apply I think is -- in.....

27
28 MR. FISHER: Uh-hum. I.....

29
30 MR. HEYANO:my opinion is getting way
31 out on the limb.

32
33 MR. FISHER: I guess we really want to.....

34
35 MR. HEYANO: Just to give them an exercise to
36 fill out paperwork.

37
38 MR. FISHER: We didn't want to have to face
39 that situation. It may not come up. We may not have to
40 issue very federal permits, if any, if everybody applies for
41 a Tier II permit.

42
43 CHAIRMAN O'HARA: Robert?

44
45 MR. SAMUELSEN: Under that scenario that
46 Robert just.....

47
48 CHAIRMAN O'HARA: Robin, excuse me, I'm
49 sorry. Robin.

50

00183

1 MR. SAMUELSEN:Robert just described,
2 if we went through all the Tier II permits, and we know we're
3 going to be short on caribou for bona fide -- for customary
4 direct dependence on that animal by subsistence users in
5 9(E), and we have these federal registration permits, and we
6 know that going into a Tier II situation we're not going to
7 meet the subsistence needs. We're going to be 600 animals
8 short. When you issue these federal registration permits, do
9 you take into account the customary direct dependence on
10 issuing them? Or is it on a first come, first served basis?
11

12 MR. FISHER: What you're kind of heading up
13 to is the 804, aren't you? That's.....
14

15 MR. SAMUELSEN: Well, if we're going to be in
16 a Tier II situation, we're going to be in an 804 situation.
17 That's automatic in my mind, the way I see the scenario
18 playing out. So the State has a two tier program that staff
19 has bought off on, we're supposedly probably going to buy off
20 on it today on 600 animals. We know the subsistence harvest
21 is 1200 animals, so we're not going to meet subsistence needs
22 in 9(E). Now we have a federal registration permit, which is
23 equivalent to about 60 permits, so we dole out all the Tier
24 II permits, and now we've got these 60 sitting over here,
25 hypothetical 60 sitting over here what we can give out.
26

27 MR. FISHER: And that's the.....
28

29 MR. SAMUELSEN: And that's all I'm.....
30

31 MR. FISHER:way we'd like to.....
32

33 MR. SAMUELSEN:saying, is that.....
34

35 MR. FISHER:see it go, if we could get
36 -- issue the Tier II permits, and then see what.....
37

38 MR. SAMUELSEN: Do you have the regulations
39 and procedures in place that will allow that those
40 subsistence users in 9(E) will have a priority for the
41 federal registration permits, then 60 permits?
42

43 MR. FISHER: Well,.....
44

45 MR. SAMUELSEN: Based on a customary, direct
46 dependence?
47

48 MR. FISHER: Well, then we're in an 804
49 situation, and we would have.....
50

00184

1 MR. SAMUELSEN: That's right.

2
3 MR. FISHER:to implement that.

4
5 Can I just add one more thing? One of the other
6 reasons why we're going with this, why the federal permit
7 thing came in instead of just going with a Tier II thing, was
8 the Tier II has been tried in some other areas, and it's a
9 little bit cumbersome, and a lot of the local -- or the rural
10 people are a little bit uncomfortable. They've never done it
11 before, so -- and -- but then our 804 process is -- could be
12 cumbersome, too, I think. But we thought it might be a
13 little easier.

14
15 CHAIRMAN O'HARA: Did you want to say
16 something?

17
18 MR. SAMUELSEN: Well, I think we're there.
19 We're in a Tier II situation, and we can't do nothing about
20 it.

21
22 CHAIRMAN O'HARA: Yeah.

23
24 MR. SAMUELSEN: The State made that
25 determination, and it's up to us to follow suit, Mr.
26 Chairman, so I think his comments are not germane to the
27 issue.

28
29 MR. HEYANO: Mr. Chairman?

30
31 CHAIRMAN O'HARA: Yes, Robert?

32
33 MR. HEYANO: I guess if we decided that 600
34 is the maximum number, then is the -- then are you proposing
35 that the state issue 540, and the feds -- under the federal
36 program, we issue 60? That's one question.

37
38 MR. FISHER: Well, I don't want to speak for
39 the State. I'm not sure that they would -- that they're
40 aware what we're -- what our revised recommendations are.
41 Maybe we should ask them if they're -- you know, how they see
42 the allocation of permits, because they're a major player in
43 this.

44
45 MR. HEYANO: I guess.....

46
47 CHAIRMAN O'HARA: Anyone -- excuse me,
48 Robert, go ahead. I'm sorry.

49
50 MR. HEYANO: The other thing, Mr. Chairman,

00185

1 is that, you know, I'd like us to define -- what's the
2 terminology?

3
4 MR. SAMUELSEN: Customary direct dependence?

5
6 MR. HEYANO: Right. I'd like us to define
7 those terms and how it's going to apply to this permit
8 system, if that's the avenue we choose to go.

9
10 CHAIRMAN O'HARA: Of the 60?

11
12 MR. HEYANO: Right.

13
14 MR. FISHER: Well, let's say 540 permits were
15 taken up. We have -- and we have 60 Federal registration
16 permits. And then let's say there's a demand for those --
17 there's 100 people want those 60 permits, then we're in an
18 804 situation where we have to -- there's more of a demand
19 than there is a supply, and we have to allocate. Is that
20 correct? We haven't done it, except for what the Park
21 Service people talked about this morning on their 804 thing.
22 We really haven't done an 804. We've tried to avoid it if we
23 could, 'cause it's fairly complicated.

24
25 CHAIRMAN O'HARA: Robert, I think we've seen
26 some staff going this way and some staff going that way, and
27 Rob saw that and I think it's -- why don't we take maybe at
28 least a 15-minute break? Could some of you -- would some of
29 you staff have time to grab a cup of coffee and still have a
30 little discussion on maybe dealing with -- this 804 thing is
31 going to be -- the mechanic for Pen -- not -- a mechanic for
32 an airlines, and a 65-year-old guy who's used caribou all of
33 his life in the Chigniks, and you're going to have to
34 determine on federal lands, Ron, or Deb Liggett on park
35 lands, or somebody if that mechanic or that guy in Chignik
36 Lake's going to get that animal. I would assume the Chignik
37 guy's going to get it. So you should maybe try to give us a
38 few things.

39
40 Did you want to say something really hot there,
41 Taylor, before we go?

42
43 MR. BRELSFORD: Well, only that we.....

44
45 CHAIRMAN O'HARA: Name?

46
47 MR. BRELSFORD:we've been trying to
48 follow your lead.

49
50 CHAIRMAN O'HARA: Give your name there.

00186

1 MR. BRELSFORD: I'm sorry, this is Taylor
2 Brelsford. I think the staff have been trying to watch the
3 questions that the Council are posing, and when you get to
4 the point of the regulatory framework for 804 permits, and
5 some program experience with muskox in the Northwest or in
6 other examples where we've applied a permit program for a
7 limited resource, we're anxious to provide that to you, but
8 it sounded like you wanted to figure out the 600 and the
9 allocation between state and federal lands first. That that
10 was kind of a conversations with Dick Sellers perhaps. But
11 when you're ready for the details or options on implementing
12 a permit hunt and distributing permits in various ways, we're
13 quite happy to provide you.....

14
15 CHAIRMAN O'HARA: You have that information.

16
17 MR. BRELSFORD:options and
18 recommendations.

19
20 CHAIRMAN O'HARA: Okay. So 804. Yeah,
21 Robin, do you have.....

22
23 MR. SAMUELSEN: Yeah. I think, you know,
24 we're entering a whole new arena here, and if staff thinks
25 we're off base, tell us we're off base.

26
27 CHAIRMAN O'HARA: Uh-hum.

28
29 MR. SAMUELSEN: Because we want to do this
30 right the first time,.....

31
32 CHAIRMAN O'HARA: That's going to.....

33
34 MR. SAMUELSEN:you know.

35
36 MR. BRELSFORD: I think procedurally on that
37 point it's easy to tell you you're doing -- you're following
38 exactly what has to be done. The biological cap, the maximum
39 that's possible, and how that corresponds to the subsistence
40 level, and if they don't match up, then you have to
41 distribute permits. You have to make distinctions among the
42 qualified subsistence users. That's Section 804. There are
43 some procedural specifics here that we can talk about when
44 you're ready.

45
46 CHAIRMAN O'HARA: All right.

47
48 MR. BRELSFORD: But so far you're doing
49 exactly what has to be done. We're going to come out with a
50 package in the end on how to do this.

00187

1 CHAIRMAN O'HARA: 9:25 we'll come back.

2
3 (Off record - 9:05 a.m.)

4
5 (On record - 9:32 a.m.)

6
7 CHAIRMAN O'HARA: We'll call the meeting back
8 to order. And we do have a group of people calling in at
9 about 9:50 today. And if we're right in the middle of
10 something that we can't discontinue, we'll let them listen in
11 on teleconference. They want to make some comments.

12
13 We'd like to have Dick Sellers, state biologist, and
14 Dave Fisher here. This Council has a few concerns about this
15 600 number, and what 10 percent of that for federal harvest
16 might be. And Dick has some numbers that he could put on the
17 overhead for us, and after that, we have some people who
18 handled the Seward muskox, divvying up of numbers I think to
19 an 804, and so we'll have them after Sellers and Fisher. So
20 would you mind coming up, and we'll give you the overhead.

21
22 MR. FISHER: I don't have much to say. I'll
23 set up the overhead here for Dick.

24
25 CHAIRMAN O'HARA: All right.

26
27 MR. SELLERS: For the record, Dick Sellers
28 from Alaska Department of Fish and Game.

29
30 CHAIRMAN O'HARA: Hold on, I don't think the
31 record can hear you.

32
33 MR. SELLERS: Okay.

34
35 COURT REPORTER: Thank you. We can hear the
36 fan really well, too.

37
38 MR. SELLERS: Dick Sellers from Alaska
39 Department of Fish and Game. I thought maybe it would be
40 helpful to walk through what the State side is looking at
41 now, because under the regulation, the Tier II permit system
42 that the State has, there's a great deal of flexibility given
43 to actually what you might call in-season management. And
44 so, you know, the numbers that have been tossed around aren't
45 set in stone. They're kind of in semi-cured concrete at this
46 point, but based on what we get for our summer counts next
47 June, you know, there may be some room to adjust the target
48 harvest.

49
50 But based on what we know now in terms of the size of

00188

1 the caribou herd, and the bull/cow ratio from last fall, you
2 know, the best estimate is that we can harvest about 600
3 bulls this coming season. And, again, that number could be
4 fine-tuned if we get some startling new information next
5 summer in terms of total counts.

6
7 That number is somewhat separate, or at least is not
8 necessarily exactly the same number of permits that could be
9 issued to get the harvest of 600 bulls from the Northern
10 Peninsula herd, and there are really three factors that we
11 have to kind of consider in determining how many permits in
12 total will be issued, and some of the -- these factors, you
13 know, certainly we could learn from you folks, for instance,
14 number one, are there going to be people out there in the
15 villages that aren't going to bother with either a federal or
16 state permit system and may just go hunting anyway? You
17 know, that's reality. We ought to try to have some kind of a
18 projection on what that might be. Hopefully it will be low.

19
20 Of the people that get either a state or a federal
21 permit, how many are going to be successful? And based on
22 the work that Ted Krieg did, I think we can expect a pretty
23 high success rate of people that get Tier II hunts --
24 permits. Of course, in theory they're the ones with the most
25 experience, and so it's going to be high, but it may not be
26 100 percent.

27
28 And then the third factor is that of those people in
29 the Naknek drainage that get either permits, if they hunt in
30 the winter, they may actually be taking Mulchatna animals,
31 and we don't want to penalize people, you know, in terms of
32 the number of permits out there to be used by not recognizing
33 that we may take some Mulchatna animals, and that varies
34 drastically from year to year based on how many Mulchatna
35 animals are available and what the travel conditions are
36 like. So that's a really tough one to plan in advance. And
37 we don't want to err on the side of being too optimistic that
38 there will Mulchatna animals in there.

39
40 But, you know, our current thinking is in terms of
41 round numbers and what we know today, that there's probably
42 some room above 600 in terms of total permits to be issued.
43 And again that might be altered a little bit.

44
45 And the way that would happen with the Tier II
46 permits is that, you know, we presumably will get lots of
47 people apply, let's just say for round numbers 1,000 people
48 apply. Well, they're all scored based on those five
49 questions, and so whenever -- if we determine in early July
50 that, you know, we could actually issue 700 permits, then the

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1 top 700 people score -- with the highest scores will get the
2 permits. We can't delay that very long, because normally the
3 draw-- -- the scoring and the notification goes out in early
4 July, but there may be some little room to adjust those
5 numbers at that point.

6
7 And I don't know how that's going to tie in with your
8 deliberations on how to phase in a federal hunt. I guess,
9 you know, presumably if people apply for Tier II permits, the
10 way the state system works is those people that have a long
11 history of use and live in rural Alaska Peninsula will score
12 high and will get permits. So, you know, I guess the
13 question you have to wrestle with is, is that, you know, is
14 that a fair assumption, or how many other people that don't
15 score high on a Tier II permit, or don't fill them out, how
16 many of those people need to get a federal permit.

17
18 That's all I have for now.

19
20 CHAIRMAN O'HARA: Any questions, Council
21 members of Dick Sellers? Could we have the lights back
22 there, please? Thank you. No questions? You are numbered
23 -- you're the number man. You're satisfied?

24
25 MR. HEYANO: Well, yeah, -- no, I appreciate
26 the presentation, but I think, you know, I'm approaching this
27 thing on a pretty cautious, and I guess looking at the
28 history of the -- or the recent history of the herd and the
29 downward trend, you know, Dick Sellers is fairly optimistic
30 and he's talking about being able to issue more permits. You
31 know, as Robin keeps referring to me, I'm the guy who says
32 it's half empty, and not half full. You know, I guess the
33 situation could be very well that you'd be looking at maybe
34 issuing less permits, too. And, I don't know, it's -- you
35 know, I'm uncomfortable. We're at 31 per 100 now, you know,
36 the bottom line seems to be 25 per 100. Boy, that's awful
37 close to me.

38
39 CHAIRMAN O'HARA: Yeah, Mr. Sellers?

40
41 MR. SELLERS: Thank you. I certainly agree
42 with Robert. And I guess the point I didn't really emphasize
43 was that this flexibility's built into the state system so
44 that next year we won't need to go through this whole
45 discussion again. We'll be able to adjust our allowable
46 harvest and our number of permits on a year-by-year basis
47 without going through another Board meeting.

48
49 CHAIRMAN O'HARA: Dick, what would -- do you
50 have an emergency procedure where you can by-pass the 600 if

00190

1 it becomes necessary? Let's say you find out, hey, this is
2 really bad. We're not going to deal in 600, we're going to
3 deal in 500. Can you do that as an emergency procedure?

4

5 MR. SELLERS: Right. The wording in the
6 state regulation is that we can issue up to I think it's 1200
7 permits. So anywhere from zero to 1200 is our.....

8

9 CHAIRMAN O'HARA: Okay.

10

11 MR. SELLERS:working range basically,
12 and that will -- it will be determined on a yearly basis.

13

14 CHAIRMAN O'HARA: That should make a half
15 empty cup a little better, you know, if it looks really bad
16 beginning of the season in August,.....

17

18 MR. SELLERS: Uh-hum.

19

20 CHAIRMAN O'HARA:you have that right.
21 Okay. I don't think what we're going to deal with on the
22 federal lands is going to really devastate the resource, what
23 we're dealing with this morning, so -- any other questions of
24 these two gentlemen?

25

26 We have a couple people in the audience who have
27 dealt with the Seward muskox.

28

29 MR. SAMUELSEN: Well,.....

30

31 CHAIRMAN O'HARA: Or did you want to.....

32

33 MR. SAMUELSEN: Yeah. I.....

34

35 CHAIRMAN O'HARA:do something first?

36

37 MR. SAMUELSEN: On this federal registration
38 permits. Where's that written up at? Is that mandatory? Do
39 we have to institute these permits, or is that an option? Is
40 it a may or is it a shall to this Council?

41

42 MR. FISHER: Well, I think it's -- based on
43 what my people have told me, Taylor may want to add to
44 it,.....

45

46 COURT REPORTER: First of all,
47 (indiscernible) the microphone? Thank you.

48

49 MR. FISHER:I think we're almost forced
50 to go with that.

00191

1 CHAIRMAN O'HARA: It's an 804?

2

3 MR. FISHER: No, not necessarily an 804, but
4 a federal registration permit.

5

6 CHAIRMAN O'HARA: Okay.

7

8 MR. FISHER: Taylor, is that.....

9

10 CHAIRMAN O'HARA: All right.

11

12 MR. BRELSFORD: I think this is actually a
13 very consequential question, Robin, so it would be well --
14 This is Taylor Brelsford -- to be sure I understood it
15 exactly clearly. Is your question whether the subsistence
16 hunt could occur with complete reliance on the Tier II
17 hunting process, and no have a separate and distinct federal
18 permit hunt alongside.....

19

20 MR. SAMUELSEN: On federal lands

21

22 MR. BRELSFORD:the Tier II? This --
23 that's actually what Dave was saying, that, you know, for a
24 lot of practical reasons when he sat at the Board of Game
25 meeting with Dan, he thought the Tier II hunt would be the
26 streamlined simplest procedure to provide for the hunt, and
27 as long as most of the permits or all of the permits went to
28 local people, it would achieve the goals, because Tier II
29 permits allow hunting on both state and federal lands. So
30 that's where Dave was starting with when he started this
31 morning. And then there was some concern in our office about
32 local sentiments. In other parts of the state, people have
33 had some concerns about Tier II permit hunts under the state
34 program as the primary opportunity for subsistence hunting,
35 and have asked for joint state and federal, coordinated state
36 and federal hunts. So we need to know your views, your
37 understanding about that. This is really a question of
38 judgment on the part of the Council. If the Council
39 recommends to the Federal Board that a unified Tier II hunt
40 will provide the needed opportunity for local residents, it's
41 efficient, it's administratively simple, if that's your
42 judgment, then I think the Federal Board would certainly take
43 your lead on that matter. So I don't believe the staff, the
44 federal staff are meaning to impose on you any pressure to
45 have a separate federal hunt. It's a question in our minds
46 based on experiences elsewhere in the state, but it
47 ultimately is a matter of judgment for you guys who know the
48 region best.

49

50 So again, I think the simple answer is that if your

00192

1 judgment the Tier II hunt meets the need, provides for
2 continuation of the subsistence uses on the federal lands as
3 well as state lands, then that's the highest and best advice
4 the Board can get.

5

6 MR. SAMUELSEN: Mr. Chairman?

7

8 CHAIRMAN O'HARA: Yes.

9

10 MR. SAMUELSEN: Based on best available
11 information, if we could provide the number of subsistence
12 users is 1200 -- or take of caribou is 1200, then I have to
13 concur with you, because we've met the subsistence needs of
14 all subsistence users of caribou in 9(E). But we're not
15 meeting them. Under a Tier II situation going into it, we're
16 not meeting the needs. We're 600 shy roughly. Animals. So
17 we're not meeting the needs of subsistence users. In fact
18 we're penalizing subsistence users, because the resource
19 cannot stand the harvest of 1200 animals. And I guess in my
20 mind, with these federal registration permits, do they kick
21 in when we provide 1200 animals, which has been the
22 identified subsistence take, or do these federal registration
23 permits apply when we haven't met the subsistence needs,
24 we're in a Tier II, and we've only giving half of the permits
25 out that is required by the subsistence users to meet their
26 subsistence needs?

27

28 MR. FISHER: Maybe you can answer that?

29

30 MR. BRELSFORD: Well, again, I want to be
31 real precise and make sure I understand exactly the question.
32 What I take to be your question is given a total allocation
33 which is below the on-going subsistence harvest level, we
34 only have 600, the normal level would have been 12. We only
35 have 600. So we are allocating -- we have to choose among
36 subsistence users. All subsistence, historic users, can't go
37 and harvest on this herd, because of the biological
38 limitations.

39

40 MR. SAMUELSEN: That's right.

41

42 MR. BRELSFORD: Under that circumstance, to
43 my knowledge in all of the other cases where we have had a
44 federal hunt that had to be limited down like that, it has
45 been by permit. By registration permit. There are various
46 tools for distributing those, often relying on local village
47 councils. You know, there are some details on how the
48 permits actually get into the hands of hunters that we might
49 want to talk about in a few minutes. But where we've had
50 limitations, limited hunts of that sort, those have been

00193

1 managed by permits, sometimes in coordination with a state
2 Tier II hunt concurrently, that sort of thing. But on the
3 federal side, when we're -- when it can't be an open hunt,
4 when there's not enough to provide for an open opportunity,
5 then the more narrow hunt opportunity has been managed by
6 permits. Did I get the right question? Did I give you the
7 answer you needed?

8
9 MR. SAMUELSEN: Not really. The Pen Air
10 mechanic that moves out to Igiugig and resides there for 30
11 days,.....

12
13 MR. BRELSFORD: Okay.

14
15 MR. SAMUELSEN:cannot justify an
16 economic dependence on that -- under a subsistence framework
17 for that animal. We have people in Igiugig, hypothetically,
18 that need 1200 animals, caribou, to meet their subsistence
19 needs. But because of biological concerns, only 600 of them
20 resident are going to be issued permits, and they can only
21 take 600 animals. Along comes this federal registration
22 permit. Does that mechanic qualify, when we haven't met the
23 subsistence needs of the customary direct dependence
24 residents?

25
26 MR. BRELSFORD: The regulations do allow you
27 to distinguish among people in the same community based on
28 their customary and direct dependence. There are the three
29 factors. Now, proximity would be the same, because they live
30 in the same community, and same access. On the matter -- so
31 the second criteria is probably not relevant to the example
32 that you're asking.

33
34 The third criteria asks about availability of
35 alternative means of livelihood. And that could make a
36 difference between the two people in that case.

37
38 The regulations do provide for distinctions to be
39 made among individuals, so that somebody who's recently
40 arrived doesn't have the same claim under section 804 that a
41 longer time resident.

42
43 MR. SAMUELSEN: And that.....

44
45 MR. BRELSFORD: There's -- there are
46 administrative procedures -- it's somewhat complicated if you
47 go to individual applications. Let me.....

48
49 MR. SAMUELSEN: Okay.

50

00194

1 MR. BRELSFORD:say that. But the
2 regulations.....

3
4 MR. SAMUELSEN: But that.....

5
6 MR. BRELSFORD:do provide for the
7 decision.

8
9 MR. SAMUELSEN: That's within the purview of
10 this -- that decision-making on who gets them federal
11 registration permits is in the purview of this Council?

12
13 MR. BRELSFORD: Correct.

14
15 MR. SAMUELSEN: Okay.

16
17 UNIDENTIFIED VOICE: 804.

18
19 MR. BRELSFORD: I think the conversation we
20 had in the sidebar, I'll just quickly mention two questions
21 that we thought the Council may want to look at when we get
22 to the package. One is how many communities, which of the 12
23 communities that have c&t for this herd, belong in a Tier --
24 in a Section 804 hunt? All 12 of them? Or some of them?
25 Okay. So which communities ought to be involved in the
26 permit hunt is one question you'll want to consider and give
27 us some advice on.

28
29 Secondly, once you've selected the communities that
30 have proximity, customary and direct dependence, the
31 appropriate level of need for this resource, as opposed to
32 alternative means of livelihood, once you've settled that,
33 then we would also ask you to consider how permits should be
34 distributed in those communities. By hunt history? By -- I
35 mean, there's all kinds of factors that you might look at to
36 basically give specific guidance to that question of
37 customary and direct dependency, so that distinctions could
38 be made on a fair basis within those communities.

39
40 MR. SAMUELSEN: But just to follow up, if we
41 go out -- May I, Mr. Chairman?

42
43 CHAIRMAN O'HARA: Uh-hum. (Affirmative)

44
45 MR. SAMUELSEN: We've got subsistence users
46 filling out the permits the first of July. Need to have them
47 filled out by the 1st of July or -- I think that's a real
48 mistake, because of fishing season. But when do we get to
49 see the list of qualified Tier II residents? Is that in
50 August? September?

00195

1 MR. BRELSFORD: No, my understanding from
2 Elizabeth was July 1st. The application forms would be
3 available well before that.....

4
5 MR. SAMUELSEN: So we need to.....

6
7 MR. BRELSFORD:for Tier II.

8
9 MR. SAMUELSEN: So then we as a Council would
10 have to have a meeting to look at that? Because that's step
11 two. If we see that Igiugig's got a large proportion of Tier
12 II permits, and another village, Ugashik -- or let's say Port
13 Heiden has -- and we look at the past participation of both
14 villages, and we see subsistence users are being
15 disenfranchised in Port Heiden by the high number of permits
16 going into this village, we could issue those permits to the
17 community? We have that criteria to work with?

18
19 MR. BRELSFORD: I -- Yes, technically you're
20 recommending to the Board about the distribution of permits,
21 but your guidance, your judgment, your wisdom about that
22 would be critically important, and if you, the Council,
23 choose to kind of wait and see what the Tier II hunts produce
24 as far as distribution, and then fill gaps, identify
25 shortfalls, and communities that need more, and redirect the
26 federal permits to kind of fill the gaps in that fashion, I
27 think that is entirely in keeping with the purposes of the
28 regulation, and your advice and recommendations along those
29 lines would be very welcome.

30
31 MR. SAMUELSEN: Okay. Thank you, Mr.
32 Chairman.

33
34 CHAIRMAN O'HARA: Any other questions?
35 Robert?

36
37 MR. HEYANO: Yes, one more question. Federal
38 permits are only valid on federal land, correct?

39
40 MR. BRELSFORD: That's correct.

41
42 MR. HEYANO: Okay. Two individuals in the
43 same community, same history, same -- basically same
44 background. For whatever reason, one individual took all his
45 caribou on state land. The other individual for whatever
46 reason took all his caribou on federal land. Past history.
47 Who's going to qualify for that permit? If -- I guess the
48 question is, if you don't have any history of harvesting
49 caribou on federal land, you could have very identical
50 backgrounds as far as in the community, economic dependence.

00196

1 But if you have no history on harvesting caribou on federal
2 lands, do you have a chance of qualifying?

3
4 MR. BRELSFORD: So your question is with some
5 federal permits within the community, who has the higher
6 qualification, and how do we rank or distinguish?

7
8 MR. HEYANO: Or I could take it either --
9 either that way individually or community-based, if there's a
10 community that has very little or no history of taking
11 caribou on federal land compared to a community that takes --
12 you know, say 90 percent on state land, 10 percent on federal
13 versus a community that's just the opposite, 90 on federal
14 ten on state?

15
16 MR. BRELSFORD: The Council has a lot of
17 latitude in recommending how that ought to be handled at the
18 local level, and instead of, you know, like answering that
19 with a real specific answer, I think maybe we could learn a
20 little at this point by some of these example hunts, the
21 muskox hunt in Unit 22, where they've addressed this exact
22 problem, and again the Kilbuck hunt that Elizabeth was
23 provide some information on. Those might give us kind of a
24 starting point for the more detailed discussions.

25
26 And then I'll mention, too, that there would be some
27 data on hunt history, which communities had how many hunters,
28 how many harvests on state or federal lands. This would be
29 materials that BBNA and the Department put together in the
30 subsistence studies. So if you wanted to look at the
31 pattern, the empirical information, and figure out how to
32 protect that, there would be some data available to you for
33 that. But I wonder, rather than, you know, letter the staff
34 advise the Council on the particulars here, maybe give you
35 some background information and then allow you guys to think
36 it out and give us the advice.

37
38 CHAIRMAN O'HARA: We don't have a problem
39 with that. Yeah. Taylor and Robert, this type of system of
40 who gets the permit to hunt is an on-going thing right here
41 in the region with the Nushagak Peninsula herd.

42
43 MR. BRELSFORD: Right.

44
45 CHAIRMAN O'HARA: I mean, there are a certain
46 number of permits issued, and then it goes to the village
47 councils and they have sent hunter out to get food for the
48 elders and this is going to happen -- this is going to happen
49 on the Alaska Penin -- and don't forget the words of Keith,
50 or the lawyer who talked to us yesterday. This is a common

00197

1 sense issue, you know. I'm not going to sit here and decide
2 if two federal guys and two states have hunted 90 percent of
3 the time or 50 percent of the time. It's not my con- -- it's
4 my concern, but it's not my place to decide that. It's going
5 to be Ted's problem with the village councils to determine
6 who's going to be able to hunt. And we'll make the
7 permits.....

8
9 MR. HEYANO: Well,.....

10
11 CHAIRMAN O'HARA:for the animals.

12
13 MR. HEYANO: Yeah, then I guess -- you know,
14 and I respect your opinion, Mr. Chairman, but, you know, I
15 feel very uncomfortable of issuing permits to communities. I
16 always viewed subsistence as an individual right, and hunting
17 privileges as an individual right. So I'm going to be real
18 careful that I protect that individual's right.

19
20 CHAIRMAN O'HARA: Yeah, that's good.

21
22 MR. HEYANO: I know local politics, and it's
23 -- you know, how unpopular an individual could be in a
24 community, he'll be ordering chicken.

25
26 CHAIRMAN O'HARA: Robin?

27
28 MR. SAMUELSEN: Yeah, Mr. Chairman, comparing
29 the Nushagak Peninsula caribou herd management where in that
30 scenario the allocations were made to communities worked,
31 because it's basically 100 percent federal land.

32
33 CHAIRMAN O'HARA: Uh-hum. That's a good
34 point.

35
36 MR. SAMUELSEN: The situation that we're
37 dealing with here is that ten percent of the caribou harvest
38 in 9(E) is harvested in federal land, and basically 90
39 percent in state land, so it's a complete different set
40 of.....

41
42 CHAIRMAN O'HARA: Yeah.

43
44 MR. SAMUELSEN:circumstances.

45
46 CHAIRMAN O'HARA: Yeah, we're only dealing
47 with 10 percent of the permits on federal -- that we have
48 might -- you know, if we buy off on the ten percent of the
49 total number of animals.

50

00198

1 MR. SAMUELSEN: Uh-hum.

2

3 CHAIRMAN O'HARA: Is going to be federal
4 land. So I think there's a little bit of a comparison there
5 that we can deal with. Yes, Robert?

6

7 MR. HEYANO: One more question, I guess. If
8 the deadline for completion of application is the first of
9 July, when -- oh, it isn't?

10

11 MR. SQUIBB: I think, excuse me, the 1st of
12 July was the.....

13

14 MS. ANDREWS: Notification.

15

16 MR. SQUIBB:(Indiscernible, away from
17 microphone), the notification of state permit (Indiscernible
18 -- simultaneous speech).

19

20 MS. ANDREWS: The deadline's May 31st.

21

22 MR. HEYANO: For applications to be
23 completed?

24

25 MS. ANDREWS: Yeah.

26

27 MR. HEYANO: So July 1st was -- would be the
28 first.....

29

30 CHAIRMAN O'HARA: (Indiscernible --
31 simultaneous speech)

32

33 MR. HEYANO: When will we know what the total
34 list is?

35

36 MS. ANDREWS: July 1st.

37

38 MR. HEYANO: July 1st.

39

40 COURT REPORTER: It's very difficult to hear
41 you in the audience. So you know.

42

43 MR. BRELSFORD: Let me repeat for the record.
44 That was Elizabeth Andrews informing the Council that the
45 deadline for applications for State Tier II permits would be
46 May 31st, and the notification of successful permit
47 applicants, people who actually received permits, would be on
48 July 1st.

49

50 MR. HEYANO: I'm just trying to get timeline,

00199

1 Mr. Chairman,.....

2

3 CHAIRMAN O'HARA: Sure. Yeah.

4

5 MR. HEYANO:is -- if -- when we would
6 have to react as a -- for a federal permit.

7

8 MR. FISHER: Well, you'd know -- right after
9 July 1st you'd know on the Tier II thing.

10

11 MR. HEYANO: But I think it can be awful hard
12 to get this Council together to.....

13

14 CHAIRMAN O'HARA: How about August, would
15 that be too late?

16

17 MR. HEYANO: Well, I don't know, you know.
18 You know, how do we do it to ensure that people, you know,
19 have some opportunity to conduct a fall hunt. So I.....

20

21 CHAIRMAN O'HARA: Could you turn the volume
22 down a little bit on that?

23

24 MR. BERG: It's down as far as it'll go.

25

26 CHAIRMAN O'HARA: Okay.

27

28 MR. HEYANO: Can you give us some timelines,
29 you know, July 1st will be the first time the list will be
30 completed. When would we have to meet to make
31 recommendations in order that the people can have an
32 opportunity to harvest fall caribou?

33

34 MR. FISHER: Well, we're looking at starting
35 the season on August 10th. That's what the -- that's when
36 the state season would open, and we would want to line up --
37 or it's up to you people. You'll probably want to line up
38 with them. So that gives us a little over a month.

39

40 CHAIRMAN O'HARA: Any other questions,
41 Council members of Taylor or Dave?

42

43 MR. BRELSFORD: Mr. Chairman?

44

45 CHAIRMAN O'HARA: Sure.

46

47 MR. BRELSFORD: If I could add to this
48 response to Robert's question, another way to approach this
49 would be for the Council to advise on criteria, what the
50 goals and purposes of that permit distribution would be, and

00200

1 then allow the staff to design the implem -- to apply the
2 advice of the Council. If you were to say fill gaps where
3 communities have come up short, we want permits to go to
4 those communities. You could give guidance, and then the
5 staff could try and work out the particulars, and perhaps
6 consult with your Chair, who would represent the Council as a
7 whole to make sure we kind of get it right. Because
8 obviously early July is a terrible time to try and convene
9 the entire Council given the fisheries in Bristol Bay. But
10 it may be something that staff can follow the lead, follow
11 guidelines and then consult with the Chair to verify that
12 we've gotten it right. I'm looking for a way to meet the
13 timelines without making a mess with the Council and their
14 other responsibilities in the month of July.

15
16 CHAIRMAN O'HARA: That's a possibility. Any
17 other questions, Council?

18
19 MR. SAMUELSEN: So a statement from the
20 Council that -- on the order of -- to the man- -- as
21 managers, to the maximum extent possible, the federal
22 registration permits on federal lands should be given to
23 those bona fide subsistence users of 9(E) that failed to
24 apply or failed because they didn't cross a T or dot an I in
25 their application for a Tier II application, they should be
26 given a priority for those permits, is that enough direction?

27
28 MR. FISHER: And failed to obtain a Tier II
29 permit?

30
31 MR. SAMUELSEN: Yeah.

32
33 CHAIRMAN O'HARA: Where do you get it out of
34 one of those justification here?

35
36 MR. SAMUELSEN: Huh?

37
38 CHAIRMAN O'HARA: Is that out of the
39 justification?

40
41 MR. SAMUELSEN: No, that's just out of my
42 head.

43
44 CHAIRMAN O'HARA: Oh, okay. Well, you better
45 be sure and keep that, because -- write it down, because we
46 want to bring it back again.

47
48 MR. HEYANO: Well,.....

49
50 MR. BRELSFORD: Yeah, it's a good starting

00201

1 point.

2

3 CHAIRMAN O'HARA: Okay. Yeah. Good.

4 Robert?

5

6 MR. HEYANO: I'm not clear I guess. I'm
7 hearing conflicting things between Dave Fisher and Robin.
8 What I understood Robin is that he wants the priority to go
9 to the individual who somehow didn't fill out the permit
10 correctly. Fisher's response was somebody who didn't receive
11 a Tier II permit. So is it your intent that somebody who
12 kind of missed the boat for whatever reason and didn't have a
13 valid or an accurate application be considered first, or an
14 individual who didn't tally enough points be -- get the first
15 crack at the federal?

16

17 MR. SAMUELSEN: Either/or I would say.

18

19 MR. FISHER: For some reason didn't -- failed
20 to obtain a Tier II permit. Maybe he didn't qualify, maybe
21 he filled out the permit process, but that shouldn't deter
22 him from applying for a federal permit.

23

24 MR. HEYANO: Well, maybe because he didn't
25 qualify -- could it be possible he didn't qualify because he
26 just moved to the community?

27

28 MR. FISHER: That's possible.

29

30 CHAIRMAN O'HARA: We'd have a provision for
31 them not qualifying if they had moved to -- if they just
32 moved to the community.

33

34 MR. FISHER: But then.....

35

36 MR. HEYANO: Well, Mr. Chairman, I guess in
37 all honesty, I would rather see that federal permit go to the
38 75-year-old who's born and raised there, so.....

39

40 CHAIRMAN O'HARA: Uh-hum. That's why I say
41 we should make that provision.

42

43 MR. FISHER: Well, we would have that
44 opportunity when we selected the federal permittees. We
45 would be able to look at it and say, well, here's a 75-year-
46 old fellow. For some reason he didn't obtain a Tier II
47 permit, but he does apply for -- he does qualify for a
48 federal permit, and he has a long history of use. He would
49 probably rank out real high for a federal permit.

50

00202

1 CHAIRMAN O'HARA: Uh-hum. Any other
2 questions before we have Elizabeth and -- let's see, who was
3 going to -- was it Bruce?

4
5 MR. BRELSFORD: I think Bruce.

6
7 CHAIRMAN O'HARA: Okay. Bruce, would you
8 mind coming up, if -- state your names and kind of give just
9 a little bit of a brief history on -- they have gone through
10 this experience I believe in another district of Alaska.

11
12 (Indiscernible -- simultaneous speech)

13
14 (Whispered conversation)

15
16 COURT REPORTER: Mr. Chairman, as the debate
17 gets going, people tend to talk over one another and that
18 muddies the record.

19
20 CHAIRMAN O'HARA: State a name and one at a
21 time. Okay.

22
23 (Whispered conversation)

24
25 CHAIRMAN O'HARA: David, we're off record
26 here for a minute, okay?

27
28 (Off record - 10:08 a.m.)

29
30 (On record - 10:15 a.m.)

31
32 CHAIRMAN O'HARA: Call the meeting back to
33 order. And we have Elizabeth Andrews, Alaska Department of
34 Fish and Game.

35
36 MS. ANDREWS: Thank you, Mr. Chairman. My
37 name's Elizabeth Andrews, I'm with the Alaska Department of
38 Fish and Game.

39
40 CHAIRMAN O'HARA: Got to have it quiet.

41
42 MS. ANDREWS: Mr. Chairman, your Advisory
43 Council is really getting a handle on this joint management
44 situation and understanding Tier II, I think you've got a
45 pretty good handle on it.

46
47 I just wanted to give you some examples. There are
48 places elsewhere in the state where we have joint management
49 with a State Tier II hunt and a Federal registration hunt.
50 And it's for many of the same reasons that you're aware of

00203

1 here in your situation with the checker board pattern of
2 State and Federal lands in an area where people are hunting
3 on both State and Federal lands. We have examples from
4 Arctic Alaska with muskox in the Kaktovik area. We have
5 examples for a Tier II moose hunt in the Yukon Flats area
6 where there's State and Federal lands and a Federal permit
7 and a State Tier II permit. We have an example of Seward
8 Peninsula muskoxen with a State Tier II hunt and a Federal
9 registration hunt. And in the past we have had a hunt in the
10 Kilbuk Caribou Herd range that was a Federal registration
11 hunt that had to be allocated among a restrictive set of
12 Federal subsistence users.

13
14 Most pertinent to this example or situation that
15 you're discussing here would probably be the Seward Peninsula
16 muskox situation where we did spend a number of meetings with
17 community residents in that area from the villages as well as
18 Nome, and people hunt on both State and Federal land and some
19 villages hunted more on Federal lands and some more on State
20 land. And we had a State Tier II hunt and there would also
21 be a Federal registration hunt. It's similar in the sense
22 that you had to restrict the allowable harvest, I mean there
23 are only a certain number of animals that can be taken
24 combined State and Federal land. And after several meetings
25 with the communities and other members of the public, they
26 identified how many animals could be taken from the Federal
27 lands, similar to what you're doing when you're talking about
28 the 10 percent or the 60 animals in this case. And also
29 identified how many permits would go to each community. So
30 it was through a public process that with the villages -- and
31 you know, there was more time than there is here to identify,
32 okay, it'd be four permits to this community, two permits to
33 that community, and then under the State system I think we
34 had somewhere around 12 Tier II permits that we issued. So
35 the magnitude's a lot smaller, but the example is similar.

36
37 Now, how each of those villages handled the Federal
38 permits and that's partly what you're asking questions about
39 here, was in one case they basically did a drawing in the
40 community for the two permits that could be taken. People
41 came and put their name in a hat and they drew, and in
42 another case the people were -- that's where Bruce -- I can't
43 remember the other case. The -- there was only like four
44 permits and they were able to work it out in the community as
45 to who would get issued those permits, you know, and it was
46 based on who had experience hunting muskox and who had been
47 -- who was most dependent and so forth. So that's how it
48 worked in that case.

49
50 In the case of the Kilbuk caribou with the village of

00204

1 Kwethluk, they -- the village tribal issued the certain
2 number of per -- they announced a certain number of permits
3 would be available, first come first serve basis. And the
4 village worked with the local people to identify really those
5 that were most dependent on the caribou resource and that's
6 who was issued the permits.

7
8 But, you know, through your questions that you have
9 been asking, you know, your understanding to some extent why
10 the State has a system of scoring so many points for
11 customary and direct dependence and so forth because of the
12 situation the State's in where all Alaskans can apply, and we
13 have to make sure that when we get to the Tier II level that
14 those who are most dependent on the resource would be
15 eligible for the Tier II permits. So somebody who might have
16 been in a community only a couple of years hunting a
17 particular game population would get less points than
18 somebody who had been in a community for 30 years and was
19 dependent on the resource and had a longer term, customary
20 and traditional pattern of hunting that resource.

21
22 CHAIRMAN O'HARA: And lived in Anchorage?

23
24 MS. ANDREWS: Yeah, or lived in some other
25 community, sure.

26
27 CHAIRMAN O'HARA: Other part of Alaska.

28
29 MS. ANDREWS: Sure.

30
31 CHAIRMAN O'HARA: Uh-huh.

32
33 MS. ANDREWS: So you certainly have touched
34 on all of the elements for consideration. And what's -- you
35 know, what's important here is I mean you've identified -- I
36 mean we have a State Tier II permit system. You've been
37 talking about the approximate number of animals that could be
38 taken, of that allowable harvest that could be taken on
39 Federal land. And you're wrestling with how would those
40 Federal permits be allocated among the different communities
41 and who would get the permits in those communities.

42
43 CHAIRMAN O'HARA: Okay.

44
45 MS. ANDREWS: And so the Federal examples
46 are, there's been drawings in those communities and what was
47 the other examples?

48
49 MR. GREENWOOD: I'm Bruce Greenwood, National
50 Park Service.

1 CHAIRMAN O'HARA: Okay, go ahead.

2
3 MR. GREENWOOD: What Liz' was saying is that
4 they decided how to divide the permits amongst the different
5 communities. And what they did in Seward Peninsula is a
6 couple of different ways. One thing that they did is first
7 they assumed that the villages were (indiscernible) so there
8 was equal reliability on the resource, equal dependence on
9 the resources, and equal access to the resources; that was
10 the first assumption that they made. So that would fit under
11 the there criteria in the .804 process. So assuming that,
12 they decided it's best to let the villages decide how to let
13 these permits be issued.

14
15 So the Northwest Regional Advisory Council, what they
16 did is they gave it to the villages entirely. And what the
17 villages did up there is that they chose to do their own
18 split between the two villages. And let's see, and then what
19 the Seward Peninsula did is they looked at the population of
20 the villages and the Seward Peninsula Regional Advisory
21 Council actually allocated permits among the different
22 villages. And then the following year they kind of varied
23 that a little bit and what they did is again, they let the
24 villages decide. In one village the villagers decided to
25 have a drawing and so anyone that wanted to have a Federal
26 permittee they put their name in a box and it was chosen out
27 of the box. So everybody was agreeable to do that. The
28 other villages let the elder's council or the IRA Council
29 decide who got the permits.

30
31 Now, what they were advised is that since it's rural
32 residents, they also had to consider non-Natives in
33 allocation of those permits. So Ken Adkisson, who
34 administered this said in one case the village gave out of
35 the six permits, they gave two to non-Natives and four to
36 Natives and he was -- he thought that worked out pretty well
37 in that regard. And so far they've had no problems at all
38 with the permit allocation process.

39
40 Now, one thing to consider is that it's a dynamic
41 process. If, for example, you implement a process this year
42 and there's some problems you could always modify it for the
43 following years.

44
45 Let's see, is there anything else. What else they
46 had to consider is hunt distribution so they actually divided
47 the permits among the Federal agencies. Up there, for
48 example, there were 12 permits available -- I believe this
49 was in Unit 23, and they gave six permits to the National
50 Park Service and six permits to Bureau of Land Management.

00206

1 The permit actually specified where they could get it and
2 where, for example, the permits for BLM says you must get it
3 on BLM lands and for Park Service you must get it on Park
4 Service lands. Why they did this is they wanted to make sure
5 that the hunting was distributed throughout the whole unit
6 and that it wasn't focused on one particular piece of land.

7
8 So I guess in summary, the Councils felt it was
9 important for the villages to decide who got the permits and
10 they let the villages themselves decide what was the best way
11 to allocate those permits. Secondly, that the Council
12 decided that the Federal permits they had to make a division
13 between the different agencies because there's different land
14 areas that were being utilized and they'd base that on, I
15 believe, proximity to that particular resource.

16
17 Are there any questions?

18
19 CHAIRMAN O'HARA: Any questions, Council
20 members? Yes, come on up if you would like to be -- let's
21 see this is Ken -- no Jeff.

22
23 MR. DENTON: This is Jeff Denton.

24
25 CHAIRMAN O'HARA: Jeff, okay, go ahead.

26
27 MR. DENTON: The Anchorage Field Office, BLM.
28 Relative to the Seward Peninsula thing, you folks need to
29 bear in mind the biology and the biology of the muskox is
30 decidedly different than caribou. They're very sedentary,
31 the same little herds are in the same spot year after year
32 after year. Caribou, of course, down here move a great deal.
33 And the Tier II permits are -- may be harvested on those
34 Federal lands as well as a Federal registration permit. So
35 the jury's still out on Seward Peninsula on whether some of
36 the very accessible herds of muskox on Federal lands could
37 easily be over harvested.

38
39 I think the jury's still out on that we don't know
40 what the harvest distribution really is this year.

41
42 The second thing, down here with caribou. If a
43 certain.....

44
45 (Teleconference call coming in)

46
47 CHAIRMAN O'HARA: Hold on just a second here.
48 All right, go ahead.

49
50 MR. DENTON: Okay, this is Jeff Denton with

00207

1 the Anchorage BLM again. And just a consideration on your
2 part with the biology of caribou with Federal registration
3 permits, a certain proportion of them being allocated. You
4 know, caribou are highly mobile animals. There is the
5 opportunity the folks that have those Federal permits may
6 never have the opportunity to hunt depending on where those
7 caribou move.

8
9 So you know, my thought is still you need to manage
10 that harvest on a herd as a whole and not be dividing Federal
11 land versus State land because you're going to still -- the
12 opportunity for some folks with permits to be -- not be able
13 to hunt is there. And so the muskox thing is a little
14 different. They're dependable and in very localized areas
15 regularly. They're more subject to over harvest because of
16 that situation with the Tier II permit. Here, the
17 situation's just the opposite, the subsistence hunter many
18 not have the opportunity to harvest on the Federal lands,
19 depending on the -- the biology of the animal kind of
20 dictates a different situation in muskox versus caribou. So
21 just something to bear in mind on your deliberations.

22
23 CHAIRMAN O'HARA: Any questions Council
24 members? Thank you very much Jeff, appreciate that. Ted
25 Krieg would you feel comfortable giving us just maybe a
26 thumbnail sketch on what the Tier II requirements are? You
27 were at the same board meeting I was at, we went over it and
28 over it and over it again. Do you have this paper?

29
30 MR. KRIEG: No, I don't.

31
32 CHAIRMAN O'HARA: Do you need it?

33
34 MR. KRIEG: I guess I probably should.

35
36 CHAIRMAN O'HARA: Just so the audience will
37 know, we're going to be available with the teleconference in
38 case anyone from the villages want to call in. We've been
39 having a little trouble there but we have the lines open so
40 if they do want to call in, they'll come on line.

41
42 Okay, you want to talk to us.

43
44 MR. KRIEG: I'm Ted Krieg with Bristol Bay
45 Native Association, Natural Resource Department. Mr.
46 Chairman, I'm not -- like I said before, I'm definitely not
47 an expert on this because I just started learning about it,
48 too.

49
50 So you want the five points?

00208

1 CHAIRMAN O'HARA: Yes.

2

3 MR. KRIEG: Okay. So the point scoring,
4 there's a 100 points scoring. There are five questions on
5 the application -- and the first one is -- I'll try to
6 paraphrase it a little bit.

7

8 Have you hunted or eaten meat -- maybe I should just
9 read it. Up to 50 points are awarded for the number of years
10 the applicant has hunted or eaten meat from the game
11 population in the hunt area. One and two-thirds points are
12 awarded for each year. So I did some figuring and you'd have
13 to be 30 years old and eaten meat each of those years to get
14 the total number of points there, 50.

15

16 Up to 10 points are awarded for the number of years
17 any one member of the household has hunted or eaten meat from
18 the game population in the hunt area. One-third point is
19 awarded for each year.

20

21 The third one, up to 20 points are awarded for the
22 relative availability of alternative sources of big game.
23 This is measured as the percentage of big game harvested by
24 the applicant from the Tier II population. Relative to the
25 amount of big game harvested within the hunt area and from
26 other reasonably accessible hunts within 150 miles. Points
27 received may not exceed points calculated by the Department
28 for the community nearest the applicant's address.

29

30 Four. Up to 10 points are awarded for the cost of
31 food in the community where most of the applicants household
32 store bought food was purchased during the past year. Points
33 received may not exceed points calculated by the Department
34 using the cost of food index for the community nearest the
35 applicant's residence.

36

37 And then the fifth one. Up to 10 points are awarded
38 for the cost of gasoline in the community where most of the
39 applicant's household gasoline was purchased during the past
40 year. Points received may not exceed the points calculated
41 by the Department using the cost of gasoline for the
42 community near the applicant's residence.

43

44 CHAIRMAN O'HARA: That's number five?

45

46 MR. KRIEG: That's the fifth one, that's the
47 final one. And then that would be a total of 100 points if
48 you got the maximum.

49

50 CHAIRMAN O'HARA: Do the Council members

00209

1 understand all these five points criteria for Tier II?
2 Robert.

3
4 MR. HEYANO: Just a question, Ted. The
5 information provided in one and two.....
6

7 CHAIRMAN O'HARA: Robert, could I interrupt
8 you just a moment, we have Elizabeth Andrews who is very
9 versed on Tier II, would you mind if she sat at the table
10 with Ted?
11

12 MR. HEYANO: No, no.
13

14 CHAIRMAN O'HARA: Elizabeth, would you mind
15 just sitting there and many we can get our question answered
16 fairly quickly. Give us an overhead, I don't know if we want
17 to go into it too much in depth on that but since you did ask
18 that we be informed on it, we'll do it
19

20 Please state your name, Elizabeth and then we'll let
21 Robert go ahead and talk here.
22

23 MS. ANDREWS: Elizabeth Andrews, Alaska
24 Department of Fish and Game.
25

26 MR. HEYANO: I guess my question is, Mr.
27 Chairman, is the numbers derived from questions one and two.
28 Are those taken off of harvest tickets or is that -- how was
29 that information determined?
30

31 MR. KRIEG: I could -- I mean it was my
32 understanding that it's the honor system, so people put, you
33 know, put down their information. And I guess it's possible
34 from what I've heard say that it's possible that the
35 Department could check past records. But for those -- you
36 know, the first question it's whether you've hunted or eaten,
37 so you know, you don't have to hunt, it's just if you've
38 eaten the meat from that game population.
39

40 MR. HEYANO: Thank you.
41

42 CHAIRMAN O'HARA: Does that answer your
43 question, Robert?
44

45 MR. HEYANO: Yes.
46

47 CHAIRMAN O'HARA: Okay. Alvin.
48

49 MR. BOSKOFISKY: You moved into a place you
50 didn't have your 30 years then.

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1 COURT REPORTER: Mr. Boskofsky, could you
2 swing that microphone in front of you? Thank you.

3
4 MR. BOSKOFSKY: You moved into a place and
5 you didn't live there 30 years, what kind of points are you
6 going to get for that, nothing?

7
8 MS. ANDREWS: Mr. Chairman, you get one and
9 two-thirds point for each year, up to a maximum of 50 points.
10 So it'd be up to a maximum of up to 30 years. So you can see
11 we're not -- and it actually was our Board of Game that
12 decided that there would be a 100 point system, how it gets
13 split among these different questions. And so 50 of those
14 hundred points goes to the question of how many years have
15 you hunted or eaten caribou from this herd, and you can get
16 up to 50 points for that. And the way you get 50 points is
17 if you have a maximum of 30 years. So that's the bulk of it
18 and that was where the question on customary and direct
19 dependence, remember that from those three criteria is what
20 leads to -- it's this question that gets it measuring that.
21 And then it's less points for the other questions and the
22 other criteria.

23
24 MR. BOSKOFSKY: Another case would be if you
25 hunted all them years and say over the last few years you
26 weren't able to, you know, because of medical problems or
27 something. You know, then you're losing points there too.

28
29 MS. ANDREWS: Mr. Chairman, that's why we
30 have the question, what's the maximum number of years anyone
31 in your household has hunted or eaten caribou. So if you
32 were in that situation for health reasons or so forth but you
33 were in a household that either hunted or ate meat from
34 caribou from the North Alaska Peninsula Caribou Herd you
35 would get points for that, again, up to 30 years.

36
37 CHAIRMAN O'HARA: An example would be, you
38 know, the Chignik people going to Port Heiden to get meat or
39 having eaten there with their people in that Port Heiden area
40 would be a really good qualifier for points?

41
42 MS. ANDREWS: That's correct. And so with
43 these two questions, we're up to 60 points, it's almost two-
44 thirds of the total comes with those two, have you hunted and
45 eaten and has a member of your household hunted and eaten.

46
47 CHAIRMAN O'HARA: Alvin, did you have more
48 questions? Robert.

49
50 MR. HEYANO: What happens in this situation

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1 if we end up with 700 applicants with 100 points?

2

3 MS. ANDREWS: Excuse me, I was looking at the
4 questions again?

5

6 MR. HEYANO: I was wondering what happens in
7 the situation, this particular situation, if we end up with
8 700 applicants with 100 points?

9

10 MS. ANDREWS: Seven hundred applicants with
11 100 points, there would be a random draw. I mean the
12 computer would draw out -- if we say we're going to issue 600
13 permits or 650 from those 700, everybody's got the same
14 score, it gets drawn by computer.

15

16 MR. HEYANO: Thank you.

17

18 CHAIRMAN O'HARA: Any other questions,
19 Council members. Thank you very much, we appreciate that.

20

21 MR. SHANGIN: Mr. Chairman, this is Austin
22 Shangin, with the Native Village of Perryville. I'm just
23 checking with where you guys are on your agenda.

24

25 CHAIRMAN O'HARA: Give us your name again?

26

27 MR. HEYANO: Austin.

28

29 CHAIRMAN O'HARA: Austin. We're on -- we're
30 glad to have you with us this morning. We're on Proposal 32
31 dealing with the caribou on the Alaska Peninsula. Can you
32 hear us okay?

33

34 MR. SHANGIN: Yes, I can.

35

36 CHAIRMAN O'HARA: And right now we've had a
37 report from the Alaska Department of Fish and Game and we
38 have been looking at probably the -- what we would be doing
39 with perhaps 600 animals that might be harvested out of the
40 Alaska Peninsula, and we're trying to decide now if there's
41 600 permits issued under Tier II, and I don't know if you're
42 familiar with Tier II or not, Austin, but how many of these
43 would go to the Federal lands and who would qualify as
44 Federal users if these permits were issued to them, okay?

45

46 MR. SHANGIN: Yes. And I kind of got an idea
47 on this Tier II. I'm just waiting for the paper to come.

48

49 CHAIRMAN O'HARA: Okay. And what we're going
50 to do now is we're going to -- unless the Council had other

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1 questions, is we're going to hear from the Fish and Game
2 Advisory Committee Chairs and then we'll go to public comment
3 -- we'll do written comment which we really don't have much
4 but Jerry Berg will help us out when we get to it. We'll
5 open the floor to public comment and then the Council will
6 have a deliberation on this caribou issue.

7

8 MR. SHANGIN: All right, thanks.

9

10 COURT REPORTER: Mr. Chairman, could you have
11 Austin spell his last name, please?

12

13 CHAIRMAN O'HARA: Could you spell your last
14 name, Austin, please?

15

16 MR. SHANGIN: Shangin, S-H-A-N-G-I-N.

17

18 COURT REPORTER: Thank you, Mr. Chairman.

19

20 CHAIRMAN O'HARA: Okay, thank you, Austin.
21 Did you have anymore comments, Council members, on what we
22 might be doing here as far as this caribou issue? Robert.

23

24 MR. HEYANO: I got a sense maybe we're kind
25 of close, Mr. Chairman. And I thought maybe for
26 consideration, if we could put, in a form of a motion the
27 direction we, as a Council, would like to approach this and
28 then maybe get feedback from the public on this issue. Would
29 that be appropriate?

30

31 CHAIRMAN O'HARA: We've introduced the
32 proposal, we've done the biological, socio-economic cultural
33 situation here by -- thoroughly, I think we've discussed
34 that. Department of Fish and Game, Dick Sellers has given us
35 a report on it. We've had -- unless there's other agencies
36 that want to comment on it, are there other agencies that
37 we've left out that need to comment on this? Okay, yes,
38 Jeff. How many times do you want to comment on this, we've
39 heard you once?

40

41 MR. DENTON: Well, this is basically a
42 comment on the proposal as written. There's some portions of
43 it that we feel are kind of arbitrarily leaving some
44 potential harvest out of the picture. It doesn't deal with
45 the stuff down on the Peninsula, the Northern Peninsula Herd.
46 It deals with the very north end of 9(C). The proposal, as
47 written basically closes all of 9(C), and that northern --
48 the Alagnak Drainage and even parts of the Naknek Drainage
49 have considerable numbers of Mulchatna animals available to
50 harvest. And it appears to BLM that it's kind of arbitrary

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1 and capricious to, basically deny the opportunity to harvest
2 those animals to people, even local users of Levelock and
3 Egegik and so on when there is no biological reason to
4 restrict harvest on those animals. In fact, from our
5 standpoint, there's a biological reason to harvest more of
6 those animals. There are indications of habitat depletion up
7 there.

8
9 CHAIRMAN O'HARA: I'd like to have Dick
10 Sellers come up to the mic, if you would, please, and deal
11 with this issue? Dick, would you feel comfortable addressing
12 that? I'm glad you feel comfortable.

13
14 MR. SELLERS: Thank you, Mr. Chair. This is
15 Dick Sellers Alaska Department of Fish and Game.

16
17 CHAIRMAN O'HARA: That's a good point he
18 brought up, Dick, in talking about that 9(C) section and
19 Mulchatna and relationship to the North Peninsula Herd.

20
21 MR. SELLERS: Yes, we recognize that there is
22 a mixture within 9(C), and that was the consideration that
23 led the Board of Game to break out the Alagnak Drainage from
24 the Tier II portion of 9(C) so that the State season does
25 provide for a general hunt in the Alagnak Drainage with a bag
26 limit of one caribou. And the reason we were conservative
27 with that one caribou bag limit is because during the fall
28 there are several little splinter groups of caribou,
29 sometimes there's a hundred or 150 on the backside of
30 Sugarloaf, sometimes there's 300 or 400 up in the Katmai
31 Preserve up between Anguvik and Kakotlik, and we certainly
32 don't want to focus a lot of fall time effort on those little
33 splinter groups. And then in the winter, some years we have
34 a tremendous influx of Mulchatna animals and some years we
35 have virtually none. So again, we didn't want to have a
36 liberal winter bag limit in the event that we had very little
37 Mulchatna use of that area.

38
39 And then the other consideration is that if
40 somebody's, in the winter time, willing to travel up to the
41 Alagnak, they only have to go another 10 miles or so to get
42 into 9(B), either north of the Alagnak or across the Kvichak
43 where they have very little opportunity. So our feeling was
44 that if there are Mulchatna animals in that general region,
45 that someone with very little extra effort could get into
46 9(B) and have at it, so to speak.

47
48 CHAIRMAN O'HARA: Do you have same day
49 airborne next year for 9(B) as well?

50

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1 MR. SELLERS: After January 1st.

2

3 CHAIRMAN O'HARA: Oh, that's good, okay.
4 Does that satisfy your question, Jeff?

5

6 MR. DENTON: Yeah, in fact, Dick and I have
7 discussed this before. I thought I would bring it before
8 you. And I don't know if this splintering off of the Alagnak
9 as the Board of Game has done is something that needs to be
10 considered to make regulations consistent or not. That would
11 be my concern.

12

13 CHAIRMAN O'HARA: I don't think there's much
14 left of Proposal 32 in relationship to anything, period.
15 We're dealing with 600 animals. And the ground level is
16 different now than -- Dave. Thank you, Dick.

17

18 MR. FISHER: Yes, Mr. Chairman. Just a
19 point of clarification, our revised preliminary conclusion
20 addresses exactly what Jeff was talking about. We did mirror
21 the -- recommending mirroring the State regulations there for
22 9(C), split that area off.

23

24 CHAIRMAN O'HARA: Anything else, Jeff, you'd
25 like to address?

26

27 MR. DENTON: I guess I'm happy.

28

29 CHAIRMAN O'HARA: Okay, thank you. None of
30 us are happy. We're totally frustrated but there's nothing
31 much we can do about it. Okay, if we don't have any other
32 agencies -- yes, Donald Mike.

33

34 MR. MIKE: This is Donald Mike with Katmai
35 National Park in Aniakchak National Monument. Just to get on
36 the record for the Aniakchak National Monument and Preserve.
37 I think it's important to identify those resident zone
38 communities for Aniakchak to have some of the permits that
39 we're currently discussing and make sure we do not leave
40 those resident zone communities out.

41

42 CHAIRMAN O'HARA: Okay. In other words,
43 you'd like us to know that in your Federal agency of
44 Aniakchak that there's going to be subsistence available
45 through this permitting system?

46

47 MR. MIKE: Correct.

48

49 CHAIRMAN O'HARA: You're on record.

50

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1 MR. MIKE: Currently, we have five resident
2 zone communities so.....

3
4 CHAIRMAN O'HARA: What are they?

5
6 MR. MIKE: We have Port Heiden, Meshik,
7 Chignik Lake, Chignik Lagoon, Chignik Bay.

8
9 CHAIRMAN O'HARA: How come you left out
10 Perryville, Ivanof and.....

11
12 MR. MIKE: They're currently not on the
13 resident communities but it doesn't mean that they're not
14 qualified for subsistence in Aniakchak National Monument.

15
16 CHAIRMAN O'HARA: Okay.

17
18 MR. MIKE: They can get a permit from the
19 superintendent through the -- on a 1344 permit eligibility.

20
21 CHAIRMAN O'HARA: Pretty quiet, uh? That's
22 okay, say that last part again now so we can hear you.

23
24 MR. MIKE: The residents of Perryville and
25 Ivanof Bay are -- do not -- or are not currently on the
26 resident zone communities for Aniakchak National Monument.
27 And that does not mean that they do not qualify for
28 subsistence in the Monument. They can qualify for
29 subsistence by a process we call a 1344 eligibility permit.

30
31 CHAIRMAN O'HARA: Thank you very much,
32 Donald, appreciate that. We'll close off agencies at this
33 time unless I've left someone out and we're going to go to
34 Fish and Game Advisory Committee Chair comments. Any members
35 out there today in the audience who -- RAC group as well, I'm
36 sure they appear here today. This is your opportunity to
37 address the caribou issue that we're dealing with in your
38 region. Anybody?

39
40 MR. WEBSTER: This is Vince.

41
42 CHAIRMAN O'HARA: Vince, we know how much you
43 like speaking in public so we're just delighted to have you
44 with us today.

45
46 MR. WEBSTER: My name is Vince Webster. I'm
47 co-chair of the Naknek/Kvichak Advisory Committee. We
48 represent Naknek, South Naknek, King Salmon, and Levelock
49 with these issues on the North Peninsula Caribou Herd, mainly
50 through the communities of Naknek, South Naknek and King

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1 Salmon. And in particular, the South Naknek -- or in
2 particular South Naknek because they're on the south side of
3 the Naknek River.

4
5 As far as -- there's very little of our communities
6 that actually harvest on Federal lands. So what you
7 determine here on Federal lands will have very little impact
8 in our communities. And I guess I'll just ask for questions
9 just if you want anything clarified?

10
11 CHAIRMAN O'HARA: Vince, they do go up Big
12 Creek and there is -- Becharof Refuge is on Big Creek. Some
13 people do access the Alaska Peninsula with aircraft, you
14 know, Becharof and on down farther. So you do have some
15 interest in what goes on in Federal lands but not very much.

16
17 MR. WEBSTER: I would agree with that, yes.

18
19 CHAIRMAN O'HARA: Okay. I guess what we're
20 going to do here then is, it probably doesn't, maybe effect
21 too much those three communities?

22
23 MR. WEBSTER: I would say not. However, the
24 -- if you, in determining the number of permits, I think you
25 -- we have discussed in our committee the amount of caribou
26 that's actually harvested that are the Mulchatna Herd. So
27 you need to consider that.

28
29 And that's about all I have to say.

30
31 CHAIRMAN O'HARA: Any questions Council
32 members? Thank you very much, Vince. We appreciate you
33 taking time to come here and listen to our program.

34
35 MR. WEBSTER: Thank you.

36
37 CHAIRMAN O'HARA: Myra.

38
39 MR. OLSEN: Hello. My name is Myra Olsen and
40 I serve as Chair of the Lower Bristol Bay Advisory Committee.
41 And my only comments are you seem to be heading in the right
42 direction in protecting the local users to obtain their
43 needed caribou. This Tier II system regime is really new to
44 me and I'm real uncomfortable with it. However, we, as a
45 group, felt that that was the only way that the shortage of
46 caribou could be addressed and still provide for some of the
47 subsistence needs.

48
49 One of my concerns was with the State law that says
50 all Alaska residents are subsistence users. That that would

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1 stack the deck if urban residents could qualify to hunt the
2 North Peninsula Caribou Herd and leave out people locally
3 that really depend on the resources. But I guess I'm growing
4 a little more comfortable with that. And I think that it
5 would be valuable if you target those communities that are
6 under permitted under the Tier II system by filling in the
7 blanks with the Federal permits. I think that might be a
8 valuable tool to make sure the local people get what they
9 need.

10
11 That's pretty much it.

12
13 CHAIRMAN O'HARA: Okay. Any questions.

14
15 MS. OLSEN: And by the way, the Lower Bristol
16 Bay Advisory Committee is made up of the communities Egegik,
17 Pilot Point, Ugashik and Port Heiden.

18
19 CHAIRMAN O'HARA: Okay. Any questions,
20 Council members? Thank you very much, Myra, appreciate it.
21 John Knutsen.

22
23 MR. KNUTSEN: John Knutsen. And I'm
24 representing the majority of the shareholders with Pauq-Vik,
25 Inc., Limited, the Village Corporation in Naknek and also 100
26 percent of the traditional members of the Naknek Village
27 Council. And initially when I came over it wasn't for the
28 purpose of commenting on Proposal 32 or the caribou issue but
29 after hearing all the comments, I feel like I need to.

30
31 In regards to Vince's comment about not effecting the
32 three communities by what you do here. The reason for that,
33 I believe is that traditionally we hunted up Big Creek, prior
34 to ANILCA and even after ANILCA. And ask you know with the
35 formation of the refuges, Alaska Peninsula and Becharof, it
36 was divided up into guide group -- guide areas on the refuge
37 itself. And consequently, Big Creek is a guide area. And
38 unfortunately, sport hunting coincides with traditional
39 hunting of caribou and moose up Big Creek. And basically I
40 think we were displaced by that fact, having guides from
41 around the -- I mean hunters from around the State and the
42 Lower 48 up in that area not only displaced the local users
43 but it also made it harder to obtain moose and caribou
44 because they were driven out of the area. It's only common
45 sense that when you overuse an area animals won't come back.

46
47 Another comment, as far as what we're going through
48 now, we're going through a Tier II hunt. Last fall when we
49 had our special workshop there in Naknek we never would have
50 thought that we were going to be at this stage this soon but

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1 we are. And at what point do we decide that this is
2 happening throughout the state? I mean it's happening at
3 other parts, it's happening here. And in listening to
4 comments from what few traditional users we get here to
5 comment, they're always saying they need to feed their
6 family; we only take what we need. I think that philosophy
7 would work with conservation of any type of resource. But
8 too much and too many times I've heard other user groups make
9 the comment, we need to maximize the use of a resource. And
10 unfortunately, most of the time that's how we deal with the
11 resource, we maximize it. And as a result, where are we now,
12 we're at Tier II. And I believe that trend is going to
13 continue if we continue to maximize the resource.

14
15 It's just my feeling. I wish that we could go back
16 to take what we need as we need it. That's the only comments
17 I have.

18
19 CHAIRMAN O'HARA: Okay. Any questions,
20 Council members? Okay, thank you very much Smiley.

21
22 MR. KNUTSEN: And I hope you could hear me.

23
24 CHAIRMAN O'HARA: That's a neat system we
25 have set up over here where people who do have a problem
26 hearing can -- morning John.

27
28 MR. J. LIND: Johnny Lind from Chignik
29 Advisory Committee. All I got to say is I think BBNA needs
30 to play a big part in educating people of what's going on
31 since Tier II is pretty new. That's all I have to say.

32
33 CHAIRMAN O'HARA: Okay. Ted Krieg is going
34 to be -- we hope going to be helping out a lot with the Tier
35 II system. Any questions, Council members? Robert.

36
37 MR. HEYANO: Well, I guess, Mr. Chairman, you
38 know, addressing Johnny Lind's concerns. You know, is there
39 -- can we ask the other Federal agencies to lend a hand in
40 this in helping the residents in these communities correctly
41 fill out the Tier II?

42
43 CHAIRMAN O'HARA: Okay, after we.....

44
45 MR. HEYANO: You know, there's going to be a
46 lot of individuals who will require some assistance. You
47 know it might be something that a single organization can't
48 adequately handle so.....

49
50 CHAIRMAN O'HARA: Yeah, it's a good question

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1 but I'll ask it after the public comment. Robin, excuse me
2 -- no, okay. Any other questions, Council members? Okay,
3 thank you, John. Orville. And then we'll have Sid come
4 after that.

5
6 MR. O. LIND: Thank you, Mr. Chairman.
7 Orville Lind, Alaska Peninsula Becharof Refuge. Just to
8 inform you folks that in the past week I've already had one
9 of our employees working with the villages on understanding
10 the Tier II permitting system and also the Federal
11 registration system.

12
13 And the other thing is that our agency will assist in
14 any way we can to accomplish this.

15
16 CHAIRMAN O'HARA: Okay, good. So you'll be
17 available. Any questions, Council members? Okay, thank you,
18 Orville. Sid, did you have a comment you wanted to make? We
19 left your card out yesterday and I apologize for that.

20
21 MR. SMITH: Well, we'll talk about -- well,
22 we can talk about that later. My name is Sid Smith. I'm a
23 tribe member from New Stuyahok, I'm living here in Dillingham
24 now.

25
26 Tier II, after looking at a lot of the paperwork that
27 we just got here and whatnot. In order to be really
28 qualified under the Tier II, you have to be 30 years old. In
29 the villages a lot of the elders used to tell us when you're
30 30 years old you're an elder, start teaching the younger
31 kids. A guy who's 23 years old don't even see 73.4 points
32 under this system. That's leaving out where you buy your
33 food or how much it cost for your food. I don't know how
34 many points you give for what you pay for food in the
35 villages. At 25, you only get 81.8. At 30 years old you're
36 just touching 90 points. I guess my concern is is how do we
37 -- how do we build in for our youth to start hunting?

38
39 In one of your paperworks that says, realistically in
40 order for you to apply you at least have to be 12 years old.
41 I started hunting when I was probably seven or eight or
42 trapping. So my concern is, I guess, the past experience
43 that we had with the State is it could Tyonek, English Bay,
44 and some of the villages up north, when they give you a set
45 form or a set quota that two or three years down the line
46 they made you stick with it. You got to be satisfied with
47 it. You know, we had to go back two or three times to fight
48 the State, that's not the real number. The only reason we
49 did some of these things was to try to protect what we had
50 and try to, you know, have the renewable resource recycle for

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1 our youth and our grandkids. But with this system here it --
2 you take a village of -- I'll use New Stuyahok. All the kids
3 from eight years old up to 20 will never be able to
4 participate down the future if we don't watch what we're
5 doing. Because we know that human beings also are a
6 renewable resource and we're going to have a lot of people in
7 this state.

8
9 CHAIRMAN O'HARA: Is that it, Sid? Okay.
10 Any questions, Council members? Thank you for your comment
11 today, we appreciate it very much. Anyone else from the
12 Councils or a RAC group that would like to testify on this
13 issue? Anyone else? Summary of written comment -- public
14 comment. Jerry.

15
16 MR. BERG: Yes, Mr. Chair. All of the
17 written comments that we received were written in regards to
18 the actual proposals that were submitted. So obviously we're
19 in a little bit -- quite a bit different situation today than
20 we were when these comments were submitted. So for the
21 record, I will summarize that for Proposals 32, 33 and 34, we
22 received 20 comments that were opposed to the proposals as
23 written, and four were submitted to modify those proposals.

24
25 And I'll just leave it at that unless the Council has
26 specific questions on who submitted the comments and what the
27 details were if you want further information.

28
29 CHAIRMAN O'HARA: Any questions, Council
30 members? Public comment. Ted Krieg, public comment. After
31 this, deliberation by the Council.

32
33 MR. KRIEG: Ted Krieg with the Bristol Bay
34 Native Association, Natural Resource Department. I'll be
35 brief because I don't know that I can add too much to, you
36 know, what's already been said and said in the past. But
37 BBNA, we'll try to do whatever we can. We'll work, you know,
38 like Orville said, work with the Fish and Wildlife Service,
39 Alaska Peninsula Becharof Refuge. We've always had a good
40 working relationship with, you know, with all the agencies
41 and I think this is one time we could really pull together
42 and make sure this all works. And it's going to be an
43 education for everybody, and you know, maybe a time for
44 people to, you know, realize, too, the importance of
45 recording the information.

46
47 And I guess, I think you're on the right track like
48 Myra had said, too, I mean providing for those rural
49 residents. You know, that's really needed, especially with
50 the fishing disaster years right now, that's real important.

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1 And I guess, I just -- you know, I always think about
2 those villages of Ivanof Bay and Perryville and even on the
3 Chigniks, you know, that they've kind of had a lack of
4 caribou for a while, and I think some of our information from
5 our subsistence harvest surveys point that out. So you know,
6 I'm not sure how that all fits into the equation, but you
7 know, just generally, Perryville and Ivanof, you know, the
8 years we were doing those surveys they had to go to other
9 areas, Port Heiden and then I know Chignik -- Chignik Lake,
10 and there's people here that would know better than I, but
11 you know, they've had -- if the weather's good they have
12 access across Chignik Lake and Black Lake and they actually
13 even go over to the other side. I know the one -- at least
14 one of the years that -- of our subsistence harvest surveys,
15 a lot of their harvest was on the -- almost over on the
16 Bristol Bay side of the Peninsula.

17
18 So maybe that -- that's all I've got right now. But
19 you know, I've been committed to try to help as much as I can
20 to make this work. That's all I've got, thanks.

21
22 CHAIRMAN O'HARA: Any questions, Council
23 members? Okay, thank you, Ted. Any other public comment
24 that would like to take place at this time? All right, Myra.

25
26 MS. OLSEN: My name is Myra Olsen. I forgot
27 to add one comment. In this mix as you're deliberating, it
28 would be helpful, I think, to address the predator issue. I
29 know that on the State side we were only able to increase the
30 bear season by a little bump, you know.....

31
32 CHAIRMAN O'HARA: Uh-huh.

33
34 MS. OLSEN:they gave us an extra week.
35 But the idea has been floating that you might waive the guide
36 requirements for locals to go out and take people out to get
37 bears or -- or in some other manner, address the predator
38 control type regime. And I don't know where you would fit it
39 in or how you would do that but it's something that I'd like
40 you to consider.

41
42 Thank you.

43
44 CHAIRMAN O'HARA: Any questions, Council
45 members? Any other public comment? No more public comment?

46
47 MR. BRELSFORD: Mr. Chairman.

48
49 CHAIRMAN O'HARA: Yes, sir.

50

00222

1 MR. BRELSFORD: It might be good to invite
2 the audio-conference participants one last time.

3
4 CHAIRMAN O'HARA: Oh, I'm sorry, I should
5 have done that. Austin, are you still with us.

6
7 MR. SHANGIN: Yes. And on what Ted Krieg was
8 talking about, the caribou -- we have to go other places
9 outside of Perryville, Port Heiden or out by boat to get our
10 caribou and we haven't seen no caribou down in this area for
11 quite a while. And I believe the same thing for Ivanof Bay,
12 I don't know. But we have to go out of our way to get our
13 caribou.

14
15 CHAIRMAN O'HARA: Okay. Is that all, Austin?

16
17 MR. SHANGIN: Yes.

18
19 CHAIRMAN O'HARA: Any questions, Council
20 members for Austin? Thank you, Austin. Can you hear me?

21
22 MR. SHANGIN: Yes.

23
24 CHAIRMAN O'HARA: Okay, thank you. Any other
25 public comment? At this time I'd like to take a little break
26 and I think the Council is going to have to come up with a
27 motion here to deal with this issue right now to recommend to
28 the Federal Board. And I think we need to just have a little
29 moment to maybe write something out that we can kind of begin
30 dealing with here so we'll take a 10 minute break.

31
32 (Off record - 11:10 a.m.)
33 (On record - 11:21 a.m.)

34
35 CHAIRMAN O'HARA: At this time we have gone
36 through the procedure to get the Council to make deliberation
37 on the recommendation of the North Peninsula Caribou Herd.
38 What is the wish of the Council at this time?

39
40 MR. SAMUELSEN: Mr. Chairman.

41
42 CHAIRMAN O'HARA: Robin.

43
44 MR. SAMUELSEN: I move that to read in the
45 draft handout by Staff, I'll be reading from that revised
46 draft, preliminary conclusions on Proposals 32, 33 and 34
47 under preliminary conclusions: I will move Subunit 9(C),
48 that portion within the Alagnak River Drainage, one caribou,
49 August 1st to September 31st, Subunit 9(C) remainder, one
50 bull by Federal registration permit or State Tier II permit,

00223

1 August 10th to September 20th and November 15th to February
2 28th. Federal public lands are closed to the taking of
3 caribou except by Federally qualified subsistence users.
4 Federal permits may be used -- let's see, the total number of
5 permits to be issued -- excuse me. Subunit 9(E) remainder,
6 one bull by Federal registration permit or State Tier II
7 permit, August 10th to September 20th and November 1st to
8 April 30th. The total number of permits to be issued upon
9 both Federal and State lands in Units 9(C) and (E) should not
10 significantly exceed the harvestable surplus of 600 bulls.

11
12 CHAIRMAN O'HARA: Is that the extent of your
13 motion?

14
15 MR. SAMUELSEN: Yes.

16
17 CHAIRMAN O'HARA: Is there a second to the
18 motion?

19
20 MR. ENRIGHT: I second it.

21
22 CHAIRMAN O'HARA: Okay, Tim seconded the
23 motion. Would you like to address the motion?

24
25 MR. SAMUELSEN: Well, Mr. Chairman, I'd like
26 Staff -- somebody from Staff to get up and make sure that my
27 motion, before I speak to it addresses all the concerns and
28 is consistent with what the State Board of Game adopted?

29
30 MR. FISHER: Read that again. Sorry, I want
31 to make sure I get the whole picture here.

32
33 CHAIRMAN O'HARA: You've got that one?

34
35 MR. FISHER: Yeah.

36
37 MR. SAMUELSEN: It's basically what you
38 wrote, Dave.

39
40 CHAIRMAN O'HARA: Yeah.

41
42 MR. SAMUELSEN: Mr. Sellers, did you hear my
43 motion?

44
45 MR. SELLERS: I'm waiting.....

46
47 MR. SAMUELSEN: Okay.

48
49 MR. SELLERS: I guess the only comment I
50 would have is that under the State regulations, 9(E) is no

00224

1 longer subdivided. And just for purposes of simplification,
2 I wonder if you should consider reopening that portion of
3 Federal lands that is now closed since if it's reopened it
4 would only be reopened to qualified subsistence users and
5 just simplify the regs.

6
7 That's the area that's in the south portion on the
8 Pacific side, primarily. Just in case there was some band
9 available to Port Heiden -- or Perryville or Ivanof Bay they
10 would -- on Federal lands they would be able to make a
11 harvest there.

12
13 MR. SAMUELSEN: Mr. Chairman, I would include
14 that in my motion, okay.

15
16 CHAIRMAN O'HARA: Second, is that okay with
17 you, Tim?

18
19 MR. ENRIGHT: Yeah.

20
21 CHAIRMAN O'HARA: Okay. Dave you seem to
22 want a little more clarification on the motion here or did
23 you want to.....

24
25 MR. FISHER: No, I want to make sure that
26 it's understood that we're talking 600 animals, approximately
27 600 animals from both 9(C) and 9(E).....

28
29 MR. SAMUELSEN: Yes.

30
31 MR. FISHER:for that portion of 9 -- or
32 that remainder portion of 9(C)?

33
34 MR. SAMUELSEN: Yes.

35
36 MR. FISHER: And I didn't get the first part
37 of your motion.

38
39 MR. SAMUELSEN: IT was under.....

40
41 MR. FISHER: Did you read directly the
42 Subunit 9(C), that portion within the Alagnak Drainage, one
43 caribou, that.....

44
45 MR. SAMUELSEN: Yes.

46
47 MR. FISHER: Did you include that in your
48 motion, I missed it so.....

49
50 MR. SAMUELSEN: I included them two

00225

1 sentences.

2

3 MR. FISHER: I know BLM has some concern with
4 that and so that way that would cover that. Thank you.

5

6 CHAIRMAN O'HARA: Okay. So is that
7 consistence with what the State Board of Game adopted and
8 we're trying to achieve here?

9

10 MR. SELLERS: The intent is clearly in line.
11 The State actually codified regulations have some built-in
12 flexibility as I mentioned earlier where the actual language
13 says, one caribou and up to 1,200. But that's looking down
14 the road away and I don't know how much of that type of
15 flexibility you want to build into your recommendation. But
16 certainly that's in line with the approach we're taking
17 through the upcoming year.

18

19 CHAIRMAN O'HARA: Dave, do you have a
20 comment?

21

22 MR. FISHER: I just want to make sure we all
23 understand what we're doing here. We're opening back up that
24 area that was closed earlier, from -- that portion southwest
25 of the headwaters of Fireweed and Blueberry Creek, that area
26 there that we closed earlier to all caribou hunting on
27 Federal public lands. Okay.

28

29 CHAIRMAN O'HARA: Robert.

30

31 MR. HEYANO: Mr. Chairman, my understanding
32 is it's only open to qualified -- so technically, the only
33 people who can take advantage, if there's caribou there and
34 they have a permit, is going to be the people from Ivanof and
35 Perryville; is that correct?

36

37 CHAIRMAN O'HARA: That's right.

38

39 MR. FISHER: No, that portion is closed.
40 There is no Federal open season.

41

42 MR. SAMUELSEN: For everybody?

43

44 MR. FISHER: Remember those people -- they
45 had a resolution and they wanted the area closed, all.....

46

47 CHAIRMAN O'HARA: Robin, did you want to
48 address that?

49

50 MR. SAMUELSEN: Yeah. Remember we closed

00226

1 them lands on a request from them villages over there because
2 there was no animals going over there. What we're saying now
3 because in the Tier II, we're willing to open that.

4

5 MR. HEYANO: Yeah, I understand that
6 perfectly. But the only people who are probably going to
7 take advantage of it is those two communities, basically, if
8 there happens to be caribou available and somebody has a
9 permit.

10

11 MR. FISHER: Before they wouldn't.....

12

13 MR. HEYANO: Right.

14

15 MR. FISHER:there was no hunting there.

16

17 MR. HEYANO: Right. I don't have a problem
18 with allowing them.....

19

20 MR. FISHER: I just didn't want to get into
21 the situation where we get back to the office and start, oh,
22 gosh, did those guys really mean that. I don't mean to
23 belittle the point.

24

25 MR. HEYANO: Okay.

26

27 CHAIRMAN O'HARA: No, it's a good point of
28 clarification and we understand that. Any other discussion?
29 Bruce, did you have a need to come up here and sit down and
30 identify yourself? While Bruce is coming up, Robin, the last
31 part of your motion there said that it would be agreed upon
32 by Federal and State agencies to issue the actual harvest
33 will not significantly exceed the harvestable surplus at 600
34 bulls. But what number did you put in there in your motion
35 that would have the number bulls for Federal use? How many
36 animals is that going to be?

37

38 MR. SAMUELSEN: For Units 9(C) and 9(E) a
39 total of 600, and I'd just as soon leave it to Staff to work
40 out the proportions because 90 percent of the harvest takes
41 place on State land right now and 10 percent on Federal land.

42

43 CHAIRMAN O'HARA: So you don't want to
44 specify 10 percent of that 600?

45

46 MR. SAMUELSEN: No, I don't.

47

48 CHAIRMAN O'HARA: Okay.

49

50 MR. SAMUELSEN: Plus we're already -- we've

00227

1 -- in my motion, I've encompassed opening up new areas to
2 afford them villages on the Pacific side to harvest on their
3 traditional hunting lands, which would be State lands.

4
5 CHAIRMAN O'HARA: Okay. Do all the Council
6 members understand that? There was a little confusion to me.
7 I was thinking in terms of 10 percent which would be 60, but
8 that's okay.

9
10 MR. HEYANO: Mr. Chairman.

11
12 CHAIRMAN O'HARA: Yes, Robert.

13
14 MR. HEYANO: Well, I guess, Mr. Chairman, I
15 understand the intent of the motion and I think that, you
16 know, there's some flexibility in the State's program
17 depending on the condition or the numbers of the caribou, you
18 know, it can go up or down. And I think basically we would
19 like our -- the Federal permit system to fluctuate with that
20 and, you know, information shows that we're looking at
21 approximately 10 percent harvest on Federal lands. So you
22 know, I think our intent is to kind of mirror that on a 10
23 percent ratio.

24
25 CHAIRMAN O'HARA: Good.

26
27 MR. HEYANO: The 600 number is if the status
28 of the herd doesn't change as it is today.

29
30 CHAIRMAN O'HARA: All right, good.

31
32 MR. HEYANO: Is that clearer?

33
34 CHAIRMAN O'HARA: Yes.

35
36 MR. HEYANO: A clearer intent?

37
38 CHAIRMAN O'HARA: Yes, I understand that.
39 And that was a little bit confusing but I understand that at
40 this time. Bruce, did you have something you wanted to
41 mention there?

42
43 MR. GREENWOOD: Yes, Mr. Chair, and Council,
44 Bruce Greenwood, Alaska Support Office, National Park
45 Service. A consideration for the Council is the customary
46 and traditional use for Unit 9(E) and 9(C). Presently, the
47 residents of Unit 9(B) have customarily and traditionally
48 used for Units 9(C) and 9(E).

49
50 Under the .804 criteria, Unit 9(C) could be left out

00228

1 under the criteria of local residency. So the Council could
2 determine that local residency are those units of -- those
3 residents of Unit 9(C) and 9(E), and not in 9(B), that's a
4 consideration.

5

6 CHAIRMAN O'HARA: Yes, Robert.

7

8 MR. HEYANO: I don't have a problem with
9 doing that and I think the residents of Unit 17 also have c&t
10 on caribou.

11

12 MR. GREENWOOD: Within Unit 9(E).

13

14 CHAIRMAN O'HARA: In fact, at this time, we
15 need to call Pat McClenahan up and let her take Dave's place
16 there and you read into the record for us Pat so we all
17 understand the c&t eligible communities, which actually take
18 in Sand Point and King Cove, I believe, so could you do that
19 for us, if you would, Pat?

20

21 MS. McCLENAHAN: Pat McClenahan, Staff
22 anthropologist. Mr. Chairman, first I'll read the c&t and
23 then I'll tell you which communities belong to those units.

24

25 Caribou, Units 9(A) and 9(B), rural residents of
26 Units 9(B), 9(C) and 17. Unit 9(C) rural residents of Units
27 9(B), 9(C), 17 and residents of Egegik. Unit 9(D) rural
28 residents of Unit 9(D). Unit 9(E), rural residents of Units
29 9(B), 9(C), 9(E), 17 and residents of Nelson Lagoon and Sand
30 Point.

31

32 So you need a resident list. Unit 17 is -- oops, I'm
33 on the wrong page for Unit 17. Somebody can catch me if I
34 leave anybody out. Togiak, Twin Hills, Manokotak, Ekuk,
35 Clark's Point, Dillingham, Aleknagik, Ekwok, New Stuyahok,
36 Koliganek, and that's, I think it. Did I leave anybody out
37 for.....

38

39 CHAIRMAN O'HARA: Unit 17?

40

41 MS. McCLENAHAN:Unit 17?

42

43 MR. HEYANO: Portage.

44

45 MS. McCLENAHAN: Portage, okay, thank you.

46

47 CHAIRMAN O'HARA: But they're not in there --
48 it's not in there.

49

50 MS. McCLENAHAN: Unit 9(B), Port Alsworth,

00229

1 Nondalton, Pedro Bay, Iliamna, Newhalen, it looks like --
2 yeah, that's right, Kakhanok, Igiugig, Levelock. Unit 9(A)
3 has no residents. Unit 9(C), King Salmon, Naknek, South
4 Naknek. Unit 9(E), Egegik, Pilot Point, Ugashik, Port
5 Heiden, Chignik Lagoon, Chignik, Chignik Lake, Perryville,
6 Ivanof Bay, Port Moeller.

7
8 MR. BOSKOFISKY: You forgot Chignik Bay.

9
10 CHAIRMAN O'HARA: Chignik Bay.

11
12 MS. McCLENAHAN: Yeah, I said Chignik.....

13
14 CHAIRMAN O'HARA: There's three Chignik's,
15 right.

16
17 MS. McCLENAHAN: Yeah, right. Did I mention
18 Port Heiden.

19
20 CHAIRMAN O'HARA: Uh-huh.

21
22 MS. McCLENAHAN: Unit 9(D), Nelson Lagoon,
23 Sand Point, Cold Bay, King Cove. Did I get everybody, I
24 think?

25
26 CHAIRMAN O'HARA: You did mention Perryville
27 and Ivanof, too, right?

28
29 MS. McCLENAHAN: Yes, Perryville and Ivanof.

30
31 CHAIRMAN O'HARA: Is that it Council members?
32 Staff, did we cover everyone? Okay, thank you, Pat.

33
34 MS. McCLENAHAN: Thank you.

35
36 CHAIRMAN O'HARA: Any further discussion on
37 the motion? Everyone clear on the motion, Council members?

38
39 MR. SAMUELSEN: Mr. Chairman.

40
41 CHAIRMAN O'HARA: Yes.

42
43 MR. SAMUELSEN: For discussion purposes. I
44 guess the intent of my proposal is to afford those
45 communities in 9(E) and (C) in close proximity to the
46 depressed caribou herd in the right to participate in a Tier
47 II hunt. Fully realizing that surrounding or adjacent
48 villages outside of the boundaries of 9(E) and (C) have a c&t
49 finding on those caribou that reside in 9(E) and (C). But
50 because of the limited number of -- because we cannot grant

00230

1 subsistence users of 9(E) and 9(C) enough caribou to fulfill
2 their subsistence needs, the intent of my motion in this Tier
3 II situation in 9(E) and (C) was to afford those domicile
4 village residents in that 9(C) and (E) the right only to
5 participate in that Tier II hunt.

6
7 CHAIRMAN O'HARA: Good.

8
9 MR. SAMUELSEN: Did I state that right, Pat.

10
11 MS. McCLENAHAN: Yes.

12
13 CHAIRMAN O'HARA: I think we need to make
14 very clear, too, that in the minutes of the record, that when
15 the final results of permitting comes out, that we look at
16 these dependent villages such as Egegik, Pilot Point,
17 Ugashik, Port Heiden, the there Chigniks, Perryville and
18 Ivanof, that if there has been areas where these people have
19 had -- been left out of their permitting system under Tier
20 II, that we are going to come back with this Council to the
21 Federal Board to ensure that those villages needs are met on
22 the subsistence of -- issues of caribou if more Federal
23 permits have to be issued. Do we understand that?

24
25 Robert. Do we all agree on that?

26
27 MR. HEYANO: I could agree to reserving the
28 right, Mr. Chairman for review by this Council if it needs to
29 be and I don't want to just limit it. I think we need to be
30 able to review the whole process.

31
32 CHAIRMAN O'HARA: Uh-huh.

33
34 MR. HEYANO: The season.

35
36 CHAIRMAN O'HARA: We do all agree on the
37 upper number of 600 then, and that's the first priority? Any
38 further discussion?

39
40 MR. SAMUELSEN: Mr. Chairman.

41
42 CHAIRMAN O'HARA: Yep.

43
44 MR. SAMUELSEN: My last comments I'll include
45 in my motion as an understanding or if not, I'd ask my second
46 to concur, if that's his understanding?

47
48 MR. ENRIGHT: Yeah.

49
50 MR. SAMUELSEN: I think we're set.

00231

1 CHAIRMAN O'HARA: We nodded our heads, but
2 what does that mean?

3
4 MR. SAMUELSEN: Uh?

5
6 CHAIRMAN O'HARA: We nodded our heads but
7 what does that mean?

8
9 MR. SAMUELSEN: That we are going to afford
10 those communities in 9(E) and 9(C) only to participate in at
11 c&t hunt fully recognizing that areas in 17(A) and to the
12 south have a c&t determination but because we cannot meet the
13 subsistence needs, we've got 50 percent of the animals that
14 we need, 600 instead of the 1,200.

15
16 CHAIRMAN O'HARA: Okay.

17
18 MR. SAMUELSEN: We're going to provide a Tier
19 II hunt for those villages that reside in 9(C) and (E).

20
21 CHAIRMAN O'HARA: Okay. Robert.

22
23 MR. HEYANO: I don't have a problem with it,
24 but I would prefer to handle it in a separate motion and not
25 tie it into.....

26
27 MR. SAMUELSEN: Fine.

28
29 MR. HEYANO:this one here.

30
31 MR. SAMUELSEN: I'll withdraw it.

32
33 CHAIRMAN O'HARA: All right.

34
35 MR. SAMUELSEN: The second concurs, Mr.

36 Chairman.

37
38 CHAIRMAN O'HARA: Okay. Call for the
39 question.

40
41 MR. BOSKOFISKY: Question.

42
43 MR. SHANGIN: Question.

44
45 CHAIRMAN O'HARA: Roll call vote.

46
47 MR. BERG: Roll call vote on the motion made
48 by Robin and seconded by Tim. Dan O'Hara.

49
50 CHAIRMAN O'HARA: Aye.

00232

1 MR. BERG: Robin Samuelson.

2
3 MR. SAMUELSEN: Yes.

4
5 MR. BERG: Alvin Boskofsky.

6
7 MR. BOSKOFSKY: Yes.

8
9 MR. BERG: Robert Heyano.

10
11 MR. HEYANO: Yes.

12
13 MR. BERG: Andrew Balluta.

14
15 MR. BALLUTA: Yes.

16
17 MR. BERG: Peter Abraham.

18
19 MR. ABRAHAM: Aye.

20
21 MR. BERG: Tim Enright.

22
23 MR. ENRIGHT: Yes.

24
25 MR. BERG: Mr. Chair, the motion passes, 7-0.

26
27 CHAIRMAN O'HARA: Okay. Was there something
28 that you wanted to put in the form of a motion to help
29 clarify this issue further or do we go on to the next
30 proposal? Robert.

31
32 MR. HEYANO: No, he does.

33
34 CHAIRMAN O'HARA: He does?

35
36 MR. HEYANO: He wants to identify what
37 residents of what communities, Mr. Chairman.

38
39 CHAIRMAN O'HARA: All right.

40
41 MR. SAMUELSEN: Mr. Chairman.

42
43 CHAIRMAN O'HARA: Yes.

44
45 MR. SAMUELSEN: Yeah, I'd like to move that
46 those resident communities in 9(E) and 9(C) be only
47 communities to partake in the Tier II hunt for caribou and
48 them respective management game units and that this Council
49 fully recognizes that other areas, game management areas have
50 a c&t finding on that stock but because we cannot meet the

00233

1 subsistence needs, we are only confining the Tier II
2 opportunity to those residents that reside in 9(E) and 9(C).

3
4 CHAIRMAN O'HARA: Is there a second.

5
6 MR. ENRIGHT: Second.

7
8 CHAIRMAN O'HARA: Okay, Tim seconded. Would
9 you like to speak to your motion?

10
11 MR. SAMUELSEN: I did, I think on the record.

12
13 CHAIRMAN O'HARA: Mr. Sellers, did you have a
14 comment?

15
16 MR. SELLERS: Just a point of clarification.
17 This is Dick Sellers. Rather than refer to Tier II, are you
18 referring to the Federal registration permits?

19
20 MR. SAMUELSEN: Federal registration permits,
21 yes.

22
23 CHAIRMAN O'HARA: What's the difference on
24 that?

25
26 MR. SELLERS: Well, under the Tier II State
27 system any resident of the state can apply.

28
29 CHAIRMAN O'HARA: Okay. Thank you, we're
30 dealing with the Federal side only. Everyone understand
31 that? Further discussion on the motion. Question.

32
33 MR. HEYANO: Question.

34
35 MR. BRELSFORD: Mr. Chairman.

36
37 CHAIRMAN O'HARA: Taylor, okay.

38
39 MR. BRELSFORD: Mr. Chairman, I apologize for
40 taking the time, there were a couple of other elements
41 mentioned earlier that were not mentioned again as part of
42 the current motion and I'd just like to clarify the intent.

43
44 So Dan, you had mentioned that the intent of the
45 Council was to observe the distribution of the Tier II
46 permits by the State and then go on to fill gaps with the use
47 of the Federal permits. I believe that was part of the
48 discussion a moment ago and perhaps you mean that to be a
49 part of this motion as well?

50

00234

1 CHAIRMAN O'HARA: No, I don't mean that. I
2 just want to put it into the record that we are going to do
3 that, providing there are big gaps.

4
5 MR. BRELSFORD: Okay.

6
7 CHAIRMAN O'HARA: Say like for instance,
8 Egegik come up almost, you know, if it's pretty obvious that
9 they've been left out of the Tier II system for whatever
10 reason, they didn't sign their permits or something else took
11 place, they didn't get the mail out that day or something,
12 we'll get into a very difficult situation with Sellers, in
13 that, we're going to issue more permits on Federal lands
14 that's going to take away from the State permits to make sure
15 that Egegik's needs are met. That's my intent of putting
16 that on the record in the form of the minutes.

17
18 MR. BRELSFORD: Thank you. Then it was
19 intent language in the discussion.....

20
21 CHAIRMAN O'HARA: Yes.

22
23 MR. BRELSFORD:in the comments but not
24 a formal.....

25
26 CHAIRMAN O'HARA: Not a formal motion.

27
28 MR. BRELSFORD:part of the motion?

29
30 CHAIRMAN O'HARA: Because that's a whole
31 different issue.

32
33 MR. BRELSFORD: Thank you. Similarly, Robert
34 mentioned previously an issue -- a concern for the Council to
35 reserve the right to review in season, the distribution of
36 the permits, is that a part of this.....

37
38 CHAIRMAN O'HARA: What does that mean?

39
40 MR. BRELSFORD:new motion?

41
42 MR. HEYANO: Well, I think, Mr. Chairman, is
43 that -- and you know, with those concerns that you brought up
44 and individuals might have concern -- since this is a new
45 program, we actually don't know -- never been down this road
46 before, I think it's imperative that the Federal Subsistence
47 Board recognizes that we might want to look at it and do a
48 special action request if needed. That's all I'm saying is
49 just put them on notice.

50

00235

1 MR. SAMUELSEN: Mr. Chairman.

2
3 CHAIRMAN O'HARA: Yes.

4
5 MR. SAMUELSEN: I think what Robert was
6 saying is he would like a preimposed season analysis being
7 brought back to this Advisory Council in our fall meeting.
8 What you're saying is once the permits are issued if there's
9 gaps that need to be filled in during the hunt that we will
10 come in and fill in those gaps.

11
12 CHAIRMAN O'HARA: We're talking about July.

13
14 MR. SAMUELSEN: You will.

15
16 CHAIRMAN O'HARA: Yeah.

17
18 MR. SAMUELSEN: Not me.

19
20 CHAIRMAN O'HARA: July 23rd, at the end of
21 the emergency order period we will be back here if there's
22 big gaps.

23
24 MR. SAMUELSEN: We won't be here. July 23rd.

25
26 CHAIRMAN O'HARA: You won't be here?

27
28 MR. SAMUELSEN: July 23rd, that's cutting it
29 pretty close.

30
31 CHAIRMAN O'HARA: We'll teleconference right
32 into your cell phone.

33
34 MR. SAMUELSEN: Okay.

35
36 CHAIRMAN O'HARA: Okay.

37
38 MR. HEYANO: And I guess and one other thing
39 that was mentioned earlier on a discussion, Mr. Chairman,
40 quite a bit earlier this morning. I think it was, the
41 intent, anyway, of these Federal permits that we give the
42 Staff the direction that we want them to be issued to fill in
43 the gaps on those individuals who, for whatever reason, got
44 left out of those communities.

45
46 CHAIRMAN O'HARA: Okay.

47
48 MR. HEYANO: Just kind of a direction, an
49 approach we want them to take.

50

00236

1 CHAIRMAN O'HARA: Okay. If we don't have any
2 further comment, we have a motion on the floor.

3
4 MR. BRELSFORD: I'm sorry, there was one
5 final comment I needed to bring to your attention.

6
7 CHAIRMAN O'HARA: Okay.

8
9 MR. BRELSFORD: And that is there are the
10 three factors in regulation and it would be very helpful in
11 making this motion, identifying certain communities as the
12 core beneficiaries, if you would refer to the three factors.

13
14 CHAIRMAN O'HARA: What are they?

15
16 MR. BRELSFORD: They are customary and direct
17 dependence.

18
19 CHAIRMAN O'HARA: Uh-huh.

20
21 MR. BRELSFORD: Proximity to the resource and
22 availability of alternative resources.

23
24 CHAIRMAN O'HARA: That's in the written form?

25
26 MR. BRELSFORD: I think it's as simple as
27 saying that this Council believes that the residents of 9(E)
28 and (C) have higher customary and direct dependence on this
29 resource, closer proximity and fewer alternative means of
30 livelihood.

31
32 CHAIRMAN O'HARA: Do we need to put that,
33 Council members, in the form of a -- part of a motion or not,
34 or is that just understood that that's the way it's going to
35 be? We probably should put it in the form of a motion.
36 Would you object to that being part of your motion?

37
38 MR. SAMUELSEN: No, I wouldn't object.

39
40 CHAIRMAN O'HARA: Would you object if that
41 were amended or put in as part of your motion?

42
43 MR. SAMUELSEN: I spoke to half of it
44 already.

45
46 CHAIRMAN O'HARA: Yeah, nitpicky. That's a
47 good point, Taylor. Any further discussion, Council members?
48 All those in favor say aye.

49
50 IN UNISON: Aye.

00237

1 CHAIRMAN O'HARA: Opposed.

2
3 (No opposing responses)

4
5 CHAIRMAN O'HARA: Let the minutes show it's
6 unanimous.

7
8 Have we finished with the caribou issue?

9
10 MR. SAMUELSEN: No.

11
12 CHAIRMAN O'HARA: No? You've got the floor.

13
14 MR. SAMUELSEN: Mr. Chairman, as we heard in
15 public testimony from individuals of the area, as well as
16 Staff, that we have a large -- to a large extent, an increase
17 in predator problem, namely with bears and bulls, and in the
18 fall meeting I would like Staff to bring us back a list of
19 options that this Council could use to increase our --
20 increased harvest of predators on the caribou population down
21 there.

22
23 CHAIRMAN O'HARA: You want to take a close
24 look at a three to one ratio, uh?

25
26 MR. SAMUELSEN: Three to one ratio, you know,
27 I think methods and means should be looked at, season times.
28 I know we have a permit hunt that we permit guides to operate
29 on Federal lands. Maybe for bear we should increase that.
30 We need to look at the whole gambit of regulatory issues that
31 are within our purview.

32
33 CHAIRMAN O'HARA: Which member of the Staff
34 is going to be responsible for that, is that you Dave?

35
36 MR. FISHER: Yes, I can work on that now
37 with the refuge.

38
39 CHAIRMAN O'HARA: Yeah, sure, and the Park.

40
41 MR. FISHER: And Dick Sellers.

42
43 CHAIRMAN O'HARA: And the Park.

44
45 MR. FISHER: And the Park, yeah.

46
47 CHAIRMAN O'HARA: Okay.

48
49 MR. FISHER: And the Council.

50

00238

1 CHAIRMAN O'HARA: That's very good, that's a
2 directive. And the what?

3
4 MR. FISHER: And the Council.

5
6 CHAIRMAN O'HARA: Well, sure. Robert, go
7 ahead.

8
9 MR. HEYANO: Along those same lines, Mr.
10 Chairman, I think that if there's support for the communities
11 of the three Chigniks, Ivanof and Perryville, I would like to
12 start looking into the feasibility of transplanting a herd of
13 caribou down in the Stepovak Flats area. And I don't know
14 how we get there, from here to there, but I'd like to start
15 looking in that direction.

16
17 CHAIRMAN O'HARA: Sellers made an interesting
18 comment if I could maybe just say, we had a discussion on
19 this and it -- I think intensifies a problem we have of lack
20 of caribou and habitat and everything right now. I don't
21 know if Dick wants to address that or not. You don't have
22 very many caribou, you may not have very much habitat. You
23 kind of create more of a problem by greater pressure.

24
25 MR. HEYANO: Well, I think that's it, but you
26 know, I think if the problem that there isn't any caribou in
27 the Stepovak area is because the habitat isn't there, that's
28 obviously a, you know, a good reason not to do it. But if
29 there's some other reasons.

30
31 CHAIRMAN O'HARA: Yes. I think Ron Squibb
32 from Refuge is going to be perhaps assigned to do some
33 research on habitat in there. Do you want to address that,
34 give your name please.

35
36 MR. SQUIBB: Yes, Mr. Chairman, Ron Squibb
37 with Alaska Peninsula Refuge, U.S. Fish and Wildlife Service.
38 We have an ongoing habitat study that we worked five
39 locations on the Bristol Bay side of the Peninsula last year
40 and this coming summer we plan -- we do already have planned
41 to be in Stepovak Bay area to look at that. It's not
42 unfortunately so simple, in the Maritime tundra and our
43 habitat with caribou range, it's not a simple, step through a
44 certain already established process and say we can carry this
45 many caribou per acre. But we'll get some preliminary work
46 done this year. I don't -- I guess what I'm saying is, I
47 don't know if we'll have an answer by fall. We'll have some
48 general, you know, feel for it, but -- you know, more than we
49 do right now, certainly.

50

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1 Also in combination with that we're planning to look
2 at an island offshore that hasn't been grazed, we're still
3 trying to decide which place to go for that for comparison, a
4 similar place, different history of grazing. And we're also
5 trying to get into the Wide Bay area where there is --
6 there's a large number of caribou on Refuge lands there.
7 We're trying to work in that direction. We're planning to do
8 that already.

9
10 CHAIRMAN O'HARA: Do you have a comment,
11 Robin?

12
13 MR. SAMUELSEN: No, Mr. Chairman.

14
15 CHAIRMAN O'HARA: Thank you, Ron.

16
17 MR. SAMUELSEN: Yeah, Ron, I have a question
18 for you. Comments from the Chignik Lake communities, Ivanof,
19 Perryville about the -- they feel a massive increase of bears
20 in that area, and we have registered guides working in that
21 area to remove bears?

22
23 MR. SQUIBB: Yes, sir, I'm not the expert in
24 that -- in those records in the Refuge. Darryl Lons would be
25 the one who could best address that. But basically all the
26 Refuge lands, you know, we have a guide map which basically
27 is the entire Refuge within the boundaries divided up into
28 units, everything's covered. And all those -- we had two
29 open areas and they were very recently filled, and all those
30 guides, I believe have the -- I don't know right now what the
31 status is for each one. Basically each of those guide areas
32 has an allocation for this many moose, this many caribou,
33 this many bear maximum. Those can be juggled. I can't tell
34 you what they are right now, that area. Darryl Lons would be
35 able to address that and I'll bring it to his attention.

36
37 MR. SAMUELSEN: Can we see the criteria in
38 the fall brought back to us and where them guides are
39 guiding?

40
41 MR. SQUIBB: Right, right, I'll.....

42
43 MR. SAMUELSEN: Because if they're not
44 removing enough bears down there then I think we should
45 develop a village guiding service and provide some
46 opportunity to remove some of them predators down there.

47
48 MR. SQUIBB: I'll bring that to Darryl Lons'
49 attention, our manager.

50

00240

1 MR. SAMUELSEN: Okay.

2

3 CHAIRMAN O'HARA: You can be the bearer of
4 good news. Okay.

5

6 MR. SAMUELSEN: That's all, Mr. Chairman.

7

8 CHAIRMAN O'HARA: Thank you. All right.
9 Right after lunch we will look at Proposal No. 30, which is
10 c&t. We've eliminated three of them already today, this
11 morning and I don't think it's going to take a great deal of
12 time to finish up these proposals. Hopefully, we'll be done
13 pretty close to 4:30 this afternoon. So we'll take an hour
14 break for lunch or did you want to do something different?

15

16 MR. SAMUELSEN: No, an hour's fine.

17

18 CHAIRMAN O'HARA: See you at 1:00 o'clock.

19

20 (Off record - 11:54 a.m.)

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

22

23 CHAIRMAN O'HARA: We'll call the meeting back
24 to order. Jerry, we need to do 30, if you could start with
25 the procedure please.

26

27 MR. BERG: Yes, Mr. Chair. For Proposal 30,
28 this proposal was actually deferred in 1998 and in 1998 it
29 was referred to as Proposal 45. It is to establish c&t use
30 determination for brown bear in Unit 9(C) to include
31 residents of Unit 9(C). It's proposed by this Council, BBNA
32 and John Knutsen. And with that Pat McClenahan has the
33 analysis.

34

35 CHAIRMAN O'HARA: All right. Pat, you're on.

36

37 MS. McCLENAHAN: Thank you, Mr. Chairman.
38 Pat McClenahan. Mr. Chairman, I'm going to be fairly concise
39 with my analysis today and then if you have additional
40 questions, please feel free to ask.

41

42 You have the analysis in front of you in the book in
43 Tab U.

44

45 CHAIRMAN O'HARA: Yes, we have it, No. 30.

46

47 MS. McCLENAHAN: The change in t c&t
48 regulations to establish a customary and traditional use
49 finding for brown bear for the rural residents of Unit 9(C)
50 in Unit 9(C) was proposed by the Bristol Bay Subsistence

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1 Regional Advisory Council, the Bristol Bay Native Association
2 and John Knutsen.

3

4 As you were already told this is a deferred proposal
5 coming before you again. Presently there is no Federal open
6 season in Unit 9(C).

7

8 A long-term consistent pattern of subsistence use of
9 brown bear by the residents of Unit 9(C) can be identified
10 from prehistoric and historic times and traced to some of the
11 modern descendants living in Naknek, South Naknek and King
12 Salmon. Alaska Native elders and hunters who are
13 contemporary residents of Unit 9(C) and who have lived in
14 Unit 9(C) communities for a long period of time identified
15 brown bear as a subsistence resource that they consistently
16 hunted between the early 1900s and sometime in the 1950s.

17

18 The pictures in Tab U on Pages 17, 18 and 19 of your
19 Council book are pictures of Foama and Malginak and other
20 local hunters with a bear they had shot adjacent to Naknek
21 Lake on the south side of the mouth of the Brooks River
22 adjacent to Brooks Camp in the 1950s. Shortly after these
23 photos were taken the traditional hunting areas at Naknek
24 Lake, Savonoski River, Brooks River, Discovery Bay and Margo
25 Creek were incorporated into Katmai National Park which was
26 then closed to hunting.

27

28 According to sealing records, during the past 20
29 years, the rural residents of Unit 9(C) have hunted a small
30 number of bears over the years. Primarily in Unit 9(C) with
31 the numbers fluctuating over time.

32

33 I collected written information and oral testimony
34 from the rural residents of King Salmon and Naknek that are
35 listed on Pages 7 and 8 of your analysis in 1997 and 1998.
36 More oral testimony was provided to you by John Knutsen at
37 the Subsistence Regional Advisory Council meeting in
38 Dillingham a year ago along with that a photo and a map with
39 locations on it.

40

41 I went to South Naknek in 1998 for interviews with
42 residents, Clarence Kraun, Liisia Ansaknok and Mr. and Mrs.
43 Carvil Zimin, Sr., who gave me the names of residents and
44 former residents who were bear hunters and the locations they
45 used to hunt. Those names are given in the analysis on Pages
46 7 and 8.

47

48 In summary, all the evidence taken together shows
49 that brown bear is a traditional subsistence resource for the
50 rural residents of King Salmon, Naknek and South Naknek,

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1 particularly for these families who have longstanding roots
2 in the community. For many traditional hunting practices
3 were disrupted when Katmai National Park was expanded
4 sometime in the 1950s and some stopped hunting bears when
5 they could no longer use their customary hunting locations.
6 Those locations or a map of that area is also included in
7 your analysis here.

8
9 Bear hunting by Unit 9(C) residents has languished
10 during recent years. Rural residents of the communities of
11 King Salmon, Naknek, South Naknek have stated a desire to
12 reestablish the practice of hunting brown bears on the
13 Federal public lands that are open to subsistence hunting.

14
15 The Staff conclusion is to support a positive
16 customary and traditional use finding for brown bear by
17 residents of Unit 9(C). Our justification is ADF&G Division
18 of Subsistence and Bristol Bay Native Association have just
19 completed a multi-year large mammal study of 12 communities
20 in the Alaska Peninsula. Information in the most recent
21 subsistence use study, a 30 percent random sample does not
22 show current subsistence use of brown bear by residents of
23 Unit 9(C). However, there is sufficient historic information
24 showing that Unit 9(C) residents subsistence hunted and used
25 brown bears and that at least for some families this use was
26 disrupted by the formation of Katmai National Park. Written
27 communications, including two resolutions in support of the
28 proposal, written comments, oral testimony submitted by Unit
29 9(C) residents at the March 12th and 13th, 1998 Bristol Bay
30 Subsistence Resources Advisory Council meeting confirm
31 historic accounts about subsistence use interruption. That
32 information was confirmed by oral accounts given to me in
33 South Naknek in September 1998. The evidence, taken together
34 confirms that the rural residents of Unit 9(C) hunted brown
35 bears historically in the greater Naknek River Drainage.

36
37 Additionally, traditional hunting practices were
38 disrupted by events beyond their control. They would like to
39 reestablish their subsistence hunting and use of brown bears
40 on Federal public lands in Unit 9(C) that are open to
41 subsistence hunting or potentially open, I'm sorry.

42
43 CHAIRMAN O'HARA: Is that the extent of your
44 report?

45
46 MS. McCLENAHAN: That's the extent of my
47 report.

48
49 CHAIRMAN O'HARA: That's pretty extensive, I
50 would say. Any questions, Council members? Thank you very

00243

1 much, we really appreciate that report. Does that take the
2 biological part as well as socio-cultural thing?

3
4 MS. McCLENAHAN: No, it doesn't.

5
6 CHAIRMAN O'HARA: Okay.

7
8 MS. McCLENAHAN: And that's something that I
9 needed to bring to your attention.

10
11 CHAIRMAN O'HARA: All right.

12
13 MS. McCLENAHAN: That there is presently no
14 open season.

15
16 CHAIRMAN O'HARA: Okay. And who handles the
17 -- what biologist wants to address the issue of this -- if we
18 find a c&t finding on this? We don't need one? We don't
19 need one?

20
21 MS. McCLENAHAN: We need Dave.

22
23 CHAIRMAN O'HARA: Oh, we do need Dave? I
24 didn't think we needed any but who am I to say.

25
26 MS. McCLENAHAN: Well, there's no season or
27 bag limit for Unit 9(C) brown bear at this time. If we
28 provide a c&t, then what?

29
30 MR. FISHER: Dick Sellers here?

31
32 CHAIRMAN O'HARA: I think we're pretty well --
33 I mean we have the State regs that are in place.

34
35 MR. FISHER: You got the State regs?

36
37 MS. McCLENAHAN: Right here.

38
39 MR. FISHER: I don't want to -- I would like
40 to check with Dick and make sure that we line up.

41
42 CHAIRMAN O'HARA: Well, why don't we -- do
43 you want to confer with Dick Sellers then before you spoke?

44
45 MR. FISHER: Sure.

46
47 CHAIRMAN O'HARA: Can we go on to the next
48 step on this, Jerry?

49
50 MS. McCLENAHAN: Mr. Chairman.

00244

1 CHAIRMAN O'HARA: Uh-huh.

2

3 MS. McCLENAHAN: In addition to that, you can
4 submit a proposal for the upcoming year on season and bag
5 limit for Federal lands, that's another possibility.

6

7 CHAIRMAN O'HARA: We can do that now?

8

9 MS. McCLENAHAN: No, we'd have to wait.

10

11 CHAIRMAN O'HARA: Oh, through the regulatory
12 process.

13

14 MS. McCLENAHAN: I don't know if you could
15 modify this proposal to incorporate a request for season and
16 bag limit, I don't know about that. I'd have to ask Taylor
17 maybe.

18

19 CHAIRMAN O'HARA: We want to determine,
20 probably either vote up or down the c&t findings today,
21 that's what we want to do here.

22

23 What's the next step we need to find here, Jerry.

24

25 MR. BERG: ADF&G comments.

26

27 CHAIRMAN O'HARA: Any ADF&G comments? Okay,
28 Elizabeth.

29

30 MS. ANDREWS: Thank you, Mr. Chairman.
31 Elizabeth Andrews, Alaska Department of Fish and Game. We do
32 have some concerns about this c&t analysis.

33

34 Largely, that most of the use that's being described
35 was use that took place in the Katmai Park unit before that
36 was closed and it's pretty clear there was a disruption of
37 subsistence hunting and it's no longer allowed. And if this
38 was a proposal for a c&t finding in the Park area, we think
39 that the evidence, you know, that's been presented is
40 certainly supportive of that. What we think the analysis
41 lacks, however, is adequate information as to community
42 pattern of brown bear hunting outside of those Park areas.
43 And so while it was mentioned that there were alternative
44 areas that were used for brown bear hunting, that really
45 hasn't been brought forward, and our request is that, you
46 know, it would be helpful to have the information that is the
47 alternative areas that shows other Federal lands other than
48 the Park area be presented in the analysis.

49

50 And so right now we feel like we can only support

00245

1 this for the Park area and perhaps there is some way to get
2 the Park lands to allow people to practice their customary
3 and traditional bear hunting in the Park lands.

4
5 Thank you, Mr. Chairman.

6
7 CHAIRMAN O'HARA: Okay. Any questions of
8 Elizabeth Andrews, Council members? Thank you very much, we
9 appreciate it.

10
11 MS. McCLENAHAN: Mr. Chairman.

12
13 CHAIRMAN O'HARA: Yes, Pat.

14
15 MS. McCLENAHAN: Could I speak to one small
16 thing?

17
18 CHAIRMAN O'HARA: Sure.

19
20 MS. McCLENAHAN: When I was in South Naknek,
21 Carvil Zimin, Sr., mentioned that during those times when
22 they were going up into the Park, part of the reason for that
23 was that bears didn't come down as far as where they lived,
24 that it wasn't until later that bears expanded down in their
25 area. I know that Naknek may have a little different
26 pattern, however.

27
28 CHAIRMAN O'HARA: Thank you. Other agencies.
29 No other agency wanted to comment? Fish and Game Advisory
30 Committee Chair comments. Okay, come on up and sit down.

31
32 MR. WEBSTER: Yes, I'm Vince Webster, Co-
33 Chairman of the Naknek/Kvichak Advisory Committee. Our
34 committee -- this proposal was left over from last year. We
35 voted unanimous to support it last year and we also voted
36 unanimous to support it this year.

37
38 In our discussion we -- there was a lot of discussion
39 on maybe abuse of this -- there may be some local residents
40 that will abuse this regulation if it's passed. But we have
41 a real liberal hunting season in the Naknek drainage right
42 now, there's -- I believe it's two months in the spring and
43 two months in the fall every year. And that hasn't been
44 abused so we didn't feel that there would be substantial --
45 the pressure on hunting wouldn't increase substantially if
46 there was a subsistence hunt in our area.

47
48 We also went before the Board of Game with a proposal
49 to make a subsistence hunt in our area, they could not do so
50 at this meeting, past meeting, because they did not have a

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1 c&t finding, a positive c&t finding for our area. And the
2 State subsistence people wasn't able to come up with -- a
3 presentation for them in time for this meeting, and they
4 suggested we come back before the next -- in the next cycle.
5 So they would have to find a positive c&t finding before they
6 could have a subsistence hunt. And that's all I have to say.

7
8 CHAIRMAN O'HARA: Thank you, Vince. But you
9 did support, the Naknek/Kvichak Advisory Committee did
10 support Proposal 30 in concept?

11
12 MR. WEBSTER: Yes, we did.

13
14 CHAIRMAN O'HARA: Okay.

15
16 MR. WEBSTER: In concept. And at both of
17 these meetings our local guide -- hunting guide was present
18 and our local sport hunter, that have no commercial interest
19 in any resource out there was present and voted to support
20 this.

21
22 CHAIRMAN O'HARA: Both of them supported the
23 proposal?

24
25 MR. WEBSTER: Yes.

26
27 CHAIRMAN O'HARA: Any questions of Vince,
28 Council members? Thank you very much, we really appreciate
29 you taking the time to do this. Any other folks? Yes, we
30 do, Ted Krieg asked to testify.

31
32 MR. KRIEG: Ted Krieg, Bristol Bay Native
33 Association, Natural Resource Department. I'll be brief.
34 BBNA supports this proposal and you know, reading through the
35 information, you know, I think it's all there, you know,
36 looked to me like a real good analysis.

37
38 And you know, it's obvious that people were displaced
39 from their traditional bear hunting areas in the Park and you
40 know, in doing the surveys and in talking to a few of the
41 people and the elders, I mean the location did seem to be,
42 you know, real important, and so I'll leave it at that.

43
44 CHAIRMAN O'HARA: Ted, I think it's rather
45 interesting, we thank you for mentioning that. Alan Aspland,
46 as you've probably heard him say before, you know, he didn't
47 have to go to the Park, the Park came to him. And that's a
48 bit of irony there. But it's what we're dealing with on this
49 bear issue.

50

00247

1 Any questions of Ted, Council members? Thank you
2 very much. Any public comment, Chairs of Councils, RAC
3 groups -- yes, Smiley.

4
5 MR. KNUTSEN: John Knutsen representing Pauq-
6 Vik, Inc., Limited and the majority of shareholders and also
7 Naknek Village Council and its traditional members.

8
9 I thank you again for listening, and you know I
10 support this proposal. I did bring along with me a couple of
11 other resolutions regarding support for this proposal and you
12 have then on record from a couple years past or last year,
13 and I'd like to present a couple more again just to show that
14 there is continued support and I'll leave these with you. In
15 light of the fact that there seems to me -- there seems to be
16 a need for hunting a few more bears and this provides that
17 opportunity, not only for the residents but also a need to
18 cut down on predation problems we have in that area.

19
20 Thinking back over the years when we hunted bear, of
21 course, we had to go into Katmai National Park, this was
22 Naknek Lake prior to it being Katmai National Park, and
23 hunting up Big Creek for moose and Small Creek for moose,
24 there usually wasn't a whole lot of bears in that area. Now,
25 with the protection in the Park, I think that they've
26 overflowed out into areas near there and to be able to hunt
27 on Federal lands at Big Creek would be a good opportunity
28 now, there are bear up there and accessible the communities
29 in Unit 9(C), King Salmon, Naknek and South Naknek.

30
31 So I don't have much else to add to Pat's testimony.
32 She did an excellent job, she's worked well with the
33 communities in the past year and we really appreciate that.

34
35 CHAIRMAN O'HARA: Smiley, we really
36 appreciate the work you did, too, providing a lot of
37 information for us. As you can tell, Council members, in the
38 proposal he provided pictures and a lot of things to help us
39 out and we really appreciate it.

40
41 Any questions for Smiley, Council members? Thank you
42 very much, appreciate it. Any other Council members -- I
43 mean Chairs of Advisories that would like to give testimony?

44
45 MR. BRELSFORD: Mr. Chairman.

46
47 CHAIRMAN O'HARA: Uh-huh.

48
49 MR. BRELSFORD: I was going to take a minute
50 and try and get Mr. Shangin from Chignik back on line, he had

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1 phoned to see if he could be back on teleconference with us.

2

3 CHAIRMAN O'HARA: Okay.

4

5 MR. BRELSFORD: So it shouldn't disrupt.

6

7 CHAIRMAN O'HARA: All right.

8

9 MS. McCLENAHAN: Mr. Chairman.

10

11 CHAIRMAN O'HARA: Yes.

12

13 MS. McCLENAHAN: Dave Fisher has some input
14 for you now, if this is the time.

15

16 CHAIRMAN O'HARA: Would this be under the
17 biological part there, number 2?

18

19 MS. McCLENAHAN: Yes, I think.

20

21 CHAIRMAN O'HARA: Okay.

22

23 MS. McCLENAHAN: We have to break them loose.

24

25 CHAIRMAN O'HARA: Okay. While we're waiting
26 for them, public testimony -- any public comments on this
27 proposal? Any public comments? Dave, did you have anything
28 you wanted to say?

29

30 MS. McCLENAHAN: Dave.

31

32 CHAIRMAN O'HARA: Dave.

33

34 MR. FISHER: Just briefly, Mr. Chairman.

35

36 CHAIRMAN O'HARA: Yes, Dave, go ahead.

37

38 MR. FISHER: I briefly checked with Mr.
39 Sellers, Mr. Squibb and Mr. Denton, and we would have no
40 problem with initially of a season of September 1 through
41 October 31st, State registration permit if you wanted to add
42 that to the proposal or wait and have the proponent submit
43 another proposal for a specific season. I think that's
44 probably the Council's call.

45

46 CHAIRMAN O'HARA: Okay. I think that's a
47 reasonable thing to do. I don't know what the wishes of the
48 Council is right now, if you want to do a permit hunt or
49 maybe go through the regulatory proposal system for next
50 year. Yes, did you have a comment, Robin?

00249

1 MR. SAMUELSEN: Well, I think first we got to
2 vote up or down whether.....

3
4 CHAIRMAN O'HARA: Okay, yeah.

5
6 MR. SAMUELSEN:we're going to allow it
7 to happen based on comments we heard earlier from Staff.

8
9 (Off record comments - teleconference)

10
11 CHAIRMAN O'HARA: Are you with us -- is it
12 Austin?

13
14 MR. BRELSFORD: Yes.

15
16 CHAIRMAN O'HARA: Austin, can you hear us?
17 Austin, this is Dan O'Hara speaking, can you hear us?

18
19 MR. SHANGIN: Yes, I can.

20
21 CHAIRMAN O'HARA: Okay, thank you. We're
22 discussing Proposal No. 30.

23
24 MR. SHANGIN: I had trouble trying to get
25 back on and no one gave me a number to call back, so I'm
26 back.

27
28 CHAIRMAN O'HARA: We just started up so
29 that's fine, thank you.

30
31 MR. SHANGIN: All right.

32
33 CHAIRMAN O'HARA: Robin, excuse me for
34 interrupting you there.

35
36 MR. SAMUELSEN: That's all right, Mr.
37 Chairman. Yeah, I think the proposal's asking us to make a
38 c&t determination not to set the hunt at this time, that's
39 based on Staff's report. If we do adopt the c&t finding on
40 brown bear then my suggestion is that then a proposal come
41 forth on the season.

42
43 CHAIRMAN O'HARA: Yeah. There's no sense us
44 handling it, they can handle it if they want it, from the
45 region.

46
47 MR. SAMUELSEN: That's right.

48
49 CHAIRMAN O'HARA: Okay. Public written
50 comments.

00250

1 MR. BERG: Yes, Mr. Chair, we received two
2 written comments and they both opposed the proposal.

3
4 We received one comment from the Alaska Professional
5 Hunters Association. They believe that the pattern of
6 harvest is relatively small and sporadic for harvest of brown
7 bears in Unit 9(C). Subsistence use of brown bears has been
8 essentially non-existent for communities of King Salmon and
9 Naknek and very limited for the community of South Naknek.
10 This information suggests that a c&t determination would not
11 be justified. They suggest, one, setting up a cooperative
12 agreement for guides to provide brown bear meat and fat to
13 the local residents; two, to increase local participation in
14 sport hunting season; three, restructuring the State season
15 to increased harvest opportunity or; four, if c&t is adopted,
16 to minimize harvest opportunity by targeting males and
17 require a reporting system.

18
19 We also received a comment from Joe Hendricks. He
20 opposes the proposal. He states that he spent time in the
21 area for 30 years, has talked to many locals, local people
22 are eligible to hunt brown bear with State regulations but
23 none have done so. He was told that people used to avoid
24 brown bears in the past or destroyed them because they were
25 dangerous or were competition for salmon harvest. He does
26 not feel that this is a c&t use.

27
28 CHAIRMAN O'HARA: Any questions on the
29 written comment, Council members? We've gone through the
30 list here, one through seven, and it's now time for the
31 Council to determine what they want to do on Proposal 30.
32 What are your wishes? Let's vote it up or down. Robert.

33
34 MR. HEYANO: Mr. Chairman, I would move that
35 we adopt Proposal 30.

36
37 CHAIRMAN O'HARA: Second.

38
39 MR. ENRIGHT: Second it.

40
41 CHAIRMAN O'HARA: Tim seconded it. Would you
42 like to address your motion?

43
44 MR. HEYANO: Yes, Mr. Chairman.

45
46 CHAIRMAN O'HARA: Go ahead.

47
48 MR. HEYANO: I guess in reading the material
49 and listening to the presentation by Pat, you know, I concur
50 that they do meet the criteria for customary and traditional

00251

1 use. I'll also note that according to the written material
2 here that there's use dating back to 1450 AD. And I guess
3 familiar with the area and the individuals there, it kind of
4 behooves me why they wouldn't be using brown bear for
5 customary and traditional purposes. You know, I guess
6 there's some question as to where they used to and where
7 they're allowed to now, but I think that's a function far
8 beyond their control and I think it's unfortunate and I don't
9 think that we should penalize them for that type of activity.
10 So I'm willing to vote in favor of the proposal.

11
12 CHAIRMAN O'HARA: Okay, thank you. Any other
13 comment, Council members? Call for the question.

14
15 MR. SAMUELSEN: Mr. Chairman.

16
17 CHAIRMAN O'HARA: Yes.

18
19 MR. SAMUELSEN: Yeah, I concur with Mr.
20 Heyano's comments. And I've gone through the eight criteria,
21 Mr. Chairman, and I think Staff did an excellent job.....

22
23 CHAIRMAN O'HARA: Yeah, they did a very good
24 job.

25
26 MR. SAMUELSEN:incorporating a
27 historical perspective as well as recent comments by the
28 public in documenting their use. So I'll call for the
29 question.

30
31 CHAIRMAN O'HARA: All those in favor say aye.

32
33 IN UNISON: Aye.

34
35 CHAIRMAN O'HARA: Opposed.

36
37 (No opposing responses)

38
39 CHAIRMAN O'HARA: Okay. Unanimous. Next
40 proposal.

41
42 MR. HEYANO: Mr. Chairman.

43
44 CHAIRMAN O'HARA: Yes.

45
46 MR. HEYANO: I'd just like to thank Smiley
47 for his persistence on this issue and his patience with us.

48
49 CHAIRMAN O'HARA: Thank you, Smiley, very
50 good. What's the next proposal number we're dealing with?

00252

1 MR. BERG: Okay. Mr. Chair, the next
2 proposal is No. 31, it's found on Page 1 in your booklet
3 under Tab U, and it is a proposal to revise the c&t
4 determination in Unit 9(E) for brown bear to include
5 residents of Pilot Point and Ugashik. This is also a
6 proposal that was deferred in 1998 and was proposed by the
7 Pilot Point Traditional Council.

8
9 CHAIRMAN O'HARA: All right, thank you.
10 Introduction.

11
12 MR. BERG: Pat.

13
14 CHAIRMAN O'HARA: Pat, are you going to be
15 addressing this, if you would, at this time.

16
17 MS. McCLENAHAN: Yes, thank you, Mr.
18 Chairman. I won't repeat what has already been said about
19 Proposal 99-31. But I want to bring to your attention that
20 in addition to the proponents that were mentioned, a
21 recommendation was submitted in October 1998 to Secretary of
22 the Interior, Bruce Babbitt, by the Aniakchak National
23 Monument Subsistence Resource Commission, that residents of
24 Unit 9(E) be determined to have customary and traditional use
25 of brown bear and several other species within Aniakchak
26 National Monument and Preserve.

27
28 At the request of the National Park Service, I
29 prepared this analysis, including a discussion of brown bear
30 use by Pilot Point, Ugashik, Egegik, Chignik, and Chignik
31 Lagoon in response to their request.

32
33 CHAIRMAN O'HARA: Okay. Could we ask you a
34 question right there?

35
36 MS. McCLENAHAN: Yes.

37
38 CHAIRMAN O'HARA: Why weren't there more
39 names added to that list other than, like Perryville, Ivanof,
40 Port Heiden?

41
42 MS. McCLENAHAN: Most of the communities
43 already have a positive c&t.

44
45 CHAIRMAN O'HARA: Oh, they do, thank you.

46
47 MS. McCLENAHAN: And it was the communities
48 that were left that they were concerned about.

49
50 CHAIRMAN O'HARA: Thank you.

00253

1 MS. McCLENAHAN: When I conclude my analysis,
2 I'd like to invite Donald Mike up to address the National
3 Park Service concerns if that's okay with you.

4
5 CHAIRMAN O'HARA: Okay.

6
7 MS. McCLENAHAN: So these are the five
8 remaining communities in Unit 9(E) that do not yet have
9 customary and traditional use in Unit 9(E). The resident
10 zone communities for Aniakchak National Monument are Chignik
11 Lagoon, Chignik, Chignik Lake, Meshik and Port Heiden. Port
12 Moeller, which is occupied in the summer months only during
13 the commercial fishing season, except for a year-round
14 caretaker will not be considered here.

15
16 I just gave away my book, I wanted to give you the
17 current c&t determination season and harvest for Unit 9(E)
18 for brown bear. The current season and bag limit is for Unit
19 9(E), one bear by Federal registration permit only, October
20 1st through December 31st and May 10th through May 25th.

21
22 First, let me address Pilot Point. Pilot Point's
23 population is 80, with a larger summer population, because of
24 commercial fishing. It's located on the Bering Sea side of
25 the Alaska Peninsula in Ugashik Bay. In the 1919 influenza
26 epidemic, 540 of the 600 residents who lived there in the
27 Pilot Point/Ugashik communities died of influenza. Today the
28 population is comprised of 85 percent Alaska Natives and 15
29 percent Euro-Americans. The modern residents of Pilot Point
30 depend upon commercial salmon fishing for the majority of
31 their cash income. Subsistence remains an important element
32 in the community economy. Most Ugashik residents now live in
33 Pilot Point, in part, so that the children can attend school
34 there.

35
36 The primary subsistence activity listed by the
37 anthropologist, Steve Langdon, in 1982 was caribou hunting in
38 spring and fall, followed closely by fishing for salmon and
39 other fish, including smelt taken in mid-winter through the
40 ice. Seal oil was used in the 1980s but the regular
41 subsistence taking of seals in the 1980s was not recorded.
42 Other important subsistence foods are waterfowl and wild
43 vegetable grains. Langdon did not list bears as a
44 subsistence resource.

45
46 Pilot Point Traditional Council gave details about
47 the subsistence use of brown bears by the rural residents of
48 the two communities. They provided the names of a number of
49 residents who have hunted bears. Harvest ticket records show
50 that a resident of Pilot Point reported taking one bear in

00254

1 1989 and one bear in 1995. And that the residents of Ugashik
2 took one bear in 1995.

3
4 In sum, brown bear subsistence hunting was pursued on
5 a regular basis by the rural residents of the two communities
6 but the practice has languished in the past few years.

7
8 Pilot Point Traditional Council also provided me with
9 a map which is included here in your analysis.

10
11 Chignik. The community of Chignik is located on the
12 Pacific side of the Alaska Peninsula and has a population of
13 128. The original Alutiiq village was destroyed during the
14 Russian fur era in the 1700s. Chignik was reestablished in
15 the same location in the early 1900s as a fishing village and
16 cannery. Today the community is 45 percent Alaska Natives,
17 predominately Alutiiq and 55 percent Euro-American or other
18 ethnic background.

19
20 Commercial salmon fishing is the main economic
21 pursuit and two year-round fish processing plants continue to
22 operate there. Twenty-four residents have commercial
23 fishing permits. Subsistence hunting and fishing continues
24 to have an important role in the lives of the residents. An
25 ADF&G report from 1989 lists subsistence resources used by
26 Chignik in the late 1980s including -- that includes salmon,
27 other ocean going and freshwater fish, marine and
28 vertebrates, caribou, a small number of brown bears, a large
29 number of caribou, about half as many moose as caribou, a
30 number of marine mammals, fur bearers and small game.

31
32 A joint BBNA and ADF&G study published in 1998 shows
33 that 6.7 percent of Chignik residents use brown bear and 3.3
34 percent hunted brown bear but none were taken that year.
35 ADF&G harvest records show that the community took 18 brown
36 bears between 1966 and 1991.

37
38 Finally, Chignik Lagoon. Chignik Lagoon, also
39 located on the Pacific side of the Alaska Peninsula has 80
40 residents. This is a traditional Alutiiq village.

41
42 Prior to the Russian era, the residents lived on
43 products of the sea including otter, sea lion, porpoise and
44 whale. Between 1767 and 1783, when the Russians were seeking
45 Alaskan furs, the sea otters were decimated. The residents
46 of the Alaska Peninsula were subjected to periodic warfare
47 and European diseases causing a 50 percent reduction in the
48 size of the population.

49
50 Today fishing is the most important economic pursuit

00255

1 for the community. The area is a regional fishing center.
2 Twenty-six residents have commercial fishing permits.
3 Subsistence resources continue to residents livelihoods.
4 ADF&G sources list the same general subsistence resources for
5 Chignik Lagoon as for Chignik, including salmon and other
6 fish, marine invertebrates, seal and sea otter, red fox, a
7 large number of caribou and moose, a few deer but no brown
8 bear during the 1989 survey. ADF&G harvest records list only
9 six brown bears taken by this community between 1971 and
10 1991. There have been no reported brown bear harvests since
11 1991.

12
13 My preliminary conclusions are to support a positive
14 customary and traditional use determination for Pilot Point,
15 Ugashik, Chignik Lagoon and Chignik for brown bear in Unit
16 9(E). My justification is that evidence provided above for
17 each of the eight factors suggests that the subsistence use
18 of brown bear by these communities has been intermittent
19 since ADF&G records have been kept. And that all brown bear
20 kills may not have been reported. But that brown bear has
21 been an important alternative resource when primary resources
22 such as caribou and salmon fail.

23
24 For the four communities, there appears to have been
25 a gap in hunting efforts since 1991, except for two bears
26 reported taken by Pilot Point and Ugashik residents in 1995.
27 Residents of Pilot Point and Ugashik are expressing an
28 interest in reestablishing this languishing subsistence
29 practice in order to provide their elders with the food that
30 they long for and to give their children an opportunity to
31 learn the traditional ways to hunt, treat, share and prepare
32 bear. In light of recent caribou and salmon failures, the
33 Unit 9(E) residents that do not yet have a positive customary
34 and traditional use determination would appreciate being able
35 to use bears as an alternative resource.

36
37 I'd like to turn this over to Donald Mike now.

38
39 CHAIRMAN O'HARA: Before you do.....

40
41 MS. McCLENAHAN: Yes.

42
43 CHAIRMAN O'HARA:are there questions
44 you might have for Pat, Council members? Okay, Donald.

45
46 MR. MIKE: Donald Mike, with Katmai National
47 Park and Aniakchak National Monument.

48
49 CHAIRMAN O'HARA: And you've got to pronounce
50 nice and loud so the people can hear.

00256

1 MR. MIKE: Okay. The Park Service supports
2 the proposal that was completed by the Staff analysis, and
3 we'd like to go on record to include Chignik Lagoon and
4 Chignik Bay for a positive c&t for brown bear in Unit 9(E).
5

6 MS. McCLENAHAN: I think they already have
7 it.
8

9 MR. MIKE: All right. It's just for our
10 records.....
11

12 MS. McCLENAHAN: Okay.
13

14 MR. MIKE:Park Service records. And
15 that would complete the final hunting plan recommendation
16 submitted by the Aniakchak National Monument Subsistence
17 Resource Commission to have subsistence hunting and trapping
18 in the Monument where subsistence use and traditional uses
19 are allowed.
20

21 So that's all I have.
22

23 CHAIRMAN O'HARA: Okay. Any questions for
24 Donald, Council members? Robin.
25

26 MR. SAMUELSEN: Thank you, Mr. Chairman.
27 Donald, in running through the eight criteria, I don't see
28 where we -- where Chignik Lagoon and Chignik Bay were
29 measured up against the eight criteria; were they, am I
30 missing a piece of paper here?
31

32 MR. MIKE: Well, the three Chigniks are all
33 related together and I mean I'm at a loss as to why those two
34 communities were left out. And they certainly have a tie
35 with those folks in Chignik Lake and all those three Chignik
36 communities are all related to each other. And for Chignik
37 Lake and -- excuse me, Chignik Lagoon and Chignik Bay to be
38 left out of a positive c&t criteria for brown bear, we need
39 to fulfill our obligations to have them have a positive c&t
40 for brown bear.
41

42 CHAIRMAN O'HARA: It must have been an
43 oversight.
44

45 MR. SAMUELSEN: Well, is there anything -- if
46 this Advisory Council adopts a c&t finding for Chignik, that
47 doesn't forego the opportunity of Chignik Lagoon and Chignik
48 Bay to submit a proposal and go through the eight criteria
49 scrutiny that Chignik Bay did -- or Chignik did, rather; am I
50 correct on that?

00257

1 MR. MIKE: As far as I know those two
2 communities haven't submitted a proposal to include in the --
3 to have a positive c&t, but we can have our subsistence
4 resource commission supply a proposal during the next
5 proposal cycle.....

6
7 MR. SAMUELSEN: Okay.

8
9 MR. MIKE:to include Chignik Bay and
10 Lagoon.

11
12 MR. SAMUELSEN: Thank you.

13
14 CHAIRMAN O'HARA: Good question, I'm glad you
15 picked up on that, I totally missed it. Anything else Donald
16 that you want to -- any questions, Council members? Thank
17 you very much for your time and, Pat, appreciate your report
18 this afternoon. ADF&G comments.

19
20 MS. ANDREWS: Thank you, Mr. Chairman. My
21 name's Elizabeth Andrews, Alaska Department of Fish and Game.
22 For the c&t for Unit 9(E) brown bear, while the analysis has
23 some important information there and it's a good presentation
24 of the available information, we don't think that there's
25 sufficient evidence to support a positive finding for Pilot
26 Point and Ugashik on Federal public lands.

27
28 There's a lot of information about some of the other
29 communities. It's helpful to see the map that the Pilot
30 Point community provided showing the areas. And while
31 there's some households that take brown bears, we don't think
32 that it demonstrates a community pattern of use. So using
33 that standard of evidence, we don't support that part of the
34 proposal. We hadn't seen the Chignik and the Chignik Lagoon
35 part of the analysis so I don't have any comment on that at
36 this time.

37
38 CHAIRMAN O'HARA: So you oppose Ugashik and
39 Pilot Point as being part of the c&t finding, right?

40
41 MS. ANDREWS: At this time we do.

42
43 CHAIRMAN O'HARA: Okay.

44
45 MS. ANDREWS: You know, if there is
46 information that is brought forward that demonstrates more of
47 a community pattern of use that would be helpful but our
48 previous studies in those communities don't show that there's
49 a community pattern of use.

50

00258

1 MR. SAMUELSEN: Mr. Chairman.

2
3 CHAIRMAN O'HARA: Robin.

4
5 MR. SAMUELSEN: This question, Elizabeth, Pat
6 referred to, and a number of times, this proposal as well as
7 the previous proposal that subsistence users were reluctant
8 to come forward and disclose their subsistence activity.
9 When you conduct household surveys in various villages on
10 issues, such as this, subsistence issues, would it be fair to
11 assume that in order to get accurate data you've got to get
12 the confidence of the people that you're interviewing?

13
14 MS. ANDREWS: There's no question about that.

15
16 MR. SAMUELSEN: Okay. And when you were
17 conducting your surveys, did you find a real reluctance on
18 the part of the subsistence users at times on different
19 issues come forth with information because they thought that
20 they may be penalized under some law or some statute out
21 there?

22
23 MS. ANDREWS: Mr. Chairman. With respect to
24 these particular communities, you know, I didn't head up the
25 research team on that and maybe Ted, you know, has -- he
26 certainly does have more familiarity. With regard to other
27 communities where I've supervised staff that have asked those
28 questions, I mean we certainly do need to spend a
29 considerable amount of time, as you mentioned, to gain
30 people's confidence and certainly have an awareness of when
31 there may be illegal activities and phrasing the questions
32 and making sure that the Council understands the
33 confidentiality of the information that's collected so that
34 people won't feel like they're going to be penalized or
35 reported or anything like that.

36
37 We also do ask people, you know, whether they use the
38 resource and so typically if, in some areas, where people may
39 be reluctant to report that they've harvested a resource, we
40 would find from other households if there is use of that
41 resource, and so there's no a -- you know, any kind of direct
42 link that somebody may have taken the resource and they're
43 reluctant to tell you about it. But you would get evidence
44 of people are using that resource without people having to
45 reveal that they actually harvested the resource.

46
47 MR. SAMUELSEN: Just that I have personal
48 knowledge of one village that goes out and harvests bears but
49 they sneak around thinking they're going to get penalized for
50 it, you know.

00259

1 MS. ANDREWS: Yeah, well, that's.....

2
3 MR. SAMUELSEN: You know, in spring hunt.

4
5 MS. ANDREWS: I certainly acknowledge that's
6 a definite concern for some resources in some communities and
7 that may be the case in this situation.

8
9 MR. SAMUELSEN: Okay, thank you.

10
11 MS. ANDREWS: Uh-huh.

12
13 CHAIRMAN O'HARA: Okay. Any questions,
14 Council members? Elizabeth, is it Jim Fall, is that the
15 gentleman's name who does the subsistence for the State of
16 Alaska?

17
18 MS. ANDREWS: Mr. Chairman, he's the
19 supervisor for our research staff for this region, that's
20 correct. He's done some of the surveys in these communities
21 or his staff have.

22
23 CHAIRMAN O'HARA: Yeah, he's been in these
24 homes and I heard him testify at the Game Board meeting of
25 the number of people in the villages and the number of homes
26 that he visited -- well, actually it was in the committee
27 meeting, and I was really impressed how thorough he was in
28 asking each head of the household, and they actually gave him
29 pretty good answers. And I don't know if you've talked to
30 him or it just -- does he oppose this like you do; is this
31 where you get your information to go on record that's
32 opposing this?

33
34 MS. ANDREWS: Yes, Mr. Chair.

35
36 CHAIRMAN O'HARA: Okay.

37
38 MS. ANDREWS: I mean I had checked with Jim
39 and that's when we, you know, saw the first draft analysis,
40 and you know, lining it up with the studies that we've done.
41 That's -- you know, we're pointing out that there's a lack of
42 some of the information. And our concern is that the Council
43 or the community try to get more of that information on the
44 record because it's not showing up in the information that we
45 have.

46
47 CHAIRMAN O'HARA: Okay. Any other questions,
48 Council members? Thank you very much Elizabeth, we
49 appreciate that. Other agencies comments. Any other agency
50 that needs to address this issue today? Fish and Game

00260

1 Advisory Committee comments.

2

3 MR. HEYANO: Mr. Chair.

4

5 CHAIRMAN O'HARA: Pardon me.

6

7 MR. HEYANO: Does BBNA have any harvest data
8 pertaining to these two communities on brown bear?

9

10 CHAIRMAN O'HARA: Apparently not.

11

12 MS. McCLENAHAN: I think, Mr. Chairman, what
13 harvest data was available was included in the analysis.

14

15 CHAIRMAN O'HARA: Okay.

16

17 MS. McCLENAHAN: That was from Krieg, et al.,
18 from their study.

19

20 CHAIRMAN O'HARA: Okay. Does that satisfy
21 you, Robert?

22

23 MS. McCLENAHAN: But if Ted has, you know, he
24 may have additional information for us.

25

26 CHAIRMAN O'HARA: Other agencies that might
27 have comment? Excuse me Advisory Board Committee comments.
28 RAC groups. Okay.

29

30 MS. OLSEN: Hello, I'm Myra Olsen, Chair of
31 the Lower Bristol Bay Advisory Committee. In our meetings
32 that we had we discussed this and we supported Pilot Point
33 and Ugashik's efforts to be -- for a positive c&t finding for
34 them.

35

36 CHAIRMAN O'HARA: Okay. Any questions,
37 Council members? Thank you very much, Myra. Written
38 comments.

39

40 MR. BERG: Yes, Mr. Chair. We received three
41 written comments in our office and all three were opposed to
42 the proposal.

43

44 The first comment was from ADF&G, and it mirrors the
45 comments that Mrs. Andrews already presented and so I won't
46 restate those.

47

48 Joe Hendricks, from Anchorage, opposes the proposal.
49 He believes that under State regulations for the last 40
50 years, residents of Pilot Point and Ugashik were allowed to

00261

1 harvest brown bear yet few chose to do so. He questions why
2 there is now so much interest in an activity that has never
3 been denied.

4
5 The Alaska Professional Hunters Association sent in a
6 comment. They state that in recent years, less than nine
7 percent of the community households in Unit 9 reported
8 subsistence use of brown bears and that use has predominately
9 occurred on the Pacific drainage portion of Unit 9(E).
10 Although there is evidence of historical use of brown bears
11 by the communities of Pilot Point and Ugashik on the Bristol
12 Bay drainage of Unit 9(E), very little use has been reported
13 in recent years. During the three year regulatory period
14 from '94/95 to '96/97, only three bears were harvested by
15 those two communities. This information indicates that
16 communities of Pilot Point and Ugashik may not meet the
17 standards required for a positive c&t determination. A
18 possible alternative for individuals of those communities
19 that desire to use brown bear meat or fat is to share in the
20 subsistence harvest of bears elsewhere in Unit 9(E) or to
21 receive donations from bears taken in guided hunts in Unit
22 9(E).

23
24 That concludes the written comments.

25
26 CHAIRMAN O'HARA: Any questions or comments ,
27 Council members on the written comments? All right, I think
28 we've gone one through seven. Public comments. Any public
29 comments today? Yes.

30
31 MR. SMITH: Sid Smith. I reside in
32 Dillingham now. But I support the hunt in this area, Unit
33 9(E). There's a lot of reasons for that.

34
35 The elders will tell you that they treat their way of
36 life and subsistence way of life like an economic system.
37 You know, we've had a disaster here for a couple of years.
38 Grant you, maybe some of the people don't go out and get the
39 bear, but all their renewable resources around their area,
40 it's like if caribou's down they'll move to beaver or moose
41 or vice versa, more fish or whatever. The people that, you
42 know, live where these renewable resources are understand, and
43 I think Robin tried to touch on it and Robert earlier, Mr.
44 Chairman. Is that when you get your reports, from either
45 Fish and Game or Fish and Wildlife, a lot of times they're
46 not complete. The bear, the wolves, the caribou and when
47 they manage these renewable resources, they don't take in
48 account the ecosystem. The predator kill from the bear, the
49 predator kill from the wolves, and the caribou. When you get
50 your information it needs to be complete. And by allowing

00262

1 the bear hunt within this geographical area makes a lot of
2 sense to the local people.

3
4 You know, hopefully in time you'll be able to get a
5 full account of what's going on with some of these renewable
6 resources by managing what you call the ecosystem, each
7 animal lives off of each other. You can go all the way down
8 the line to salmon to walrus to clams to whatever. And when
9 you get an incomplete report, you make mistakes and it takes
10 time for us to correct those mistakes. It takes us five or
11 six years.

12
13 But I do support this one here because it makes a
14 lot of sense, it has been happening. And you know, grant
15 you, you know, the State of Alaska will say they don't have
16 the information but yet it's in front of them but they don't
17 want to see it. You know, it -- it does two things. It
18 looks at the predator, you know, under caribou or moose or
19 whatever. But I do support it.

20
21 CHAIRMAN O'HARA: Thank you very much, Sid,
22 for taking time today. No questions for Sid today, Council
23 members? Any other public comment -- yes, Ted. Are you
24 testifying for yourself or BBNA?

25
26 MR. KRIEG: No, BBNA.

27
28 CHAIRMAN O'HARA: Okay.

29
30 MR. KRIEG: Ted Krieg, Bristol Bay Native
31 Association, Natural Resource Department. I think I was
32 going to comment on one other one, I think I put that on my
33 form, I put down like the three proposal numbers, so just for
34 clarification.

35
36 CHAIRMAN O'HARA: Okay, 31 next, 36 after
37 that.

38
39 MR. KRIEG: But I'll try to answer any
40 questions but as far as Proposal 31, BBNA supports Proposal
41 31.

42
43 And I think, you know, Robin's point about
44 documenting the eight factors for determining c&t, that is
45 important. I think it's, at least my understanding, of the
46 way the whole system works, you know, having that information
47 documented is really important and especially if, at some
48 time, we go back to State management.

49
50 And I guess, kind of following up -- you know, I

00263

1 have to agree with Sid Smith about, you know, subsistence is
2 opportunistic and I feel like people -- at least my
3 understanding is they've, you know, used those things in the
4 past and when they're -- you know, when the need arises
5 they'll use them again, and so it's -- it's just a constant,
6 you know, go around of using the different resources. I
7 guess that's the way I've always felt about subsistence.

8
9 And as far as answering questions about the harvest
10 surveys, the question that we ask, whether they hunted,
11 harvested -- you know, they could have hunted but not
12 harvested, so hunted, harvested and then if they used, and
13 you know, that was brown bear meat or fat. You know, those
14 were the questions we asked, it was a voluntary survey so you
15 know, maybe not everybody participated. We have the, you
16 know, the statistics are there about how many households
17 participated in the surveys. But as far as the voluntary
18 part of it, you know, the idea with that is that if somebody
19 doesn't feel comfortable giving out their information, you
20 know, then they don't have to. And I guess we would prefer
21 that then they didn't participate in the survey. So you
22 know, usually when I talk to people face-to-face, I mean I
23 feel like they're being pretty honest. But you know, there
24 were a few times where -- you know, I could think of like two
25 incidences where there was one person that I guess we didn't
26 really think he was being honest and so we -- I think we
27 discounted his survey. This was actually not in this round
28 of surveys but in one previous one. And then at one time,
29 you know, when I really explained to somebody about how
30 important it was for the numbers, then they said, well, okay,
31 there was another animal that we should report.

32
33 So -- and as far as Chignik Lagoon, in Chignik Lagoon
34 there was -- the person -- there was a young woman there who
35 did the surveys pretty much independently, she had worked
36 with Fish and Game before and so I, personally, wasn't
37 involved in any of the surveys at Chignik Lagoon. At Chignik
38 Bay, I was involved in all or part of them over the two years
39 we did -- we came up with three years of data, but it was two
40 survey periods that we did the surveys there.

41
42 And that's all I've got unless there's questions
43 about.....

44
45 CHAIRMAN O'HARA: Any questions, Council
46 members? Thank you very much, Ted. Any other public
47 comment? All right, public comment period's over. Regional
48 Council's action on 31, what's the wish of the Council? Yes.

49
50 MR. ENRIGHT: Yeah, I got a list here of --

00264

1 it covers the year from 1952, I think until -- 1954 to '97, I
2 got this from Dave Fisher. Now, see you've got these units
3 here, like from Pilot Point to it covers the Lower Ugashik
4 Lake.

5
6 CHAIRMAN O'HARA: Uh-huh.

7
8 MR. ENRIGHT: From '54 to '97 there was seven
9 -- or 159 bears killed, that's the lower lake down to Pilot
10 Point.

11
12 CHAIRMAN O'HARA: Uh-huh.

13
14 MR. ENRIGHT: Then the upper lake, over the
15 same period of time there was 177 bears killed.

16
17 CHAIRMAN O'HARA: Oh.

18
19 MR. ENRIGHT: See just on the upper lake. So
20 this is -- these are uniform coding units, these are the 9(E)
21 cut down into little areas. So just in that Ugashik area
22 alone there's over 300 bears caught in that length of time.
23 I mean that goes back to '54, so I don't know how many of
24 them were non-residents and, you know, but I imagine back
25 then you didn't have that many guides out here so probably
26 I'd safely say there's probably a third of them anyway that
27 was caught by local residents back in that time frame. And
28 these are the ones that -- this is off of the State records,
29 you know. So just in that one year those three bears caught
30 there, you know, so because it's a small number that don't
31 say 20 years ago that they might have got 50, you know, we
32 don't know, you know.

33
34 CHAIRMAN O'HARA: Uh-huh.

35
36 MR. ENRIGHT: So my feeling is the people
37 down there, I know back when I was a kid, you know, they used
38 to get a lot of bears every year. You know, they'd eat them,
39 they'd feed them to their dogs and stuff, so they've used
40 bears. So I don't know, you know, why they're saying, you
41 know, that these numbers are smaller or they don't use them.
42 Because they don't use them right now, you know, the seasons
43 are -- you can only shoot one bear every four years, but back
44 then you could shoot them, you know, every year, everybody
45 can shoot a bear, you know.

46
47 CHAIRMAN O'HARA: Uh-huh.

48
49 MR. ENRIGHT: So might point is what I'm
50 saying is back in the '40s and '50s and up in the '60s, early

00265

1 '60s there were a lot of bears killed down there. So.....

2

3 CHAIRMAN O'HARA: So there might be a c&t
4 finding, uh?

5

6 MR. ENRIGHT: Yeah, there is a c&t finding
7 I'm sure, you know, I mean that's -- because there's only a
8 few people living there, like all my kids, they live there
9 but they got kids of their own so they got to take them to
10 school somewhere so they live in Anchorage, you know. But
11 you know, I'm going to support it anyway so.....

12

13 CHAIRMAN O'HARA: Any other comments, Council
14 members? What's the wishes of the Council as to vote this up
15 or down?

16

17 MR. SAMUELSEN: Tim, made a motion didn't he?

18

19 MR. ENRIGHT: Yep.

20

21 CHAIRMAN O'HARA: Is there a second?

22

23 MR. SAMUELSEN: Second.

24

25 CHAIRMAN O'HARA: Okay, any further
26 discussion -- do you want to address your motion farther,
27 Tim?

28

29 MR. ENRIGHT: No, I think I pretty well
30 covered it.

31

32 CHAIRMAN O'HARA: Okay. Council members, any
33 discussion?

34

35 MR. SAMUELSEN: Mr. Chairman.

36

37 CHAIRMAN O'HARA: Yes.

38

39 MR. SAMUELSEN: No, Robert.

40

41 CHAIRMAN O'HARA: Robert.

42

43 MR. HEYANO: Yeah, Mr. Chairman, I guess I'm
44 having a hard time finding the number of bears that were used
45 by Pilot Point and Ugashik in this information.

46

47 CHAIRMAN O'HARA: Did you want to ask Pat
48 McClenahan that question then?

49

50 MS. McCLENAHAN: One source of information

00266

1 was the harvest ticket records on Page 28 at the top. It
2 says harvest ticket records show that a resident of Pilot
3 Point reported taking one bear in 1989 and one bear in 1995.
4 The residents of Ugashik took one bear in 1995. And Morris
5 in 1987 -- oh, no, I'm sorry, that's something else.

6
7 MR. HEYANO: Is there some information in
8 here that shows that they use a higher number than that
9 harvest ticket information?

10
11 MS. McCLENAHAN: I was looking for the
12 information out of the most recent BBNA/ADF&G report. Okay,
13 there's one bear listed two years ago that appears in the
14 BBNA/ADF&G report in 1998. Following that, ADF&G harvest
15 records report only two bears taken by Pilot Point, one in
16 1989, one in 1995. One bear taken in Ugashik in 1995.

17
18 CHAIRMAN O'HARA: Any further questions,
19 Robert? Did you have a comment, Robin, I didn't know if you
20 had your hand up there or not there.

21
22 MR. SAMUELSEN: Yeah, Mr. Chairman, I'll be
23 voting in support of the motion. Going through the eight
24 factors in determining the customary and traditional uses,
25 Page 27, when we addressed Ugashik, long time resident Nick
26 Shanigan hunted. Nick, Shirley Kelley's father, Nancy
27 Flemsburg, who I was talking to this morning over at the
28 hotel about this -- whether bear meat was eaten or not by the
29 folks down there and I just happen to run into her, and I
30 haven't seen her in years, and said, we're over here in one
31 of these proposals. So you know, I think we, as -- harvest
32 ticket information does not give you a good indication of
33 what's been happening out there, especially in the past,
34 where -- where villages like Ugashik and Pilot Point were
35 really big villages.....

36
37 MR. ENRIGHT: Oh, yeah.

38
39 CHAIRMAN O'HARA:as Tim said. Because
40 of the economic conditions people are moving out, and the
41 reluctance of subsistence users not to, you know, up until 20
42 years ago there probably wasn't somebody going down there to
43 give out licenses, they just felt it was their God-given
44 right to go out and harvest it. You know, at one point in
45 time Dillingham people felt the same way. And people up in
46 the Iliamna Lake probably never seen a protection officer
47 come around but once a year or twice a year. So I think, you
48 know, to base it on the harvest information will give a
49 different picture, and trying to look at it -- and talking
50 with elders and around the area, I've spent some time down

00267

1 there visiting them folks down there and, you know, I don't
2 know about you, Mr. Chairman but I always get educated a heck
3 of lot more before.....

4
5 CHAIRMAN O'HARA: Yeah.

6
7 MR. SAMUELSEN:after I leave that
8 village than I was before so I'm going to be in support of
9 it. Harvest information doesn't back it, but I don't think I
10 have to base my information strictly on harvest.

11
12 CHAIRMAN O'HARA: Okay. Yes, Tim.

13
14 MR. ENRIGHT: You know, there's something
15 else. Like for instance, like caribou, you know, it says,
16 residency unknown, there's 2,626 caribou, you know, that
17 they don't know where they were caught you know, because all
18 they know is they were caught but they don't know where. So
19 that's the same way with the bear, you know, they got a number
20 of bears, I think about 50 bear there, they don't know they
21 were caught, all they know they were caught down there
22 someplace, you know. They might have been caught all in
23 Pilot Point or all in Ugashik, all in Egegik or you know, we
24 don't know, because there's no -- nothing to show where they
25 were caught.

26
27 CHAIRMAN O'HARA: Okay. Any further -- yes,
28 Robert.

29
30 MR. HEYANO: Yeah, I guess, Mr. Chairman, I'm
31 going to be voting in opposition of the proposal. I think --
32 and I don't base it solely on harvest tickets, I was looking
33 for other information that at least would lead me to believe
34 that there was more bear harvested than what's presented
35 here, you know, through a BBNA study or a subsistence survey.
36 And I just don't see it, and I guess I personally like to
37 apply the criteria evenly across our region and I think in
38 this instance we're not holding the same standards to these
39 folks as we did to the people in 9(C).

40
41 CHAIRMAN O'HARA: Any further discussion,
42 Council members? Call for the question.

43
44 MR. HEYANO: Question.

45
46 CHAIRMAN O'HARA: All those in favor say aye.

47
48 IN UNISON: Aye.

49
50 CHAIRMAN O'HARA: Opposed.

00268

1 MR. HEYANO: Aye.

2

3 CHAIRMAN O'HARA: One opposed, six for it,
4 motion carries. The next proposal.

5

6 MR. BERG: Mr. Chair, we've finished 32, 33
7 and 34 this morning, so that moves us right into Proposal No.
8 35 found on Page 60 under Tab U, and that proposal is to
9 increase the season for moose in Unit 9(B) from separate fall
10 and winter openings to a continuous season of August 20 to
11 April 1st. The proposal was submitted by the Pedro Bay
12 Corporation and Lisa Jacko. Staff biologist, Dave Fisher
13 will handle the analysis.

14

15 CHAIRMAN O'HARA: David.

16

17 MR. HEYANO: What page is that on?

18

19 CHAIRMAN O'HARA: Page 60.

20

21 MR. FISHER: Thank you, Mr. Chairman. As
22 Jerry Berg explained this would extend the moose season in
23 Unit 9(B) from December 1st to April 1st. And this is an
24 extension of about five and a half months. The current
25 Federal subsistence season for Unit 9(B) are August 20th to
26 September 15th and December 1st through December 31st, one
27 bull. Corresponding State regulations are September 1
28 through September 15, December 1 through December 31st, one
29 bull. The Board of Game, at their recent meeting did modify
30 their winter season and they modified that to December 15th
31 to January 15th so we want to please keep that in mind.

32

33 In addition to the current seasons, there are some
34 villages there that have a -- they take a total of up to 10
35 bull moose from Federal public lands in the subunit for
36 ceremonial purposes by registration permit, year-round.

37

38 Moving on to the biological information, the moose
39 population in the Lake Clark National Park is moderate to low
40 density and Park Service people feel that the population at
41 this time is declining real -- very slowly. Aerial trend
42 surveys and herd composition counts show that this moose
43 population has low recruitment, eight to 10 calves per 100
44 cows. However, other population data that they've collected
45 indicates a rather high bull/cow ratio. And this seems to
46 indicate that possibly more bull moose could be harvested. I
47 think it was mentioned yesterday by one of the Park Service
48 people they have done some studies. They do plan to do some
49 more studies so we will have some more biological -- good
50 biological data here in the future. Harvest ticket data from

00269

1 the ADF&G harvest ticket data base indicates that the harvest
2 has remained relatively stable over the past 15 years. Most
3 of the harvest occurs in September and that September season,
4 870 animals compared to 157. Most of the harvest occurs off
5 of Park lands as access to these Park lands is somewhat
6 difficult. Park Service people met with the subsistence
7 resource commission in mid-January, and the commission's
8 concern at this time was the extension of that season past
9 -- actually January 15th, the did recommend extending the
10 season to January 15th, but they felt that any extension past
11 that could have an impact on the harvest of cows, bulls lose
12 their antlers and there could be some cows harvested by
13 mistake. And they also felt that hunting moose that late in
14 the season where the antlers have already been lost by the
15 bulls, that there could be some stress put on pregnant cows.
16 But they did recommend to modify the season to January 15th.

17
18 In talking this proposal over with Jeff Denton from
19 the BLM, he does have some concern about BLM lands and I'd
20 like to have him briefly address those and then I would give
21 the Staff recommendation.

22
23 CHAIRMAN O'HARA: Jeff, did you want to come
24 up and address this?

25
26 MR. DENTON: Yes.

27
28 CHAIRMAN O'HARA: Go ahead.

29
30 MR. DENTON: Jeff Denton, Anchorage Field
31 Office, BLM. BLM has several concerns relative to this
32 proposal. First of all, in your analysis it says BLM lands
33 are small isolated tracts or small -- those isolated tracts
34 of Federal public lands amount to 458,000 acres in Unit 9(B).
35 They're interspersed with selected lands of nearly in equal
36 acreage. So BLM acreage in 9(B), which basically is those
37 lands along -- in the Kvichak drainage to the south and west
38 of Iliamna Lake. We're looking at a million acres which BLM
39 has certain responsibilities, 458,000 acres which are Federal
40 public lands for subsistence harvest of moose.

41
42 Those lands, 100 percent are available and accessible
43 by aircraft and snowmachine during the winter months. This
44 area has periodic high intensity hunter activity searching
45 for Mulchatna caribou during winter months, not only from
46 subsistence uses but from sport hunters and you know, other
47 types of uses there as well as trapping and what have you.
48 So the area gets considerable amounts of public use and
49 subsistence use during the winter months related to other
50 resources.

00270

1 BLM's concern is that moose habitat is very limited
2 and very scattered, especially winter habitats. The few
3 moose -- the moose densities there are probably low to very
4 low, and the habitats, like I said are isolated and very
5 limited. Those areas, our concern is that the few moose that
6 are there concentrate on those winter areas, they're
7 extremely vulnerable, extremely observable by all the
8 activities out there from aircraft and snowmachines. Our
9 concern is the proposal and even the Fish and Game's Board
10 decision to change -- move that season back a little bit,
11 provides an opportunity for significant over harvest of those
12 moose that are there. And in our opinion, we don't have a
13 sustainable harvest under the proposal or even under the
14 Board action that the Board of Game has taken.

15
16 I guess, the proposal itself, from my understanding
17 and the Park Service may have to verify this, but the issues
18 in the proposal was forwarded relative to conflicts or
19 problems or perceived desires of people dealing with Lake
20 Clark Federal public lands, not BLM public lands. We would
21 prefer that the seasons remain -- the current seasons for the
22 BLM lands and basically separate, make the Lake Clark Federal
23 public lands a separate issue to be dealt with here. We feel
24 the moose population sustains adequate harvest, it's a
25 relatively stable but low population and habitats are stable
26 at the present time. We feel the changes would be
27 detrimental to the resource and also in the long-run would
28 decrease opportunity because we'd be losing the moose
29 resource over time through over harvest.

30
31 That's all I have. I'd be willing to answer any
32 questions that I can.

33
34 CHAIRMAN O'HARA: Any questions, Council
35 members? The BLM lands are the little brown lands down here
36 at the end?

37
38 MR. DENTON: Yeah, the BLM lands are the brown
39 lands there, but also the white space mostly interspaces
40 between those are also BLM lands that are under selected
41 status. So BLM land actually is about twice that land mass
42 that's in the brown there but the brown is what we're
43 concerned about for subsistence management. That's the lands
44 that are free of selections and those kinds of encumbrances
45 that are basically Federal public lands open to subsistence.

46
47 But we're concerned about the population as a whole
48 because people out there on the ground cannot tell if they're
49 on public land or selected land or State land. And that
50 entire region has very low moose population densities and

00271

1 very limited habitats.

2

3 CHAIRMAN O'HARA: Here.

4

5 MR. DENTON: Yes, that's correct.

6

7 CHAIRMAN O'HARA: I flew over it the other
8 day, it looked pretty good to me. They were standing
9 everywhere.

10

11 MR. DENTON: Well, along the river, along the
12 -- along the river, the Kvichak River, is non-public lands.
13 Those are all basically patented lands to the corporations.
14 The selected lands or the uplands out of the river, they're
15 wet tundra wetlands, there's hardly willows there even.

16

17 CHAIRMAN O'HARA: I think.....

18

19 MR. DENTON: It's caribou habitat.

20

21 CHAIRMAN O'HARA:there's a lot of moose
22 in that area.

23

24 MR. DENTON: But not.....

25

26 CHAIRMAN O'HARA: A lot of moose in that
27 area.

28

29 MR. DENTON: Yeah, I'm speaking to the
30 Federal public lands, which there are very few moose on
31 because they're the uplands.

32

33 CHAIRMAN O'HARA: I think there's a lot of
34 moose on the Federal lands, too. You just get in a plane and
35 go take a look and you'll see them. It's a good time now.

36

37 MR. DENTON: Well, I've worked considerable
38 time out there and we.....

39

40 CHAIRMAN O'HARA: I've flown considerable
41 time out there, I mean I have got many, many hundreds of
42 hours in that flying area, up along the hillsides, all the
43 way across the Lone Mountain, down across the flats, up in
44 the Kakhonak area. The only area I haven't flown is Pedro
45 Bay. Iliamna, Port Alsworth, Nondalton.

46

47 MR. DENTON: Okay. Well, I guess we're
48 talking the areas around Levelock, the Kvichak Drainage to
49 the west.

50

00272

1 CHAIRMAN O'HARA: I was in Levelock the other
2 day and.....

3
4 MR. DENTON: It goes up to the.....

5
6 CHAIRMAN O'HARA:at the cross runways,
7 there was -- where the east/west/north/south runway cross,
8 there was four moose laying in the bushes there.

9
10 MR. DENTON: Right.

11
12 CHAIRMAN O'HARA: You could have put a tent
13 over them and the next day had them in a freezer.

14
15 MR. DENTON: I agree, along the river, which
16 is patented land to the corporations and along the main river
17 bottom there, probably has adequate moose populations. The
18 Federal public lands are many miles from there. And they're
19 -- as you go up to the very heads of the drainages, they're
20 up -- it's wet tundra, basically there's no -- very little
21 willow habitats. I think the surveys that Mr. Woolington's
22 doing now just on the other side of that Kvichak divide, his
23 density levels in the winter are low to very low in those
24 types of habitats.

25
26 CHAIRMAN O'HARA: Okay.

27
28 MR. DENTON: And that's our concern.

29
30 CHAIRMAN O'HARA: Thank you very much, Jeff,
31 we appreciate it.

32
33 MR. DENTON: Yep.

34
35 CHAIRMAN O'HARA: Any questions, Council
36 members?

37
38 MR. SAMUELSEN: Robert.

39
40 CHAIRMAN O'HARA: Robert.

41
42 MR. HEYANO: Mr. Chairman, do we have any
43 accurate numbers of what the moose population is or has been
44 in that area? You know, I hear from moderate to low to very
45 low to low.

46
47 MR. FISHER: Are you talking the BLM lands?

48
49 MR. HEYANO: Well, I'm.....

50

00273

1 CHAIRMAN O'HARA: Well, this whole area.

2

3 MR. HEYANO:it doesn't really make much
4 difference because I don't think the moose knows where to
5 stop.

6

7 MR. FISHER: We have some population data for
8 the Park but.....

9

10 MR. HEYANO: Nothing for the lower end?

11

12 MR. FISHER: Not -- not.....

13

14 MR. HEYANO: The BLM lands and State lands?

15

16 MR. FISHER: No, I don't -- that's why I
17 asked -- Jeff expressed concern about this and that's why I
18 asked him to express that to you people.

19

20 CHAIRMAN O'HARA: Dick Sellers, do you.....

21

22 MR. FISHER: I haven't seen any data -- maybe
23 Mr. Woolington may have some? Maybe Dick Sellers could add
24 to this.

25

26 CHAIRMAN O'HARA: Dick, is that your district
27 or management?

28

29 MR. SELLERS: It is the only trend area that
30 we have.

31

32 CHAIRMAN O'HARA: Come on up, Dick.

33

34 MR. SELLERS: Dick Sellers, Alaska Department
35 of Fish and Game. We do have trend areas scattered around
36 Unit 9(B). The closest one to the BLM lands is the Nakeen
37 trend area, Nakeen Bear Creek area. And then we have a
38 number of them around Lake Iliamna, Lake Clark. But we don't
39 have a -- the same type of a density estimate that Jim
40 Woolington's working on now.

41

42 CHAIRMAN O'HARA: Are you in trouble there?

43

44 MR. SELLERS: Well, maybe without going to
45 the trouble of setting up the overhead, I'll show you a graph
46 here that is our primary concern. Each line you see here is
47 an individual trend area, there's the Chevak, Chulitna,
48 Koksetna, Miller, Kvichak Creek area, Big Mountain and
49 Nakeen, each one of those is a different line. And this is
50 calf/cow ratios, and the point here is every single line is

00274

1 on a downward trend in terms of the calf/cow ratio. So it's
2 pretty obvious that that moose herd is not thriving.

3
4 Now, the bull/cow ratios in general, Nakeen, for some
5 reason has a pretty low bull/cow ratio now, but most of the
6 others seem to have adequate bull/cow ratios.

7
8 CHAIRMAN O'HARA: Yeah, okay, I like the
9 State proposal, too, Dick. You know, I think they made a
10 concession there on some time and it looks pretty good,
11 especially with freeze-up and snow conditions and January
12 being pretty nice hunting. I think they made a good
13 concession there.

14
15 Any questions, Council members? Thank you very much,
16 appreciate it. Where are we at on the.....

17
18 MR. BERG: ADF&G comments.

19
20 CHAIRMAN O'HARA: ADF&G comments, okay.

21
22 MS. ANDREWS: Thank you, Mr. Chairman.
23 Elizabeth Andrews, Alaska Department of Fish and Game.

24
25 As you can tell we don't support the proposal as it's
26 written. We would support having a season that's consistent
27 with the Board of Game action that provided for December 15th
28 to January 15 season. So we would recommend that
29 modification.

30
31 CHAIRMAN O'HARA: And that's your comments,
32 Elizabeth?

33
34 MS. ANDREWS: And I'm going to look to Dick
35 to see if there's anything else he wants to add on that.

36
37 CHAIRMAN O'HARA: Okay.

38
39 MS. ANDREWS: I think he does.

40
41 CHAIRMAN O'HARA: All right, thank you.

42
43 MR. SELLERS: Dick Sellers, Alaska Department
44 of Fish and Game. Just one other comment, originally in our
45 comments you see where we were supporting a date that
46 extended possibly even into February but you know, a number
47 of factors have altered that view and thinking that January
48 15th is probably late enough. One of which is the fact that
49 when the same day airborne allowance was made for 9(B) and 17
50 for the Mulchatna Caribou Herd, the Nushagak Committee

00275

1 recommended a January 1st start for that, based on some
2 concern about same day illegal taking of a moose. So we find
3 relatively little same day airborne caribou hunting in
4 January just because of the temperature and day length, but
5 obviously as you get later into the spring, the influx of
6 same day airborne caribou hunters increases. So that's
7 another consideration.

8
9 CHAIRMAN O'HARA: Any questions, Council
10 members? Thank you very much. Other agency comments. No
11 other agency comments? Okay, the Chairs of Fish and Game
12 Advisory Committees at this time.

13
14 MR. ALVAREZ: Hello. My name is Randy
15 Alvarez, I'm the Chair of the Lake Iliamna Fish and Game
16 Advisory Committee. And this proposal was brought up at our
17 last meeting we had this last January, and our community did
18 not support this proposal as it was written. But after this
19 -- there was -- we probably had our biggest audience at this
20 meeting and after discussing it -- well, I would say our
21 biggest audience since I've been on the advisory board, and
22 after discussing it for a while, the committee supports an
23 amended version. And it's kind of ironic, but our amended
24 version, we decided to support a version of open to January
25 15th, and that's kind of the -- well, we felt that that --
26 the reason we didn't -- the season was too excessive what
27 they were asking for and it just didn't look right.

28
29 CHAIRMAN O'HARA: Is that all you have,
30 Randy?

31
32 MR. ALVAREZ: Yes.

33
34 CHAIRMAN O'HARA: Any questions, Council
35 members? Thank you very much. Any other Advisory Council
36 members, RAC groups. No one else commenting?

37
38 MR. FISHER: Mr. Chairman.

39
40 CHAIRMAN O'HARA: Yes.

41
42 MR. FISHER: I have one more comment I'd like
43 to make.

44
45 CHAIRMAN O'HARA: You're out of sequence but
46 since you're Dave Fisher, we'll let you do it.

47
48 MR. FISHER: Excuse me. Thank you.

49
50 CHAIRMAN O'HARA: You carry a lot of weight

00276

1 around here.

2

3 MR. FISHER: I don't know if I want to make
4 the comment now.

5

6 CHAIRMAN O'HARA: We like you and Sellers, we
7 do, and Elizabeth, we like you, too.

8

9 MR. FISHER: The Staff conclusion, we
10 recommended the proposal be modified per the Lake Clark
11 Subsistence Resource Commission. And we also recommend that
12 the hunt should be changed to a Federal registration permit.

13

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

15

16 CHAIRMAN O'HARA: Thank you. Any questions,
17 Council members? Summary of written comments.

18

19 MR. BERG: Yes, Mr. Chair, we received two
20 written comments. One opposing this proposal, and one
21 suggesting modifications.

22

23 ADF&G submitted a written comment suggesting
24 modifications, and those already stated by Ms. Andrews and
25 Mr. Sellers, regarding the dates. And then in addition to
26 the changing of the dates, they state that a late winter
27 season can be supported since harvest would be limited and
28 trophy hunting would be discouraged. Most of the Federal
29 land in Unit 9(B) is within Lake Clark National Park and
30 Preserve. Moose survey data for this area shows relatively
31 high bull to cow ratio.

32

33 We also received a written comment from Kathleen and
34 Gary or Butch, King. And they're opposed to the proposal
35 stating that qualified subsistence users have a 12 day head
36 start on resident hunters and 43 days with no non-resident
37 hunters in the field during which to get their moose. This
38 should be sufficient advantage.

39

40 And that's the end of the written comments.

41

42 CHAIRMAN O'HARA: Okay. Any questions on the
43 written comments, Council members? All right. Public
44 comments. Anyone in the public want to comment on this,
45 Proposal 35. Yes.

46

47 MR. GREENWOOD: I had a comment from Glen
48 Alsworth.

49

50 CHAIRMAN O'HARA: All right.

00277

1 MR. GREENWOOD: Bruce Greenwood, National
2 Park Service, Alaska Support Office. Glen Alsworth talked to
3 Lee Fink regarding the Federal registration permit. And Glen
4 is Chair of the SRC of the Lake Clark National Park
5 Subsistence Resource Commission. Although the Commission did
6 not specifically address registration permit hunts, Glen was
7 in support of this because he feels they can't afford to kill
8 any cows, based on the best available data, and that the
9 permits will afford the National Park Service rangers to
10 contact individual hunters prior to going into the field to
11 remind them of the need to be cautious -- use caution to
12 avoid inadvertent harvest of bulls without antlers at this
13 time. And he also felt that permits afforded the best
14 support of obtaining accurate harvest information in a timely
15 manner.

16
17 CHAIRMAN O'HARA: Okay. Any questions,
18 Council members? All right, any other public comments? All
19 right, we have gone one through seven. What is the wishes of
20 the Council at this time? I notice on Page 64 there, Lake
21 Clark Subsistence Resource Committee, SRC, stressed about
22 half way down, the last paragraph at the bottom is what we're
23 looking at here and they said, no cows were harvested, and
24 correct me if I'm wrong here, Dave, or whoever handles this
25 department, SRC recommend the following, August 20 to
26 September 15, and then December 1 through January 15th, is
27 that what they recommended? Okay. And your Staff
28 recommended a permit hunt?

29
30 MR. FISHER: Yes.

31
32 CHAIRMAN O'HARA: Okay.

33
34 MR. FISHER: Now, bear in mind that what they
35 recommended is different from what the Board of Game is.....

36
37 CHAIRMAN O'HARA: The Board of Game went.....

38
39 MR. FISHER: December 15th.....

40
41 CHAIRMAN O'HARA: Uh-huh.

42
43 MR. FISHER:January 15th.

44
45 CHAIRMAN O'HARA: And December 15th to
46 January 15th?

47
48 MR. FISHER: That's correct.

49
50 CHAIRMAN O'HARA: Dave, if we could ask you a

00278

1 question, you know, we really like to be consistent with
2 dates on boundary lines, whether they're Federal or State.
3 Would there be pretty wide spread confusion if we went
4 December 1st to January 15th? Would it be simpler if we went
5 December 15th to January 15th?

6
7 MR. FISHER: Mr. Chairman, I'd rather
8 somebody from the Park Service address this, I don't want to
9 make a recommendation and have them -- I'd rather have
10 them.....

11
12 CHAIRMAN O'HARA: Okay, fine.

13
14 MR. FISHER:address that question.

15
16 CHAIRMAN O'HARA: All right. And Bruce, do
17 you want to address that.

18
19 MR. GREENWOOD: Bruce Greenwood, National
20 Park Service. At the SRC meeting, which I attended, there
21 was some discussion of going from December 15th to January
22 15th. Some members were in support of that, others felt that
23 they would rather not lose 15 days of the hunt and they'd
24 rather begin December 1. They said depending on the
25 variability of the weather on a year by year basis, that
26 sometimes they cannot hunt until after December 15th if it's
27 open winter. But if it's a -- if there's more snow and more
28 ice, they're able to hunt December 1. They would prefer to
29 have December 1 hunt.

30
31 One reason they want to have an extra 15 days in
32 January is because if they -- if for some reason it is a more
33 open winter they're unable to get out there until later and
34 this would give them an extra 15 days in order to harvest
35 moose.

36
37 And maybe Andrew could speak more to that since he
38 was also at the meeting.

39
40 CHAIRMAN O'HARA: Andrew.

41
42 MR. BALLUTA: Yeah, I'm Andrew Balluta.
43 During the December 15th to January 15th is a holiday season,
44 and the residents around there don't hardly go out hunting on
45 account of the residents having holidays and whatever there's
46 there, Christmas, American Christmas and Russian Christmas
47 all combined in one -- right in that area. And somewhat --
48 when I went to the meeting at Pedro Bay, some comments were
49 made that December 1, the moose still got horn and then
50 residents from Anchorage have trophy hunts in that area.

00279

1 So for me, the Pedro Bay proposal here for August 10
2 to April 1st, I'm not supporting that.

3
4 CHAIRMAN O'HARA: Okay, thank you, Andrew,
5 appreciate that. Okay, we're down to decision time with the
6 Council. Did you have any questions of Bruce, Council
7 members? Yes, Robin.

8
9 MR. SAMUELSEN: I guess I'd like to know the
10 residents in Pedro region, are they having a tough time
11 getting their moose between December 1st and December 31st or
12 are we reacting to the weather conditions of last year
13 through a proposal process?

14
15 MR. GREENWOOD: I could not respond
16 accurately to that question. I'm not sure what their exact
17 concerns were regarding that.

18
19 CHAIRMAN O'HARA: I'd like to make a comment
20 to that Robin.

21
22 MR. SAMUELSEN: Okay.

23
24 CHAIRMAN O'HARA: Andy and I are both from
25 that Lake country and we've hunted moose up there for many,
26 many years, and I'd really like to give them some time in
27 January because if it doesn't freeze up or if the snow
28 doesn't drive the animals down, they're not going to be
29 available, you know. And there's lots of horns in January
30 still, even in February. And so if it's not maybe confusing
31 I think we ought to go December 1 through January 15th. And
32 Andy brought up a good point of, you know, the Russian
33 Christmas which is a long celebration and the American
34 Christmas, taking away time and the freeze up and everything,
35 you're probably going to see some Anchorage people hunting in
36 there but it's not good weather in that time of the year and
37 I don't think a big influx is going to hurt the animals and
38 it would be an opportunity to give these people some
39 additional time when maybe the freeze up would take up in
40 January.

41
42 So we need to move on this proposal. Yeah.

43
44 MR. ENRIGHT: I make a motion that we go from
45 December 1st to January 15th.

46
47 CHAIRMAN O'HARA: Okay. Second the motion.

48
49 MR. BALLUTA: I second the motion.

50

00280

1 CHAIRMAN O'HARA: Any other discussion,
2 Council members?

3
4 MR. HEYANO: Mr. Chairman, you know, the
5 State regs went from December 15th to January 15th. You look
6 at the land around Pedro Bay, if this map is accurate,
7 everything in the white they're already allowed to hunt from
8 December 15th to January 15th, what we're going to be
9 addressing is the area in the purple. And you know, I don't
10 know if those folks from Pedro Bay get that far up there.
11 I'm fairly familiar with the terrain and what not out there,
12 and I guess the other concern I have is the moose populations
13 in Lake Clark Park, in my opinion, are in very, very poor
14 condition and get virtually zero recruitment.

15
16 So I think, Mr. Chairman, as it speaks to the motion,
17 I can't support it. I can't support additional hunting
18 pressure in Lake Clark Park knowing the condition of the
19 moose. And I may be having a difficult time supporting the
20 proposal as it pertains to the remainder of 9(B) excluding
21 Lake Clark based on the trends that Dick Seller presented to
22 us, but I sure can't support at this time additional time in
23 Lake Clark Park for moose.

24
25 CHAIRMAN O'HARA: Is that the extent of your
26 comments, Robert?

27
28 MR. HEYANO: Yes.

29
30 CHAIRMAN O'HARA: Any other comments, Council
31 members? Call for the question. Call for the question.

32
33 MR. SAMUELSEN: Question.

34
35 CHAIRMAN O'HARA: All those in favor say aye.

36
37 IN UNISON: Aye.

38
39 CHAIRMAN O'HARA: Opposed.

40
41 MR. HEYANO: Aye.

42
43 MR. SAMUELSEN: Aye.

44
45 CHAIRMAN O'HARA: Two opposed. Motion
46 passes.

47
48 MR. FISHER: Mr. Chairman.

49
50 CHAIRMAN O'HARA: Yes.

00281

1 MR. FISHER: Could I ask for a point of
2 clarification?

3
4 CHAIRMAN O'HARA: Sure.

5
6 MR. FISHER: And maybe I missed the motion,
7 but I was wondering if that included Federal registration
8 permit?

9
10 CHAIRMAN O'HARA: No.

11
12 MR. FISHER: And what about the BLM lands,
13 was that.....

14
15 CHAIRMAN O'HARA: No.

16
17 MR. FISHER: Okay, thank you very much.

18
19 CHAIRMAN O'HARA: Let's take a break, 10
20 minutes.

21
22 (Off record - 2:41 p.m.)

23 (On record - 2:49 p.m.)

24
25 CHAIRMAN O'HARA: Hey, Jerry, are you ready?

26
27 MR. BERG: Yes.

28
29 CHAIRMAN O'HARA: Okay.

30
31 MR. SAMUELSEN: Mr. Chairman, on Proposal 31,
32 it was my understanding that we did a c&t determination for
33 brown bear in Unit 9(E) for the villages of Pilot Point,
34 Ugashik, Chignik Lagoon, and Chignik.

35
36 CHAIRMAN O'HARA: Did you get that David?

37
38 COURT REPORTER: Yes, I did.

39
40 CHAIRMAN O'HARA: That's for the record.

41
42 MR. SAMUELSEN: Is that concurrence?

43
44 CHAIRMAN O'HARA: Yep.

45
46 MR. SAMUELSEN: Okay.

47
48 CHAIRMAN O'HARA: All right. Proposal 36.

49
50 MR. BERG: Yes, Mr. Chair. Proposal 36 is on

00282

1 Page 68 of your books. And it is for a proposal for moose in
2 Unit 9(E) to close Federal public lands to non-qualified
3 users on the Pacific side of the Alaska Peninsula. It was
4 proposed by the Bristol Bay Regional Council.

5
6 CHAIRMAN O'HARA: All right, who's having the
7 biological and socio-cultural analysis -- David, all right.

8
9 MR. FISHER: Thank you, Mr. Chairman. On
10 Page 70 there of your book apparently there's a misprint
11 because it says the Bristol Bay Council, they wanted to
12 change the season from September 1 to September 30 to
13 September 1 to September 20. The current season is already
14 September 1 to September 20, so somehow there's a little bit
15 of confusion and I wanted to straighten that out.

16
17 CHAIRMAN O'HARA: Okay, it already is
18 September 1 to 20?

19
20 MR. FISHER: Yeah.

21
22 CHAIRMAN O'HARA: Okay, December 1 to 31.

23
24 MR. FISHER: No, that's what the -- like I
25 say somewhere there was some confusion. That's what,
26 apparently, the Council wanted to change it from -- they
27 wanted to change it from September 1 to 30 to September 1 to
28 20.

29
30 CHAIRMAN O'HARA: Oh.

31
32 MR. FISHER: The season is already September
33 1 to September 20.

34
35 CHAIRMAN O'HARA: Okay.

36
37 MR. FISHER: I just wanted to clarify that so
38 if somebody looked at that.....

39
40 CHAIRMAN O'HARA: Okay.

41
42 MR. FISHER:and said, hey, what's the
43 deal here so.....

44
45 CHAIRMAN O'HARA: All right.

46
47 MR. FISHER: And the other part of the
48 proposal remains the same as Jerry has explained. And this
49 was based on the Council's recommendation to adopt those
50 recommendations from the group that met there at the workshop

00283

1 there in September.

2

3 This proposal will also take care of the other part
4 of Proposal 34, which dealt with moose. If you'll recall
5 there was two parts on 34, one was caribou, we handled that
6 this morning.

7

8 CHAIRMAN O'HARA: Yeah.

9

10 MR. FISHER: And then.....

11

12 CHAIRMAN O'HARA: Okay.

13

14 MR. FISHER: The current subsistence
15 regulations for the moose harvest in Subunit 9(E) is
16 September 1 through 20 and December 1 through December 31,
17 one bull. Current State regulations, same Subunit, September
18 10 through 20, one bull with 50-inch antlers or three or more
19 brow tines, at least one side, and December 1 through 31, one
20 bull.

21

22 Now, at the recent Board of Game meeting, the Board
23 of Game extended that season, the winter season from December
24 1st to January 20th, and they added the spike-fork addition
25 for the antler restriction for resident hunters. So we'll
26 want to keep that in mind.

27

28 CHAIRMAN O'HARA: Spike-fork, meaning what?

29

30 MR. FISHER: You can take an animal spike-
31 fork or an animal with 50 inch.

32

33 CHAIRMAN O'HARA: Period?

34

35 MR. FISHER: Right.

36

37 CHAIRMAN O'HARA: Okay.

38

39 MR. FISHER: I talked a little bit about the
40 proposal history. The Subsistence Board considered a special
41 action similar to this proposal. They voted to defer it
42 pending our subcommittee meeting we had in September.

43

44 A little bit on the biology of this moose population.
45 Trend surveys conducted by the Department of Fish and Game
46 and Refuge indicate a stable moose population with adequate
47 bull/cow ratios. Census data indicates -- did indicate a
48 population of around 2,500 animals. As a result of the
49 workshop concern for those animals, there was some additional
50 surveys done this past November and December. And there were

00284

1 978 animals counted. The bull/cow ratio was around 67 bulls
2 per 100 cows. Cow/calf ratio was around 20 to 100 which is
3 adequate to maintain this population. So I'm assuming that
4 they're estimating the population to be a little bit more
5 than the 2,500 that their original estimate was. But the
6 population is stable and appears to be doing fine.

7
8 Looking at the harvest data, the overall harvest has
9 remained stable within sustainable levels for about the past
10 12 to 14 years. And an annual harvest of around 230 -- 225
11 to 230 animals. A little bit of information about harvest on
12 the Refuge, under their special use permit. Currently 16 big
13 game guides under Refuge special use permits are authorized
14 to hunt moose in Subunit 9(E) on the Refuge. They have
15 averaged around 78 clients per year. And the average harvest
16 has been about 29 moose. Breaking it down a little bit more,
17 the Pacific coast side of the subunit, the average number of
18 clients hunting over there on Refuge lands has been 27, and
19 the average harvest has been nine. So that gives you a
20 little bit of an indication as to what the guided.....

21
22 CHAIRMAN O'HARA: When you say Pacific side,
23 are you talking about the Meshik Valley?

24
25 MR. FISHER: Yes.

26
27 CHAIRMAN O'HARA: Obviously. There's not
28 enough.....

29
30 MR. FISHER: 9(E).

31
32 CHAIRMAN O'HARA:moose on the Pacific --
33 are you talking about the Meshik Valley?

34
35 MR. FISHER: Uh-huh. (Affirmative)

36
37 CHAIRMAN O'HARA: Okay. Anything else, Dave?

38
39 MR. FISHER: A little bit more here on
40 harvest. Information from the harvest ticket data base shows
41 that the majority of the harvest in Subunit 9(E) occurs
42 during the September season indicating that there would be
43 very little competition for the local subsistence users
44 during the December season as most of the harvest -- as most
45 of the harvest occurs in September.

46
47 In addition, there is an early subsistence season for
48 those people who qualify to hunt in 9(E), that is September 1
49 through September 10, so they have an early season.

50

00285

1 Basically, that's all I have other than the Staff
2 recommendation.

3
4 CHAIRMAN O'HARA: Any questions, Council
5 members?

6
7 MR. ENRIGHT: I have a question.

8
9 CHAIRMAN O'HARA: Yes.

10
11 MR. ENRIGHT: How many -- now, you say 78
12 clients, this is what the guides take out?

13
14 MR. FISHER: Yes. They're authorized 78
15 clients -- 16 guides.

16
17 MR. ENRIGHT: No, what about the non-resident
18 drop off hunters, how many of them?

19
20 MR. FISHER: I don't have that information.

21
22 MR. ENRIGHT: Because I know it's pretty high
23 around this.....

24
25 MR. FISHER: That would be recorded under
26 harvest ticket. I don't think -- we may have to ask Ron
27 this, but I don't think the Refuge takes harvest data from
28 air taxi operators.

29
30 MR. SQUIBB: I know we take.....

31
32 MR. FISHER: I don't think.....

33
34 MR. SQUIBB:a number out of there, I'm
35 not that familiar with the records -- I can't say.....

36
37 MR. FISHER: They may have data on the number
38 of people that the air taxi people haul out, but I don't
39 think they have the data as far as what the success of those
40 hunters is.

41
42 MR. ENRIGHT: I know just a couple of the
43 guides or air taxis, you know, I know they take like Brandt's
44 River and the SeaAir, I know between the two of them last
45 year they had over 70 moose hunters alone, just the two of
46 them, you know.

47
48 MR. FISHER: Over the past years there's been
49 a very low number of harvest tickets turned in by the locals.
50 But then when the Ted Krieg, and his survey that he did on

00286

1 those three years indicated a higher number of animals were
2 taken by the house -- by the local residents and that number
3 varied from somewhere between 21 and 48 animals that were
4 taken -- moose were taken in 9(E) during that three year
5 study period. So it's pretty hard to look at the harvest
6 ticket and make a lot of sound assumptions on that.

7

8 CHAIRMAN O'HARA: Any other questions,
9 Council members? Go ahead.

10

11 MR. FISHER: Yes, Mr. Chairman, the Staff
12 recommendation would be to extend this season based on what
13 the Department of Fish and Game did.

14

15 CHAIRMAN O'HARA: 1/20.

16

17 MR. FISHER: December 1st through January
18 20th, yes.

19

20 CHAIRMAN O'HARA: Okay. Any other questions,
21 Council members, of Dave? Yeah, go ahead. None, okay. Did
22 you want to address something here, Ron -- go ahead.

23

24 MR. SQUIBB: Mr. Chairman, Ron Squibb, Alaska
25 Peninsula Refuge, U.S. Fish and Wildlife Service. Just a
26 remark on your comment, Tim, regarding SeaAir and Brandt's
27 River Air, I don't have the data in front of me but to my
28 personal knowledge, I believe they operate mostly on the
29 Bristol Bay drainages. And in regard to the part of the
30 proposals that are requesting closing Pacific side drainages,
31 I don't believe they operate much, if at all, in that area,
32 with their float planes or in the moose season.

33

34 CHAIRMAN O'HARA: Ron, you do a permitted
35 hunt then on Federal lands? In other words, do you know the
36 number of animals that the guides take?

37

38 MR. SQUIBB: No, sir, no sir, I was -- I said
39 earlier, in terms of what the guides take, he addressed
40 that.....

41

42 CHAIRMAN O'HARA: Okay.

43

44 MR. SQUIBB:you know, in that paragraph
45 where he mentioned -- I lost the page here -- yeah, on Page
46 73, the second paragraph under moose harvest. The guides,
47 you know, a lot a number of clients and their annual average
48 take is listed. And by the whole refuge and then by the
49 Pacific side. And on the Pacific side drainage, that take is
50 only nine moose. And then the subsequent question was, do we

00287

1 have the data on the air transporters, and I know as Tim said
2 it's SeaAir and Brandt's River Air are very big into the
3 moose hunting business.

4
5 CHAIRMAN O'HARA: In the Refuge?

6
7 MR. SQUIBB: Both on and off the Refuge.
8 And, sir, I know a lot of moose hunters are taken to Mother
9 Goose Lake, for instance, and I believe also they operate in
10 the -- you know, we do restrict moose hunters in the Island
11 Arm area of Becharof Lake in order to protect subsistence
12 uses there. And they're limited there, I do know they
13 operate there within those constraints.

14
15 CHAIRMAN O'HARA: But you don't have a
16 control over the drop off hunters on Federal lands in the
17 Refuge, uh?

18
19 MR. SQUIBB: The control we have is we can
20 put special conditions on their use permits, which is how we
21 effected their actions in the Island Arm area. We basically
22 say, I can't really -- but I believe it's the northern part
23 of that, we say, during the period of subsistence moose
24 hunting there, you don't drop off in that part. In the lower
25 end we minimize it, I think, to -- at any one time, no more
26 than, it's either four or five calves with no more than four
27 hunters each. So we can effect it that way. That's our only
28 level of control, is the condition on the special use permit.

29
30 CHAIRMAN O'HARA: And do you have a higher
31 take for the non-resident than you do resident take of
32 animals on Refuge lands?

33
34 MR. SQUIBB: I honestly can't address that.

35
36 CHAIRMAN O'HARA: Okay. That may not be --
37 you might have to look for that. Any other questions,
38 Council members? Thank you, Ron.

39
40 MR. SQUIBB: Sure.

41
42 CHAIRMAN O'HARA: ADF&G, Alaska Department of
43 Fish and Game, any comments?

44
45 MS. ANDREWS: Thank you, Mr. Chairman.
46 Elizabeth Andrews, Alaska Department of Fish and Game. Our
47 preliminary comments were that we did not support the
48 proposal as written. We do support a modification for a
49 December 1 to January 20 season. We also do not think it's
50 necessary to close the area to non-Federally qualified

00288

1 subsistence hunters. And again, I'm going to look and see if
2 Dick has some additional comments or information on the
3 biological aspects.

4
5 CHAIRMAN O'HARA: None, okay. Any questions,
6 Council members? Thank you, Elizabeth. Other agencies. Any
7 other agencies that need -- all right.

8
9 MR. MIKE: Donald Mike with Katmai/Aniakchak
10 National Monument. The Subsistence Resource Commission for
11 Aniakchak National Monument was a party to this working group
12 that developed this proposal along with the Bristol Bay
13 Regional Advisory Council proposed. And they are in support
14 of this proposal as it is written.

15
16 CHAIRMAN O'HARA: Thank you. Any other
17 questions, Council members? Thank you, Donald. Other
18 agencies, I'll give you an opportunity. Fish and Game
19 Advisory Committee members who'd like to address this issue.

20
21 MS. OLSEN: Thank you, Mr. Chair. My name is
22 Myra Olsen. I serve as Chair of the Lower Bristol Bay
23 Advisory Committee. I feel like I'm bucking the tide of
24 opposition here. But I support this proposal. You need to
25 remember that there's going to be a greater dependence by
26 locals on moose because of the caribou crash. And also meat
27 provided by guides cannot be counted as meeting a subsistence
28 need of the local people, and the focus should be on
29 assisting meeting the subsistence needs and not making a
30 paperwork trail easier.

31
32 Thank you.

33
34 CHAIRMAN O'HARA: Okay. Any questions,
35 Council members? Thank you. Other advisory -- yes, John.

36
37 MR. J. LIND: Johnny Lind. Our committee
38 took no action on this.

39
40 CHAIRMAN O'HARA: You took no action?

41
42 MR. J. LIND: No action. And we'd just like
43 to echo Myra's comments.

44
45 CHAIRMAN O'HARA: Okay. Which is support the
46 proposal?

47
48 MR. J. LIND: Uh-huh. (Affirmative)

49
50 CHAIRMAN O'HARA: You do, personally?

00289

1 MR. J. LIND: Yeah.

2

3 CHAIRMAN O'HARA: Okay. Any questions --
4 yes.

5

6 MR. HEYANO: Yeah, Johnny, can you tell me
7 where the folks of Ivanof, Perryville and the three Chigniks
8 hunt along the Pacific side for moose?

9

10 MR. SHANGIN: Mr. Chairman.

11

12 CHAIRMAN O'HARA: Yes.

13

14 MR. SHANGIN: Yes, this is Austin Shangin
15 from Perryville. Maybe I can address the guy's question for
16 Perryville anyway. We hunt our moose right at the base of
17 the mountain or the volcano back here and around behind the
18 village here. I know what's his name, just for clarification
19 for where we get ours.

20

21 CHAIRMAN O'HARA: Okay, you hunt at the base
22 of the mountain and behind the village and where else,
23 Austin?

24

25 MR. SHANGIN: Right behind the village here
26 and right at the base of the volcano.

27

28 CHAIRMAN O'HARA: Okay. Ever go over to
29 Stepovak at all?

30

31 MR. SHANGIN: No, we don't.

32

33 CHAIRMAN O'HARA: You don't go down that far,
34 okay. Does that kind of help answer your question a little
35 bit, Robert?

36

37 MR. HEYANO: I have another one.

38

39 CHAIRMAN O'HARA: Go ahead.

40

41 MR. HEYANO: D you see people occasionally on
42 the Bristol -- who come from the Bristol Bay side communities
43 hunting on the Pacific side for moose?

44

45 MR. J. LIND: Oh, yeah, when they come
46 through and they bypass the area.

47

48 MR. HEYANO: Bypass?

49

50 MR. J. LIND: When they're going like to

00290

1 Kodiak or just -- is that what you're talking about?

2

3 MR. HEYANO: No, I was wondering if you

4 see.....

5

6 MR. J. LIND: Oh, no, Bristol, I see.....

7

8 MR. HEYANO:anybody from like Pilot
9 Point, Egegik or Port Heiden or Ugashik hunting moose on the
10 Pacific side?

11

12 MR. J. LIND: No.

13

14 CHAIRMAN O'HARA: You do have the seiners who
15 come by with a four-wheeler or a seine skiff and they're up
16 along the Peninsula.

17

18 MR. J. LIND: And guys coming from Togiak
19 running back to Kodiak or something, you know, and that's not
20 even reported probably.

21

22 CHAIRMAN O'HARA: Any other comments, John?

23

24 MR. J. LIND: No.

25

26 CHAIRMAN O'HARA: Yes.

27

28 MR. HEYANO: Mr. Chairman.

29

30 CHAIRMAN O'HARA: Yes.

31

32 MR. HEYANO: People are hunting moose in the
33 spring when they're coming from Togiak to Kodiak?

34

35 MR. J. LIND: No, I'm talking about caribou.

36

37 MR. HEYANO: Caribou?

38

39 MR. J. LIND: Yeah, probably talking about
40 caribou, so.....

41

42 CHAIRMAN O'HARA: Okay, thank you very much.
43 Any other Fish and Game Advisory Committee meetings. Yes,
44 Orville.

45

46 MR. O. LIND: Orville Lind. Alaska Peninsula
47 Becharof, King Salmon. Mr. Chairman, I didn't get Austin
48 Shangin's remarks about where they hunt their moose over in
49 Perryville.

50

00291

1 CHAIRMAN O'HARA: Austin, can you hear me.

2

3 MR. SHANGIN: Yes, I can. To answer
4 Orville's question, we mainly hunt our moose right at the
5 base of volcano and around the -- just behind the village
6 here. But mainly behind the base of the volcano down here.

7

8 MR. O. LIND: So it's beyond corporation and
9 in Federal public land?

10

11 CHAIRMAN O'HARA: Federal public land,
12 Austin?

13

14 MR. SHANGIN: I don't have an idea right now.
15 Maybe I'll have to get back to you on that.

16

17 CHAIRMAN O'HARA: Anything else, Orville?

18

19 MR. O. LIND: Does he have any insight on
20 Ivanof Bay moose hunters?

21

22 CHAIRMAN O'HARA: How about Ivanof, do you
23 know where they hunt?

24

25 MR. SHANGIN: No, I do not know where they
26 hunt.

27

28 CHAIRMAN O'HARA: Okay, thank you for being
29 on the line. Thank you.

30

31 MR. O. LIND: Thank you.

32

33 CHAIRMAN O'HARA: Any other advisory board.
34 There is one written comment here that you have received from
35 Al Anderson, right here, and if you want it it's there.
36 We're going to suspend written comments, we have them in our
37 packet. Any public comments -- okay, Ted.

38

39 MR. KRIEG: Ted Krieg, Bristol Bay Native
40 Association, Natural Resource Department. I guess I wish I
41 didn't -- I missed Al Anderson's written comments.

42

43 Well, BBNA supports this proposal. It came out of
44 the workshop and there's a number of people here that were
45 involved in that workshop. So if anything I say is incorrect
46 or needs additional input, please feel free to add on or
47 contradict me.

48

49 But I guess one of the things that I remember,
50 because this was a big -- you know, this thing was a big

00292

1 point, a big issue. And the recommendation came out of that
2 workshop was a request for \$100,000 for moose surveys for the
3 Pacific area. And I remember that Al Anderson was especially
4 concerned about hunting in, you know, their traditional
5 areas, and I think especially in the Chigniks. And it was my
6 understanding that one of the things that came out of that
7 was that it -- due to weather and lack of funds and -- yeah,
8 I think weather was a big part of it but there really hadn't --
9 the survey -- population survey information for that area
10 wasn't up to par. And that the idea was to close it down
11 until some of that information, like baseline information
12 could be gathered. And you know, I guess there was another
13 survey done now and it looks like the population's pretty
14 healthy. But I think, you know, that goes back to what we
15 heard, you know, Terry Christensen say although he's in Port
16 Heiden and not on the Pacific side. But it's the same thing,
17 in their traditional areas they're not seeing the moose.

18
19 And you know, then to echo Myra's comments also that,
20 that was one of the big concerns at the Board of Game
21 meeting, is that people are going to depend on moose more now
22 that the caribou are down. So you know, I guess -- and I
23 notice the things I referred to as far as the workshop, it's
24 under Tab O I think, or something like that.

25
26 But anyway, that's all I've got unless there's
27 questions.

28
29 CHAIRMAN O'HARA: Any questions, comments,
30 Council members? The survey has been done and it's my
31 understanding, Dick Sellers, was a very big part of that, Ron
32 Squibb was also a part of that, and the entire region has
33 been surveyed. And we do have a report of a good number of
34 animals. And I don't know if there are any near Port Heiden
35 or Chigniks, Perryville, Ivanof, but we have a -- fairly
36 good, substantial number of animals in the area due to an
37 aerial survey, and that's what we asked for. IF that had not
38 been done, I think it'd have been an automatic closure.

39
40 Any other comments. Okay, thank you. Okay, John.

41
42 MR. J. LIND: Johnny Lind, AC again. I just
43 wanted to add on that the survey was done in Perryville,
44 Ivanof. I'm right, I think.

45
46 CHAIRMAN O'HARA: It was or wasn't? Wasn't
47 that done in Perryville and Ivanof?

48
49 MR. SQUIBB: The farthest we got down was the
50 Chignik Lake, and the day we had weather and an airplane to

00293

1 Perryville we had (inaudible - away from microphone).

2

3 CHAIRMAN O'HARA: Well, maybe the Board
4 should consider a section of that Federal land closed then to
5 unqualified subsistence users is what we ought to do, if
6 that's the case. Because we talked about it in this report
7 right here, if they didn't get us information it's a closure.

8

9 MR. SQUIBB: We do have an overhead map if
10 you want to see the exact areas surveyed.

11

12 MR. SHANGIN: Mr. Chairman.

13

14 CHAIRMAN O'HARA: Austin, go ahead.

15

16 MR. SHANGIN: Yes, this is Austin from
17 Perryville. I was wondering maybe if -- I don't know if
18 ADF&G's got any numbers for the Pacific side from Perryville,
19 the Stepovak area on moose?

20

21 CHAIRMAN O'HARA: They do not. They have not
22 done a survey in I don't know how long.

23

24 MR. SHANGIN: Well, don't you think it would
25 be reasonable to get a survey done for this area?

26

27 CHAIRMAN O'HARA: We would think it would be
28 very reasonable. And I'll certainly not support any proposal
29 that's going to allow any non-resident hunting in the area up
30 there if the survey hasn't been done. I think we ought to
31 shut up a big chunk of that Federal land.

32

33 MR. HEYANO: Mr. Chairman.

34

35 CHAIRMAN O'HARA: Robert.

36

37 MR. HEYANO: Mr. Chairman, wasn't a survey
38 done this winter, including Black Lake and Chignik River?

39

40 MR. J. LIND: That does not include
41 Perryville and Ivanof area.

42

43 MR. SQUIBB: We did not get down the
44 Peninsula from Chignik Lake.

45

46 MR. HEYANO: How far did you come down?

47

48 MR. SQUIBB: Chignik River.

49

50 MR. HEYANO: Chignik River and Black Lake?

00294

1 MR. SQUIBB: Yes.

2

3 CHAIRMAN O'HARA: Let's take a -- let's see
4 are there any other -- are we on public comment?

5

6 MR. BERG: Yes, Mr. Chair.

7

8 CHAIRMAN O'HARA: Any other public comment?
9 Hearing none, let's take a little break here and come back in
10 10 minutes.

11

12 (Off record - 3:16 p.m.)

13 (On record)

14

15 CHAIRMAN O'HARA: We have closed everything
16 to public comment and at this time we're going to act on the
17 proposal. So what are the wishes of the Council at this
18 time?

19

20 MR. BOSKOFISKY: I support this proposal.

21

22 CHAIRMAN O'HARA: What are the wishes of the
23 Council? Are you making a motion?

24

25 MR. BOSKOFISKY: I guess so. I support this.

26

27 CHAIRMAN O'HARA: You better be sure because
28 we don't want any guessing.

29

30 MR. BOSKOFISKY: We don't see the animals
31 where we go out to hunt.

32

33 CHAIRMAN O'HARA: Okay.

34

35 MR. BOSKOFISKY: We don't have the means to
36 get out like the guiding industry does. We go out in boats,
37 skiffs, you know, we can't find them.

38

39 CHAIRMAN O'HARA: What's the wishes of the
40 Council?

41

42 MR. SAMUELSEN: I'll second the motion so now
43 it's before us.

44

45 CHAIRMAN O'HARA: You made the motion Alvin
46 that we support the proposal?

47

48 MR. BOSKOFISKY: Yes.

49

50 CHAIRMAN O'HARA: Okay, did you want to

00295

1 address the motion. Oh, you already did, okay. Any other
2 comments that's on the proposal before us, No. 36.

3
4 MR. HEYANO: Mr. Chairman.

5
6 CHAIRMAN O'HARA: Yes.

7
8 MR. HEYANO: Thank you. I'm going to be
9 voting in opposition to the motion. I look at the map and --
10 from Cape Igvak and Stepovak Bay is a huge area that has very
11 little -- most of the area from the information we gathered
12 here has very little to no subsistence hunting. The report
13 that we received from the Staff shows that moose populations
14 in probably three-quarters of this area is stable so I just
15 don't see any reason why we should close this area to non-
16 qualified subsistence hunters.

17
18 CHAIRMAN O'HARA: Okay. Yes, Tim.

19
20 MR. ENRIGHT: I'm going to vote against it,
21 too. But I'll vote for it with a modification.

22
23 CHAIRMAN O'HARA: Okay.

24
25 MR. ENRIGHT: And the modification is close
26 it from Chignik south to Stepovak and then leave it open from
27 there out.

28
29 CHAIRMAN O'HARA: Okay.

30
31 MR. ENRIGHT: I'll vote for it that way, but
32 I'll vote against it as written.

33
34 CHAIRMAN O'HARA: Okay.

35
36 MR. SAMUELSEN: Mr. Chairman.

37
38 MR. HEYANO: Robin.

39
40 MR. SAMUELSEN: Yeah, I'd like to offer a
41 substitute motion, Mr. Chairman, that the lands closed will
42 be north side of Chignik Lagoon to the northern portion of
43 Black Lake to a point on the Bering Sea Side, this map has no
44 reference here. So basically the closure will be in that
45 area. Here's Chignik Lagoon, it goes up to Black Lake,
46 northern portion of Black Lake and then over to the Pacific
47 side here, where a point that Staff could identify on the
48 map.

49
50 CHAIRMAN O'HARA: What's the upper section of

00296

1 that lagoon called.

2
3 MR. O. LIND: I'm sorry.

4
5 CHAIRMAN O'HARA: There's a lagoon here.

6
7 MR. ENRIGHT: Isn't that Ilnik or.....

8
9 CHAIRMAN O'HARA: Ilnik, is that where it's
10 at?

11
12 MR. ENRIGHT: Yeah.

13
14 MR. O. LIND: And Alangashak.

15
16 CHAIRMAN O'HARA: Come up here Orville and
17 let's take a look.

18
19 MR. SAMUELSEN: To the southern portion of
20 the.....

21
22 COURT REPORTER: Could you bring a microphone
23 over there with you.

24
25 MR. SAMUELSEN:to the southern portion
26 -- I call this south.....

27
28 MR. ENRIGHT: Alangashak.

29
30 CHAIRMAN O'HARA: Alangashak?

31
32 MR. ENRIGHT: Yeah.

33
34 CHAIRMAN O'HARA: Alangashak, you got that
35 David?

36
37 MR. SAMUELSEN: Thank you, Orville.

38
39 CHAIRMAN O'HARA: Is there a second to that
40 amendment?

41
42 MR. ENRIGHT: Yes.

43
44 CHAIRMAN O'HARA: You second that, Tim?

45
46 MR. ENRIGHT: Yeah.

47
48 CHAIRMAN O'HARA: Second the amendment, okay.
49 That's not necessarily a friendly amendment, Alvin, but it's
50 a step there a little bit. If you want to address your

00297

1 motion -- your amendment, Robin.

2

3 MR. SAMUELSEN: Yeah, thank you, Mr.
4 Chairman. Looking at it strictly from a biological reason, I
5 could agree with Mr. Heyano's earlier comments. I don't
6 think there is a biological reason to close it, however, a
7 reasonable opportunity closes -- to subsistence. And I feel
8 based on past personal discussions with residents of Ivanof
9 Bay and Perryville and the Chigniks, that they have not been
10 meeting their subsistence moose harvest needs, nor have they
11 been meeting their caribou harvest needs. And based on
12 Staff's comments and how many people are operating in the
13 area and your comments, Mr. Chairman, of one guide taking 18
14 moose, I think there's a spike camp back in.....

15

16 CHAIRMAN O'HARA: Up in the Meshik.

17

18 MR. SAMUELSEN:up in this area. You
19 know it could have a major effect on the migration of the
20 moose. And to the proximity of the villages, so, instead of
21 closing off all lands, I think a portion of lands will
22 address those communities that are in close proximity to the
23 moose populations behind them, will not be effected by the
24 non-Federally qualified users.

25

26 CHAIRMAN O'HARA: Any other comment? I would
27 make a comment is the animals, both on Federal and State
28 lands. Robert, did you want to make a comment?

29

30 MR. HEYANO: Yeah. Do we have any
31 information as to how many commercial operators are in this
32 proposed area and the number of moose they're taking or the --
33 any idea of the number of moose that are taken by non-
34 Federally qualified subsistence users?

35

36 CHAIRMAN O'HARA: The Refuge would have to
37 answer that question. Give us a page number, Ron.

38

39 MR. SQUIBB: Ron Squibb, U.S. Fish and
40 Wildlife Service. I'm trying to find a page number.

41

42 CHAIRMAN O'HARA: Okay. While you're finding
43 that.....

44

45 MR. SQUIBB: Okay.

46

47 CHAIRMAN O'HARA: Oh, you have it, okay.

48

49 MR. SQUIBB: In Dave Fisher's analysis, page
50 number 73, it would be under the moose harvest sub-topic, the

00298

1 second paragraph. In the -- for the Pacific side of the
2 Peninsula -- oh, very good, okay. For the Pacific side, just
3 in this paragraph, towards the end, number of clients allowed
4 is 27 and the number of moose harvest on an average year is
5 nine. However, that is for, I believe, the entirety of the
6 Pacific side, let me see. And I'm only using my memory,
7 Darryl Lons would have this more on the top of his head. But
8 I believe down the Peninsula from the line Mr. Samuelsen drew
9 there would be a very small portion of that, one to three
10 moose taken on average.

11
12 I know the number of clients is way down, the guides
13 that work that area. And that's my recollection from
14 discussions with our manager, Darryl Lons, so my memory is
15 approximate on that. I know the minority, the least density
16 of guided moose hunting on the Refuge is in that area down
17 the Peninsula from Black Lake and Chignik Lake, as a
18 proportion of that number for the Pacific Drainage as a
19 whole.

20
21 CHAIRMAN O'HARA: Robert.

22
23 MR. HEYANO: Yeah, so if I understood the
24 information correctly, a total of nine for the entire 9(E)
25 Pacific side, is that what you were referring to nine for,
26 nine moose harvested?

27
28 MR. SQUIBB: Yes, on your average moose
29 harvest. And that's out of an average number of clients --
30 authorized number of clients of 27. That doesn't mean
31 they're taking 27 in the field on an average year. As a rule
32 most of them are taking fewer than their number authorized.
33 And again, I apologize, if Darryl were here he could answer
34 this, but I believe, Dave, do you recall if we had an
35 initiative -- I think in response to these complaints, we
36 requested them, as a condition on their permits, not to
37 increase their number of permit -- you know, their number of
38 clients, they are taking up to their max, but rather to hold
39 it at about 50 percent; do you recall that?

40
41 MR. FISHER: That's correct.

42
43 MR. SQUIBB: Yeah, so I believe our
44 conditions on the special use permits are through just a
45 letter of request. We have asked them not to go up to that
46 number 27 because they're currently taking about half that, I
47 think they're taking about 50 percent in terms of the number
48 of clients. So then there's success rate -- in other words,
49 they're not getting one moose for every three clients,
50 they're getting one moose for every one and a half clients,

00299

1 they're taking about 12 or 13 clients now and getting about
2 nine moose.

3
4 And of those, the number that are below Chignik Bay
5 on the Pacific side, it's a minor fraction, I'd say three or
6 less in terms of average moose take.

7
8 CHAIRMAN O'HARA: Robert, are you satisfied
9 with the answer?

10
11 MR. HEYANO: Yes, I am.

12
13 CHAIRMAN O'HARA: Okay, any other questions
14 of Dave or Ron at this time? Okay, thank you very much. We
15 have a motion and we have an amendment.

16
17 MR. SAMUELSEN: I've got a question for
18 Alvin.

19
20 CHAIRMAN O'HARA: Sure, okay, for who?

21
22 MR. SAMUELSEN: Alvin.

23
24 CHAIRMAN O'HARA: Alvin, okay.

25
26 MR. SAMUELSEN: Alvin, how long have you
27 lived down there, all your life or.....

28
29 MR. BOSKOFISKY: No, 26 years.

30
31 CHAIRMAN O'HARA: That's almost all of my
32 life.

33
34 MR. BOSKOFISKY: Twenty-eight years.

35
36 MR. HEYANO: That's all your life.

37
38 CHAIRMAN O'HARA: Thank the guy, buy him
39 dinner.

40
41 MR. SAMUELSEN: You hunt moose every year
42 down there?

43
44 MR. BOSKOFISKY: Try.

45
46 MR. SAMUELSEN: Try to.....

47
48 MR. BOSKOFISKY: The last, probably three or
49 four years, there was nothing to hunt.

50

00300

1 MR. SAMUELSEN: Is my assessment pretty right
2 in talking with folks down there that the availability of
3 moose, where you guys customary and traditionally hunted
4 there, you know, I've heard the same comments, that they're
5 running along in skiffs and going up in the base of the
6 mountain with four-wheelers, if conditions are right, and
7 coming home empty handed. Is that a fair characterization?

8
9 MR. BOSKOFISKY: I would say it's true.

10
11 MR. SAMUELSEN: Okay.

12
13 CHAIRMAN O'HARA: Any other comments, Council
14 members?

15
16 MR. HEYANO: Speaking to the amendment?

17
18 CHAIRMAN O'HARA: Yes.

19
20 MR. HEYANO: Yes, Mr. Chairman.

21
22 CHAIRMAN O'HARA: Go ahead, Robert.

23
24 MR. HEYANO: I guess I'll incorporate my
25 previous comments. I'll note that there's a total of nine
26 moose in the entire 9(E) on the Pacific side. Although we
27 don't have a hard number, it's probably something
28 substantially less than the area proposed to be closed.

29
30 And I guess just for clarification, I don't mind
31 making regulation changes, if I thought that it would help,
32 but in this instance, I think it's window dressing, so to
33 speak. You know, I've been told that all the private
34 corporation lands are closed already, which is lands closest
35 to the communities, and you look at the Federal lands
36 available and those are mostly, probably the upper country.
37 So you know, I don't think we're going to be doing any good
38 to address the problem.

39
40 CHAIRMAN O'HARA: Okay. Any other comments,
41 Council members? Call for the question.....

42
43 MR. HEYANO: Question.

44
45 CHAIRMAN O'HARA:we'll vote on the
46 amendment first. Everyone understand the amendment? All
47 those in favor say aye.

48
49 IN UNISON: Aye.

50

00301

1 CHAIRMAN O'HARA: Opposed.

2
3 MR. HEYANO: Aye.

4
5 CHAIRMAN O'HARA: One opposition. The main
6 motion.

7
8 MR. SAMUELSEN: Question.

9
10 CHAIRMAN O'HARA: Question, all right. Any
11 discussion -- the question's already been called for. On the
12 main motion, all those in favor signify by saying aye.

13
14 IN UNISON: Aye.

15
16 CHAIRMAN O'HARA: Opposed.

17
18 MR. HEYANO: Aye.

19
20 CHAIRMAN O'HARA: Six/one. What's the next
21 proposal, Jerry?

22
23 MR. BERG: Okay, Mr. Chair, our next proposal
24 is Proposal 37 and 38, they've been combined together and
25 they're found on Page 77 of your book.

26
27 Proposal 37 would expand the c&t use determination
28 for caribou in Unit 17(A) and 17(B) to include residents of
29 Unit 18. This proposal was submitted by the Association of
30 Village Council Presidents. Proposal 38 would revise c&t use
31 determination for rural residents Eek and Quinhagak in Unit
32 17 for caribou proposed by Joshua Cleveland from Quinhagak.

33
34 And I believe Pat McClenahan will be the Staff
35 anthropologist addressing this.

36
37 CHAIRMAN O'HARA: All right. Pat.

38
39 MS. McCLENAHAN: Thank you, Mr. Chairman.
40 Pat McClenahan. May I please first clarify, Proposal 99-38
41 was for a positive customary and traditional use
42 determination for caribou in Unit 17(A). Wasn't that
43 supposed to be all of 17, I thought, that may be a typo.

44
45 At any rate, in 1998, a similar proposal, 98-54
46 requesting a positive and customary traditional use
47 determination for caribou in Unit 17(A) and (B) for the rural
48 residents of Unit 18 was reviewed by the Subsistence Regional
49 Advisory Councils and the Federal Subsistence Board and was
50 deferred pending more complete information. Specifically

00302

1 this Council requested more specific information on seven of
2 the Kuskokwim communities in Unit 18. And since that time,
3 Staff has been gathering information from those communities
4 -- from members of those communities and that is what is
5 incorporated here for this analysis -- for these proposals.

6
7 A 1998 companion proposal, Proposal 98-53, which you
8 probably remember requested a positive customary and
9 traditional use determination for caribou in Unit 17(A) and
10 (B) for the communities of Akiak and Akiachak was deferred
11 pending completion of formal studies. I'd like to report
12 that ADF&G is currently involved formal studies for Akiachak
13 and so we won't be considering those communities here at this
14 time until that study is completed.

15
16 Those seven communities that I mentioned are -- and
17 the ones that are addressed in this analysis are Goodnews
18 Bay, Platinum, Quinhagak, Eek, Tuntutuliak, Napakiak and
19 Bethel. Our sources of information are uneven for these
20 communities, but they do include in some instances, written-
21 ography, in some instances, ADF&G reports, and use area maps,
22 and some instances, Fish and Wildlife Service group mapping
23 subsistence use areas in 1985 by Ron Thuma, and then most
24 recently in 1998 and '99, Fish and Wildlife Service Staff
25 interviewing and mapping of some other communities.

26
27 With regard to a long-term consistent pattern of use,
28 many of the residents of these seven Kuskokwim river
29 communities are related to one another. They also have
30 relatives in Akiak, Akiachak and Kwethluk. A number of the
31 residents of the communities have moved one or more times
32 among these villages. Reindeer herders who use the area
33 between the middle and lower Kuskokwim River in Unit 18 and
34 the western portions of Unit 17(A) and (B) beginning in the
35 late 1800s came from Kwethluk, Akiak, Akiachak, Tuluksak and
36 other nearby villages. Strong ties of kinship, partnership
37 and friendship still exist among many residents of these
38 communities and they continue to hunt together and share the
39 same subsistence hunting areas.

40
41 For Goodnews Bay, this year's Staff efforts led us to
42 talk to James John and Bavilla Merritt of Goodnews Bay. And
43 they, with their hunting partners use Unit 17(A) at the
44 headwaters of the Kwethluk River, Crooked Creek, Togiak River
45 and Togiak Lake, and in Unit (B), areas near the headwaters
46 of the Eek River and the Tikchik Lakes and Koliganek area and
47 the upper Mulchatna River. Mr. Merritt also made five trips
48 to Unit 17(C) for moose and caribou in the past using guides
49 from Togiak or with hunting partners from New Stuyahok and
50 Koliganek. Mr. John noted that in the 1970s and 1980s a few

00303

1 hunters from Goodnews Bay and Quinhagak hunted for moose and
2 caribou in the Tikchik Lake area of Unit 17(B). Mr. John's
3 use began in 1935.

4
5 For Platinum. Platinum residents have used Unit
6 17(A) off and on in these past years to hunt caribou
7 according to the Platinum Tribal office. Resident Pete
8 Samuels hunted for caribou in the Togiak area in the past.
9 Henry Bavilla, Peter Bavilla and former residents Julius
10 Henry and Larry Cleveland hunt caribou in Unit 17(B) in the
11 Tikchik Lakes area and around Heart Lake. Mr. Henry
12 Bavilla's father was a reindeer herder and used the Unit 17
13 region. Platinum residents have relatives in Koliganek and
14 Aleknagik, New Stuyahok and they go to Unit 17(B) to hunt
15 with family members. ADF&G map data shows the Platinum
16 residents hunt caribou in Unit 17(B) and 17(C). Caribou
17 hunting there appears to be based out of New Stuyahok or
18 Koliganek.

19
20 For Quinhagak. 12 hunters from Quinhagak gave
21 information about subsistence hunting this year, in this
22 current effort. Of them, seven have used portions of 17(A)
23 to hunt caribou. Hunting in this area dates back to the
24 1950s for some with a sustained use that continues today.
25 Willard Church hunted Kilbuk Caribou Herd until 1994 and
26 since then has been taking advantage of the nearby Mulchatna
27 Herd. Hunters from Quinhagak use the mountain valleys beyond
28 the headwaters of the Kisaralik, Kanektok and Kwethluk Rivers
29 and Togiak River Drainage, Togiak Lakes in Unit 17(A) and
30 17(B).

31
32 I believe this is an ADF&G report and others, from
33 1984 and Ron Thuma's maps, Fish and Wildlife Service, his
34 mapping of subsistence use areas for Quinhagak that was done
35 in 1985 confirm the pattern that was reported here. Twenty-
36 eight Quinhagak residents participated in Ron Thuma's 1985
37 mapping project and I think their names are included in the
38 appendix here.

39
40 For Eek. Six Eek residents provided information
41 about the subsistence use of caribou. Eek caribou hunters
42 have used the mountains beyond the headwaters of the Kwethluk
43 River, the Togiak Lake area in Unit 17(A) and the Heart Lake
44 area in Unit 17(B). Former reindeer herders that are or were
45 residents of Eek are Mr. James Petluska, Mr. Andrew, Mr.
46 Foster, Mr. Carter and Mr. Nicolai.

47
48 At this point I'd like to refer you to the
49 photographs on Pages 96 through 100. These are pictures of
50 Eek residents that are involved in subsistence activities in

00304

1 Unit 17, in fact, it's at Heart Lake, I believe.

2

3 For Tuntutuliak. The Village of Tuntutuliak has the
4 same hunting areas for moose, caribou and brown bear as the
5 neighboring villages of Eek, Quinhagak and Kwethluk.
6 Tuntutuliak resident Joseph Manutuli, who is now deceased,
7 his brothers and Mr. Albert Olick, Sr., all former residents
8 of Kwethluk and Akiak were reindeer herders who used Unit
9 17(A) and 17(B) for the reindeer and who subsistence hunted
10 while in the area. The family of the Evan brothers from
11 Tuntutuliak have hunted caribou in the Heart Lake area in
12 Unit 17(B) since the early 1900s. They also used the Togiak
13 River Drainage in Unit 17(A), and they use the mountainous
14 areas beyond the headwaters of the Goodnews River and the
15 Kwethluk River in Unit 17(A). Tuntutuliak resident Gabe
16 Olick has hunted moose and caribou in Unit 17 with his
17 relatives from Kwethluk and Eek.

18

19 Napakiak. Napakiak resident Nicoli Pavila was a
20 reindeer herder in the early 1900s along with those from
21 Kwethluk, Akiak, Akiachak and Kasigluk. They had camps at
22 the Old Corral Camp off the Johnson Creek, at the mouth of
23 Crooked Creek and at Heart Lake, in what is today Unit 17(A)
24 and 17(B). They also carried out subsistence hunting
25 activities while at these camps.

26

27 There is also a map in here of some historic and
28 modern hunting camps on Page 91 of Platinum, Napakiak,
29 Tuntutuliak and Bethel.

30

31 Napakiak resident Paul Parka, age 57, when he was a
32 teenager he became a reindeer herder in that area that has
33 been described before in the Heart Lake area at Northfork
34 Lake and at Aniak Lake.

35

36 For Bethel. Some Bethel residents have come from the
37 villages of Tuntutuliak, Eek, Quinhagak, Kwethluk, Akiak and
38 Akiachak to name some. Fathers and grandfathers of these
39 residents herded reindeer in the latter part of the 1800s and
40 early 1900s in the area under discussion here. And the
41 reindeer herders, while they were herding took caribou for
42 food, clothing and shelter.

43

44 Many of the former villagers, now residing in Bethel,
45 still go back to their villages to hunt with their relatives.
46 Fly-in caribou hunters from Bethel use Heart Lake and Nishlik
47 Lake according to Mike Coffing. This was a personal
48 communication. Fly-in hunters, possibly from Bethel, came in
49 the late spring and summer to hunt squirrels and caribou in
50 Unit 17(B) in the mid-1980s. This was not considered to be a

00305

1 long-term consistent pattern of use according to my cohort,
2 Dave Fisher here. Twelve Bethel residents reported using
3 various locations in Unit 17(B) including Heart Lake, Nishlik
4 Lake, Upnuk Lake, Nilky Lake and upper Chikuminuk Lake. Some
5 elders that began hunting in the 1940s are no longer able to
6 hunt today, while younger hunters who began using Unit 17(B)
7 in the 1960s are still hunting there today.

8
9 While there is considerable evidence for Bethel
10 residents subsistence use of Unit 17(B) for caribou, no
11 evidence was gathered during these interviews that they
12 subsistence hunted caribou in Unit 17(A).

13
14 I would like to move on to Page 93, the preliminary
15 conclusions. Staff recommends modification of the proposal,
16 support a positive customary and traditional use
17 determination for the residents of Napakiak, Tuntutuliak,
18 Eek, Quinhagak, Goodnews Bay and Platinum for caribou in Unit
19 17(A) and a more geographically specific area of Unit 17(B).
20 Support a positive customary and traditional use
21 determination for the residents of Bethel for caribou in a
22 more geographically specific area of Unit 17(B) that
23 coincides with their history of subsistence use in that unit.
24 Oppose granting a positive customary and traditional use
25 determination for the remainder of Unit 18 communities for
26 caribou in Unit 17.

27
28 For justification, sufficient information about each
29 of the eight factors, including subsistence use area maps
30 and/or verbal descriptions of use area exist to support
31 recommending a positive c&t determination for these
32 communities. However, regarding the remaining Unit 18
33 communities, either there is evidence in the form of
34 published studies and subsistence use area maps that indicate
35 that residents of those communities hunt caribou elsewhere or
36 the information to support a positive finding is not
37 available. This analysis does not imply that the remaining
38 communities do not have customary and traditional use.

39
40 Those communities that remain are encouraged to
41 submit customary and traditional use proposals after the
42 research being planned or being carried out for their
43 communities concluded.

44
45 That concludes my remarks. Do you have any
46 questions?

47
48 MR. SAMUELSEN: I have a question, yes.

49
50 CHAIRMAN O'HARA: Robin.

00306

1 MR. SAMUELSEN: Thank you, Mr. Chairman.
2 Pat, on Page 89, 12 Bethel residents reporting using various
3 locations in Unit 17, Heart Lake, Meshik Lake, Ugnuk Lake,
4 was that in the fall time?

5
6 MS. McCLENAHAN: I.....

7
8 MR. ABRAHAM: Spring time.

9
10 MS. McCLENAHAN: Let Pete tell you because I
11 don't have that information.

12
13 CHAIRMAN O'HARA: Go ahead Pete.

14
15 MR. ABRAHAM: These things happen -- or used
16 to happen in spring time, the majority of them just go after
17 harvest squirrels. But if you mention, like Heart Lake and
18 stuff like that, that would be spring time. But if it's
19 Kwethluk it would be in the fall time.

20
21 MR. SAMUELSEN: Yeah, what I was addressing,
22 Pete, was -- it says here, these are possibly fly-in hunters
23 from Bethel, and when I sat on the Tikchik State Park Board,
24 I know that there are commercial operators from the Bethel
25 area that are operating up in this area, the Tikchiks.....

26
27 MS. McCLENAHAN: Uh-huh.

28
29 MR. SAMUELSEN:and I was wondering if
30 either of the 12 that come from Bethel, via commercial
31 operated hunt?

32
33 MS. McCLENAHAN: We don't have 100 percent
34 sample of Bethelites. It's possible that some of them are.
35 We only -- our sample is very small and this is a very
36 informal survey. We normally depend on formal ethnographies
37 and ADF&G reports, none of those exist for the area.

38
39 And in trying to get the information needed here to
40 consider this before you, our Staff went out and gathered
41 this information, very informal. And we took whatever
42 information the individuals would give us. But I can't tell
43 you whether those are the only ones or whether they're just --
44 some of them go in other ways and others fly in.

45
46 MR. SAMUELSEN: Okay.

47
48 MR. HEYANO: Mr. Chair.

49
50 CHAIRMAN O'HARA: Yeah, Robert, go ahead.

00307

1 MR. HEYANO: Yeah, I just wanted to mention,
2 Mr. Chairman, is that I've seen those people from the
3 Kuskokwim with private aircraft up around Nishlik, you know,
4 it's not very far from Aniak or Aniak Lake, camping up there,
5 in the fall so I presume they were hunting caribou or moose.

6
7 CHAIRMAN O'HARA: Okay.

8
9 MS. McCLENAHAN: In addition to that, there's
10 a general discussion of season on Page 89. Generally
11 speaking it says caribou can be hunted anytime between August
12 and March with breaks during the rut and during the winter
13 holidays. Some hunters prefer to hunt caribou during late
14 August and early September. Another popular hunting season
15 is between late December or March or April when the trails
16 are good.

17
18 CHAIRMAN O'HARA: Okay. Now, give us the
19 names that you recommend that we would give c&t to?

20
21 MS. McCLENAHAN: Oh, okay, that's pretty well
22 -- let's look at preliminary conclusions.

23
24 CHAIRMAN O'HARA: What Page?

25
26 MR. SAMUELSEN: 93.

27
28 MS. McCLENAHAN: Because it.....

29
30 CHAIRMAN O'HARA: Page 93.

31
32 MS. McCLENAHAN:pretty well lays it
33 out. Staff recommends supporting a positive customary and
34 traditional use determination for the residents of Napakiak,
35 Tuntutuliak, Eek, Quinhagak, Goodnews Bay and Platinum for
36 caribou in Unit 17(A) and for a more geographically specific
37 area of Unit 17(B). In other words, I would recommend
38 modifying it from all of 17(B) to follows those areas that
39 have been mentioned that we have information for.

40
41 If -- since we haven't drawn out a picture of the map
42 -- of how the map might look, when I was talking to Elizabeth
43 Andrews, we suggest that if you were to support this
44 proposal, that I could work with Mike Coffing and we could
45 provide you with that sort of a map, pretty confidently.

46
47 And then additionally, support a positive customary
48 and traditional use determination for the residents of Bethel
49 for caribou in a geographically specific area of Unit 17(B)
50 that coincides with their history and the evidence that we

00308

1 have.

2

3 CHAIRMAN O'HARA: Okay.

4

5 MS. McCLENAHAN: And then to oppose granting
6 a positive customary and traditional use determination for
7 the rest of the Unit 18 communities.

8

9 CHAIRMAN O'HARA: Any questions for Pat,
10 Council members? ADF&G comments.....

11

12 MR. ABRAHAM: Mr. Chairman.

13

14 CHAIRMAN O'HARA: Excuse me, go ahead Peter.

15

16 MR. ABRAHAM: Yeah, these Bethel people --
17 several times over here. Those Bethel people aren't
18 necessarily Bethelites, most of them.

19

20 MS. McCLENAHAN: That's what I'm saying.....

21

22 MR. ABRAHAM: Yeah.

23

24 MS. McCLENAHAN:that they have come
25 from other communities. A lot of people have moved here and
26 still go home and hunt with their families.

27

28 MR. SAMUELSEN: Where are they from?

29

30 MR. ABRAHAM: Uh, me?

31

32 MR. SAMUELSEN: Where are you from?

33

34 MR. ABRAHAM: They're surrounding, you know,
35 the small villages.

36

37 MR. SAMUELSEN: Okay.

38

39 CHAIRMAN O'HARA: Alaska Department of Fish
40 and Game.

41

42 MS. ANDREWS: No, I think (inaudible away
43 from microphone).....

44

45 CHAIRMAN O'HARA: No comments, okay.

46

47 MR. SAMUELSEN: No, she does.

48

49 CHAIRMAN O'HARA: Okay.

50

00309

1 MR. SAMUELSEN: She does.

2

3 MS. ANDREWS: Thank you, Mr. Chairman.
4 Elizabeth Andrews, Alaska Department of Fish and Game. We
5 support the intent of this proposal as described in the Staff
6 analysis. We think that the information that was provided
7 for the communities that were just identified in Pat's
8 presentation, we think that there is substantial evidence to
9 meet the eight criteria.

10

11 Our concern is more with the area described for Unit
12 17(A), we think that there should be some portion of 17(A)
13 that's described that would be consistent with what the use
14 patterns are rather than all of Unit 17(A). And for 17(B),
15 you'll see that there is just a small portion that's Federal
16 land in 17(B) on the west side of 17(B) where we're talking
17 about, the pink -- there's a pink portion that's 17(B) and
18 then the rest of it is all State land until you get to Lake
19 Clark, and these communities aren't resident zone communities
20 and so forth anyway.

21

22 So.....

23

24 CHAIRMAN O'HARA: This section right here?

25

26 MS. ANDREWS: Yes.

27

28 MS. McCLENAHAN: Uh-huh. (Affirmative)

29

30 MS. ANDREWS: So we recommend that, you know,
31 there be an area described, except part of 17(B), whatever
32 that area is, that is consistent with the use patterns and
33 that some portion of 17(A) that's consistent with the mapped
34 information rather than all of 17(A). But we think that
35 there certainly is adequate information for the communities
36 mentioned.

37

38 CHAIRMAN O'HARA: Any questions for
39 Elizabeth, Council members? Robert. Robin. Peter.

40

41 MR. ABRAHAM: Elizabeth, for the use of 17(A)
42 in that area there, there's not that much traffic from both
43 sides, you know, from Togiak side or Manokotak side or even
44 from those small villages there.

45

46 MS. ANDREWS: Uh-huh.

47

48 MR. ABRAHAM: There is not that many traffic.
49 Mike Hinkes can verify that because he flew us around like
50 that, you hardly see any tracks at all.

00310

1 MS. ANDREWS: Uh-huh.

2
3 MR. ABRAHAM: Hardly any snowmachine tracks.

4
5 MS. ANDREWS: Okay.

6
7 MR. ABRAHAM: Yeah.

8
9 MS. ANDREWS: Okay, we appreciate that
10 information.

11
12 CHAIRMAN O'HARA: You're saying go with 17(A)
13 for Bethel on Federal lands but not State lands?

14
15 MS. ANDREWS: No, Mr. Chair, it was the
16 communities that -- thanks Pat, that she had identified,
17 Napakiak, Tuntutuliak, Eek, Quinhagak, Goodnews Bay and
18 Platinum for 17(A). And then those communities in 17(B) and
19 Bethel in that portion of Federal land in 17(B), but I don't
20 see that we had information for Bethel in 17(A) at this time.

21
22 CHAIRMAN O'HARA: You're not recommending
23 17(A) in Bethel are you, Pat?

24
25 MS. McCLENAHAN: No, no.

26
27 CHAIRMAN O'HARA: Okay. I could buy off on
28 those other communities, but not Bethel. So we can give
29 Bethel Federal lands on 17(B).

30
31 MS. ANDREWS: So that would be consistent
32 with the Staff recommendation.

33
34 CHAIRMAN O'HARA: Yeah.

35
36 MS. ANDREWS: And we would concur with that.

37
38 CHAIRMAN O'HARA: Yeah, that little section.
39 Any other questions of Elizabeth Andrews, Council members?
40 Thanks very much. Did you have a question Robert?

41
42 MR. HEYANO: No, I could ask Pat later,
43 that's all right.

44
45 CHAIRMAN O'HARA: Okay. Agency comments.
46 Any agencies want to comment on this? Fish and Game Advisory
47 Committee comments. Summary of written comments, you'll have
48 in your books. Any public comments. Regional Council
49 deliberation, recommendations, what's your wishes, up or
50 down?

00311

1 MR. ABRAHAM: I move to accept this 37 and
2 38.

3
4 CHAIRMAN O'HARA: Is that right, 37 and 38?

5
6 MR. ABRAHAM: Uh-huh. (Affirmative)

7
8 MS. McCLENAHAN: Do you want to accept it as
9 amended or.....

10
11 MR. ABRAHAM: As amended.

12
13 CHAIRMAN O'HARA: On Page 93, Peter, we're
14 not speaking to the motion, we're asking for clarification on
15 the motion. These communities going to 17(A) and Bethel
16 going to 17(B); is that what you're making a motion on,
17 preliminary conclu.....

18
19 MR. ABRAHAM: Yes. Because when you mention
20 Bethel, those are not all Bethelites.

21
22 CHAIRMAN O'HARA: Okay.

23
24 MR. ABRAHAM: Yeah.

25
26 CHAIRMAN O'HARA: Okay, is there a second to
27 the motion?

28
29 MR. ENRIGHT: I second it.

30
31 CHAIRMAN O'HARA: Okay, second. Discussion,
32 Council members. Did you want to address the motion?

33
34 MR. ABRAHAM: Yeah.

35
36 CHAIRMAN O'HARA: Go ahead.

37
38 MR. ABRAHAM: Because the use of -- you know,
39 these mentioned villages surrounding the area there are
40 serious users of these areas over here. You know, from a
41 long time, as far as 1800s they've been used and today
42 they're still being used, so you know, that's for their
43 enjoyment and their subsistence use.

44
45 CHAIRMAN O'HARA: Okay. Any other comments,
46 Council members?

47
48 MR. HEYANO: Mr. Chairman.

49
50 CHAIRMAN O'HARA: Yes, Robert.

00312

1 MR. HEYANO: I guess we're acting on the
2 modified proposal?

3
4 CHAIRMAN O'HARA: Staff preliminary
5 conclusion.....

6
7 MR. SAMUELSEN: Page 93.

8
9 CHAIRMAN O'HARA:to support a positive
10 customary and traditional use for these, one, two, three,
11 four, five, six communities and Bethel under 17(B).

12
13 MR. SAMUELSEN: And 17(A).

14
15 MS. McCLENAHAN: Mr. Chairman.

16
17 CHAIRMAN O'HARA: Is that right?

18
19 MS. McCLENAHAN: Yes, you may wish to further
20 modify the proposal to bring it in line with what Elizabeth
21 recommended. So it would say, where I say, in Unit 17(A),
22 say in a geographically specific portion of Unit 17(A).

23
24 CHAIRMAN O'HARA: What does that mean?

25
26 MS. McCLENAHAN: That means it wouldn't be
27 all of 17(A), but it would be that part that we have
28 documentation for their use.

29
30 CHAIRMAN O'HARA: We're really getting
31 technical aren't we?

32
33 MS. McCLENAHAN: Yeah. And that was what I
34 was saying, that we could draw up a map of -- a more specific
35 map for you later.

36
37 CHAIRMAN O'HARA: Is that, okay, Peter?

38
39 MR. ABRAHAM: Yeah, uh-huh.

40
41 CHAIRMAN O'HARA: Robert, are you satisfied?

42
43 MR. HEYANO: I'm satisfied but the terms are
44 pretty general. I'd like to know, at least, what general
45 area are we talking about when we speak to a portion of Unit
46 17(A). Are we looking at anything west of Togiak Lake and
47 Togiak River?

48
49 MS. McCLENAHAN: We're looking at.....
50

00313

1 MR. HEYANO: What are we talking about here?

2

3 MS. McCLENAHAN: In order to include those
4 areas that we mentioned in the Staff analysis, Heart Lake
5 and.....

6

7 MR. ABRAHAM: Yeah, west of Togiak Lake and
8 west of Togiak River. You're talking about the other side of
9 those mountains right there, you're talking about the head of
10 Kwethluk, head of Kisaralik and Heart Lake area, between
11 those areas, travel conditions, there's -- it's blocked by
12 mountains. Just a solid wall. So the users of 17(A) on both
13 sides, is limited because there's a long line of mountains
14 right there. But then very few people from Togiak side,
15 Bristol Bay side do go up to 18 area in -- a portion of 17,
16 and then some of these people, like from Napakiak,
17 Tuntutuliak, Eek, Quinhagak, Goodnews and Platinum do use
18 part of 17(A) but the majority of them they just use 18.
19 Very little of 17 is being used by these other villages.
20 Majority of use is like Togiak, Platinum and Quinhagak.

21

22 MR. HEYANO: So I guess when we're speaking
23 to a modified proposal in an area in 17(A), we're
24 predominately looking at the area west.....

25

26 CHAIRMAN O'HARA: Of the Togiak River.

27

28 MR. HEYANO:and Togiak Lake, that area.

29

30 MR. ABRAHAM: It's not going to effect
31 anybody on both sides. Not only that, the game is not going
32 to be effected. Because the use here is all split, you know,
33 they're not concentrating their.....

34

35 MR. HEYANO: Yeah. I just want to get an
36 idea when she recommends a modified Unit 17(A), just a
37 general idea, what area are we looking at. I guess if it's
38 understood that it's west of the Togiak River and Togiak
39 Lake.....

40

41 MR. ABRAHAM: Okay, Togiak Lake.....

42

43 MR. HEYANO:I could -- yeah.

44

45 MR. ABRAHAM: Togiak Lake, west side of it,
46 head of Kwethluk, you know, head of Kwethluk, that's it right
47 there. And that's, like I said, a wall right there and along
48 the mountains, you can't go over unless you go way down by
49 the river.

50

00314

1 MR. HEYANO: So when we're talking about
2 17(B), we're talking about this little triangular shaped pink
3 portion?
4

5 MR. ABRAHAM: Yeah, we're talking about just
6 the corner.
7

8 CHAIRMAN O'HARA: It seemed kind of
9 ridiculous but I guess it's good land.
10

11 MR. SAMUELSEN: Could they use that corner?
12

13 MR. ABRAHAM: It's the corner, this over here
14 right here.
15

16 CHAIRMAN O'HARA: In the corner of my
17 mind.....
18

19 MR. HEYANO: I think there's a lots of
20 mountains there, that's okay.
21

22 MR. ABRAHAM: Is the Heart Lake right there?
23

24 CHAIRMAN O'HARA: I flew the Togiak River
25 last year, that's nice country. It's a bigger lake than I
26 thought.
27

28 MR. HEYANO: Yeah.
29

30 (Off record comments)
31

32 CHAIRMAN O'HARA: Are you all satisfied now?
33 Robert.
34

35 MR. HEYANO: I am clear, yes.
36

37 CHAIRMAN O'HARA: Okay, call for the
38 question?
39

40 MR. ABRAHAM: Question.
41

42 CHAIRMAN O'HARA: Those in favor say aye.
43

44 IN UNISON: Aye.
45

46 CHAIRMAN O'HARA: Opposed.
47

48 (No opposing responses)
49

50 CHAIRMAN O'HARA: Carries. Okay, next.

00315

1 MR. BERG: Okay, Mr. Chair, that moves us on
2 to Proposal 39 and that's going to be on Page 105 of your
3 book. And this proposal would convert the temporary special
4 action, 97-10, which the Federal Subsistence Board took
5 action on in May of 1998 to a permanent regulation adding 30
6 days to the fall season for caribou in a portion of Unit 17.
7 And Dave Fisher is the Staff biologist to present this
8 analysis.

9
10 CHAIRMAN O'HARA: Talk to us, Dave.

11
12 MR. FISHER: Pardon?

13
14 CHAIRMAN O'HARA: Are you ready to talk to
15 us?

16
17 MR. FISHER: Yes, I am. I'm not going to
18 talk very long on this one. This has to do with the Nushagak
19 Caribou Herd and what we want to do with changing that
20 special action to a permanent regulation to allow an
21 additional 30 days. You all know what the condition of the
22 herd is.

23
24 CHAIRMAN O'HARA: Yeah.

25
26 MR. FISHER: So the Staff recommendation
27 would be to support the proposal.

28
29 CHAIRMAN O'HARA: Okay. ADF&G comments.
30 Excuse me, let me ask if we have any questions for you. Any
31 comments from the Alaska Department of Fish and Game. Other
32 agencies. Oh, excuse me, I'm sorry Beth. We're moving
33 pretty fast here now.

34
35 MS. ANDREWS: No, problem. No, that's all
36 right, we support this proposal.

37
38 CHAIRMAN O'HARA: Okay, good, thank you. Any
39 other agency comments. Advisory Board members, what are your
40 thoughts, any comments?

41
42 MR. NICHOLSON: Hans Nicholson, Chairman of
43 Nushagak Advisory Committee. Just a short one, we support
44 this proposal.

45
46 CHAIRMAN O'HARA: That's very short. Okay.

47
48 MR. SAMUELSEN: The next one.

49
50 CHAIRMAN O'HARA: Any comments from Advisory

00316

1 Board members? We have our written comments in our packet.
2 Public comments. Any public comments. Action by the
3 Regional Council.

4
5 Yes.

6
7 MR. HEYANO: Move to adopt.

8
9 CHAIRMAN O'HARA: Move to adopt.

10
11 MR. BOSKOFISKY: Second.

12
13 CHAIRMAN O'HARA: And a second. Further
14 discussion.

15
16 MR. HEYANO: Speaking to my motion, Mr.
17 Chairman, basically housekeeping.

18
19 CHAIRMAN O'HARA: All right.

20
21 MR. HEYANO: It puts in regulation a special
22 action.

23
24 CHAIRMAN O'HARA: Did you have something,
25 Tim, that you wanted to address?

26
27 MR. ENRIGHT: Is there a motion made?

28
29 CHAIRMAN O'HARA: He made a motion, he
30 seconded it, and would anyone else like to address the
31 motion. All those in favor say aye.

32
33 IN UNISON: Aye.

34
35 MR. SAMUELSEN: I'd just like to characterize
36 this, Mr. Chairman, as a snowball proposal.

37
38 CHAIRMAN O'HARA: Okay. That's a nice way to
39 do it. All those in favor say aye.

40
41 IN UNISON: Aye.

42
43 CHAIRMAN O'HARA: Opposed.

44
45 (No opposing responses)

46
47 CHAIRMAN O'HARA: The last proposal today.

48
49 MR. BERG: Okay, that's Proposal 40, you'll
50 find that on Page 111 of your book.

00317

1 MR. SAMUELSEN: No, let's go home.

2

3 MR. BERG: This was also a proposal, it was
4 deferred in 1998. It's a proposal to establish a new moose
5 season in Unit 17(A) August 20 to September 15th with a one
6 bull harvest limit. It's proposed by the Togiak National
7 Wildlife Refuge. Mr. Dave Fisher's on hand.

8

9 CHAIRMAN O'HARA: Okay.

10

11 MR. FISHER: Thank you. Mr. Chairman, I
12 won't take too much of your time. I want to give most of my
13 time to the Refuge for their presentation of the draft moose
14 management plan which.....

15

16 CHAIRMAN O'HARA: All right.

17

18 MR. FISHER:I think will be an
19 interesting presentation. If you'll recall, the Fish and
20 Game opened the season up in 17(A) for a limited fall hunt.
21 Fish and Wildlife Service, through the Refuge, followed with
22 a special action. The Refuge submitted a proposal to convert
23 that special action to a permanent regulation. And you
24 people recommended -- or the Council recommended that we
25 defer that proposal until a moose management plan has been
26 reviewed.

27

28 The Staff recommendation is to support this proposal
29 and the recommendations contained in the moose management
30 plan. And with that I'd like to turn it over to the Togiak
31 National Wildlife Refuge.

32

33 CHAIRMAN O'HARA: All right, gentlemen, would
34 you like to come up. They come in numbers and they're all
35 dressed a like. One of them has a law enforcement button so
36 we all better be nice.

37

38 MR. ARCHIBEQUE: Mr. Chairman, my name's
39 Aaron Archibeque, I'm the manager for Togiak National
40 Wildlife Refuge. This is Mike Hinkes, he's the supervisory
41 biologist. And Andy Aderman, who's the wildlife biologist
42 for the Refuge.

43

44 What we'd like to do is take a little bit of time
45 here to go through some of the things we've been doing in
46 17(A) for moose. At the direction of the Regional Advisory
47 Council we initiated a moose telemetry study. And we've also
48 started a habitat assessment to try to better define the
49 carrying capacity for the moose population within this area.
50 So what we'd like to do is get Mike and Andy an opportunity

00318

1 to go through what we've got up to date up to this point and
2 then entertain any questions you might have.

3
4 A couple of other things. We do have a draft of the
5 moose management plan that we've been working on. And last
6 week we did go over to the village of Togiak and present that
7 draft to the folks there in Togiak and did get some input
8 from them. We're planning on doing the same here in
9 Dillingham and meeting with some of the other folks that have
10 concerns for the population of 17(A).

11
12 We can go into a lot of details if you'd like, as far
13 as what we have in the draft management plan or we can keep
14 that very brief, depending on what you'd like. Mike has that
15 available to run through with you as well.

16
17 So at this time I'd just want to turn it over to Mike
18 and let him run through where we're at in those two studies
19 and give you an idea of where we're at. And I guess we're
20 real fortunate that we're here talking to you about an
21 increasing population as opposed to what we've been hearing
22 previously today. We've got a real healthy population in
23 17(A) that's increasing, we're talking about allowing some
24 increased subsistence opportunities which is, I guess, a nice
25 thing to be talking about at this point.

26
27 CHAIRMAN O'HARA: I think we probably should
28 get some good information on this. We're doing pretty good
29 time wise as far as finishing up the proposals today. And if
30 it's okay with the Council members, we'd go ahead and have
31 you give your report. Do you need the overhead right now?
32 Okay, somebody get the lights back there and we'll watch your
33 presentation. Let's see, do they have a microphone back
34 there, David -- you don't need a microphone over here.

35
36 MR. HINKES: Mr. Chairman, Mike Hinkes from
37 the Togiak Refuge. First off, I'd like to say that our work
38 in 17(A) as far as monitoring that population, implementing
39 the population and habitat studies and also developing the
40 management plan is a cooperative effort with Fish and Game.
41 We working together in every step and, you know, I just want
42 to emphasize that we have a good working relationship and
43 that Jim, with Fish and Game, like Larry, agrees with
44 everything that we have to say.

45
46 CHAIRMAN O'HARA: Jim Woolington?

47
48 MR. HINKES: Yeah, Jim Woolington. We do
49 have a good working relationship, and now that Jim can't fly
50 today on his moose survey because of the weather, I'd like

00319

1 him to jump in at any time to make a comment on any of the
2 things that I might be talking about.

3
4 We completed our 1999 survey early March and as you
5 can see we've seen another increase in moose in 17(A),
6 approximately a 15 percent increase, which is a fairly
7 reasonable -- fairly good increase and probably can't be
8 attributed all to reproduction. There's probably still some
9 immigration that is going on at this time.

10
11 One thing that I'd like to say is this -- or make
12 some comments on it. When we first started seeing this
13 increase in 1994 with a fairly good jump in our winter moose
14 counts, this is pretty much parallel to the jump -- the
15 increase that we saw in western 17(C). And I think some of
16 the reasons -- a lot of the reasons that I'll talk about that
17 this has occurred has the same thing, as effected that
18 population in western 17(C). So it is kind of a parallel
19 increase, probably all part of the same population that has
20 been expanding westward out of probably more eastern part of
21 17(C) in recent years. Very similar to all of southwest
22 Alaska that is seen in the past 40 years or so, a continued
23 expansion of moose populations, down the Yukon, down the
24 Kuskokwim, probably down the Nushagak, and I guess on the
25 Alaska Peninsula, although I'm not sure what the timing of
26 that expansion was. But I think it's something that we're
27 seeing throughout southwest Alaska and it's finally gotten to
28 western 17(C) and also 17(A).

29
30 And we've reviewed some of this stuff in the past,
31 but again, some of the reason for this increase in both 17(A)
32 and western 17(C) is continued immigration into both of those
33 areas as well as protection in western 17(C) with that area
34 being closed and probably some with 17(A) being closed.
35 We've had some fairly mild winters in this part of the
36 country, which effected, like I say, the populations of both
37 17(A) and 17(C). Pristine habitat in both of these areas, a
38 few predators, and a reduction in illegal harvest by a lot of
39 the locals. A lot because of poor winter conditions for
40 traveling and also we've seen an increase in caribou
41 populations or at least caribou moving through this country
42 which has provided an alternate meat source for the
43 communities.

44
45 MR. HEYANO: Mike, would you say that there's
46 a reduction of illegal harvest due to the educational process
47 and the people in those areas actually buying on to the
48 program of attempting to increase that moose population or is
49 it primarily due to poor travel conditions? I guess the
50 question is, have you noticed any progress in that direction

00320

1 from those folks?

2

3 MR. HINKES: I think definitely we have, at
4 least in 17(A), I think -- you know, we've had as high as 20
5 or 25 moose unofficially reported, you know, taken illegally
6 in 17(A). And last year, I think we had six and this year we
7 had two that was reported. I think the increased awareness,
8 you know, we spend time in the community. We have Pete over
9 there talking, and I think we've seen some real progress
10 along those lines.

11

12 MR. ABRAHAM: Yeah, Mr. Chairman, I can
13 answer part of -- some of that illegal hunt right there.
14 I've been educating the younger generation with the help of
15 elders now and then, it's not an all the time thing but the
16 residents are beginning to realize how important it is to
17 have the increase of the animals and not only that the
18 population of caribou -- the increased of caribous are
19 helping along at the same time. So we're proud of the people
20 over there, and what they're doing.

21

22 MR. HINKES: But again, I'd like to emphasize
23 that what we're seeing in 17(A), we don't think much about
24 17(C), the western part, we haven't been talking about it a
25 whole lot but that same sort of phenomena has been happening
26 there where, at least, when I first got here and did my first
27 moose surveys in late '89/90, you had your strongholds in
28 Sunshine Valley and some in Youth Creek, but other than those
29 areas there was -- there were only a few moose in western
30 17(C). And I think at that time they were also hit by some
31 illegal harvest there.

32

33 So with our good conditions related to mild winter,
34 good habitat, you know, we've seen the increase in both of
35 these areas.

36

37 MR. SAMUELSEN: Just a follow-up question,
38 Mike. If the State opened up, you know, when you first
39 continued immigration from 17(C) for protection of moose and
40 western 17(C), if the State opened up the western portion of
41 17(C), do you think that would effect your growth and your
42 herd size in 17(A)?

43

44 MR. HINKES: I think it wouldn't effect it as
45 much now as it would have a couple of years ago.

46

47 MR. SAMUELSEN: Okay.

48

49 MR. HINKES: Because I think immigration has
50 slowed some and you know, we have now, what you might call

00321

1 resident animals now. I was going to get into the results of
2 our.....

3
4 MR. SAMUELSEN: Okay.

5
6 MR. HINKES:movement studies and that.

7
8 MR. SAMUELSEN: Sorry.

9
10 MR. HINKES: But I think that if you opened
11 up western 17(C), you know, to a hunt similar to what you
12 have in the eastern part of it, you know, just a wide open,
13 that it would probably have impacted it quite a bit, just
14 because of the accessibility. The accessibility, you know,
15 from Dillingham, Manokotak.

16
17 Just real quick on this graph, we've seen a real
18 rapid increase the first couple of years and that is
19 gradually the rate of increase has been dropping off, as what
20 you would expect, I guess what you would expect, you know,
21 you can't climb that steep, you know, forever. So that's
22 kind of what we're seeing although the latest growth of 15
23 percent is still pretty significant.

24
25 Yeah, I mean if you took the average of that, our
26 rate of increase is somewhere in the neighborhood of 33
27 percent or 30 percent which is fairly significant.

28
29 Okay, Fish and Game has been doing surveys in this
30 area for back in the '80s and we've worked with them in more
31 recent years. We -- besides the survey there was a study
32 back in 1989 through '92 where there was radio collared
33 animals in Western 17(C), and that was kind of the initial
34 start of taking a closer look at these animals. We didn't
35 see much movement out of 17(C) and 17(A) at that time but
36 that was also prior to where we saw the big increase in the
37 moose populations in Western 17(C), and there may not have
38 been the -- as many animals to push over in that direction.
39 But since then we've initiated a management study which is
40 now a year into it And again, to see if we could get a
41 better handle on what is going on with 17(A) moose.

42
43 So the objective was primarily to identify seasonal
44 movements and distribution, determine what portion of the
45 population was resident versus migratory, take a look at
46 productivity, mortality parameters for the population, work
47 with local residents on protecting the moose which we talked
48 about briefly, and another major part was to better define
49 the carrying capacity for 17(A).

50

00322

1 Just to briefly go over the results of these studies.
2 Last March we captured 37 moose, radio-collared 36, including
3 27 cows and there was nine bulls radio-collared. And we did
4 that by darting from a helicopter. Since that time,
5 mortality, we lost one cow, we presume, to brown bears. And
6 this last year we've lost two of our collared animals to
7 illegal harvest in Unit 18. One was a cow and one was a
8 bull, and the cow was accompanied -- oh, they were both cows.
9 One was accompanied by a calf and both the cow and the calf
10 were taken. Those were both in Unit 18. These were two of
11 the animals that we were seeing an expansion further westward
12 and, you know, we're basically stopped short there.

13
14 As far as production of radio-collared animals, 18 of
15 the 25 cows had calves, 14 with singles and there's another
16 four with twins for a production of essentially 88 calves per
17 100 cows. They calf during late May -- mid to late May and
18 some early in June. Survival of those calves was
19 approximately 94 percent which is a fairly -- 54 percent, I'm
20 sorry. 54 percent which is a fairly good survival rate.

21
22 Composition, although we didn't do any composition
23 counts, per se, in the fall based on our radio collared
24 animals we had a composition of 48 calves per 100 cows and
25 one significant item is we've had a very high bull/cow ratio.
26 Again, this is based on our tracking flights. It may not be
27 totally representative of the whole population, dependent on
28 the distribution, but, you know, in the neighborhood of one
29 bull per cow, which is pretty significant and a sign of a
30 young growing population.

31
32 As far as movements, we've had the two animals move
33 out into Unit 18 which were both then illegally taken. And
34 we've also had moose moving back and forth through 17(C) and
35 two of those animals still remain in 17(C).

36
37 Any questions on the population before I jump into
38 the habitat results?

39
40 MR. HEYANO: Mr. Chairman.

41
42 CHAIRMAN O'HARA: Robert.

43
44 MR. HEYANO: Fifty-four percent calf
45 survival. You know, although you have good habitat, you also
46 have real low predator; is that what that 54 percent
47 signifies?

48
49 MR. HINKES: It's probably a lot of factors.
50 Good food, you know, less -- and predators, it's probably a

00323

1 combination.

2

3 CHAIRMAN O'HARA: Bull/cow ratio, do you have
4 a number on that, I didn't see.....

5

6 MR. HINKES: Not an exact one. But there's
7 indications that it's very high. You know, on our -- when
8 we've counted all the moose during a tracking flight, on one
9 survey we actually saw more bulls than we did cows, but it
10 may be that some of the cow calf groups were maybe away from
11 these other groups so it may not actually be 100 bulls per
12 100 cows but it's definitely significant. And the number of
13 bulls out there is very obvious.

14

15 All right. Another big part of our study was to take
16 a better look at the habitat. There's been, you know, a
17 couple estimates over the past years on how many moose 17(A),
18 you know, might support. It's been as low as 50 and we've
19 come up with other estimates of 600 to 1,000. I'm not sure
20 how the 50 was derived, but we had a -- for the 600 through
21 1,000 we had somewhat of a formula that we used which is
22 fairly rough. What we've done is we've come up with another
23 estimate maybe using a little bit more detailed analysis.
24 But whether it's -- how close it is to the actual carrying
25 capacity, you know, we're just not sure. But I can give you
26 what we've got.

27

28 Our effort is -- started out using computer analysis
29 of lands data, it's a satellite which measures reflectance
30 values, and we go through some gyrations with the computer
31 and we come up with these stratification, which groups these
32 reflectant values into different categories, and then what
33 you do is using aerial photos and on the ground work, go out
34 there and determine what these -- what these classifications
35 are. Some of the products on the wall, and Andy handed out
36 to you is some of the results. The large one in the corner
37 there is our land cover map which shows all the different
38 land cover communities that are out there. And based on
39 certain communities that are prime moose habitat, we can pull
40 them out, group them together and from that we've developed a
41 couple of other -- a couple other maps that show the -- that
42 show where the prime moose habitat is. And on those
43 products, as you can see, it's mostly the greens on there
44 that represent your -- what we were calling optimal habitat,
45 which is mostly your mixed spruce, birch forest, open and
46 closed tall shrub communities and your birch and cottonwood.
47 Also identified on there was some secondary habitat, which
48 depending on -- we're talking about winter habitat here,
49 depending on its relationship to some of the other optimal
50 habitat, it may or may not be used as prime winter habitat.

00324

1 But as a result, we came up with our calculations of 560
2 square miles of what we considered optimal habitat and 520
3 square miles of what we considered secondary habitat.

4
5 Now, we were looking at this from a conservative
6 standpoint, so we considered only the optimal habitat for
7 coming up with a winter carrying capacity. Okay, you come up
8 with the acres, that's one thing, then you have to decide
9 well, how many moose do you think can be supported by each
10 one of those square miles of habitat. In North America,
11 those densities range anywhere from .5 moose per square mile
12 all the way up to 14 moose per square mile. We
13 conservatively took two to three moose per square mile to
14 come up with our range of moose that we feel it can support,
15 and that's somewhere between 1,100 and 1,750 moose in 17(A).
16 And actually that just takes in 17(A) that is on that land
17 set scene. There is actually more 17(A) that has not been
18 calculated in that is off of that map that you see on the
19 wall. And I'd just like to add, too, that there is one area
20 in 17(A) where we do have a density of 10 moose per square
21 mile.

22
23 But this is a conservative look at this carrying
24 capacity. Again, we're looking at a range that we feel it
25 can support and we feel that it's conservative. But we look
26 at it as more of a target to where something that you head --
27 that you head to and then based on the results of your
28 monitoring efforts, looking at the moose, body conditions,
29 your calf/cow ratios, measurements of the population as well
30 as monitoring condition and trend of the habitat, that you
31 can more accurately eventually determine what that is and
32 adjust your harvest accordingly.

33
34 And that is -- that is kind of the position we took
35 when laying out some of the objectives of the management
36 plan.

37
38 Is there any questions on how we came up with those
39 numbers? Again, it's another number, you know, we feel it's
40 better than past estimates but you know, there's a lot of
41 variables. And another variable is that can dictate whether
42 that's good winter habitat or not is the weather. You know,
43 if you have deep conditions in some of this optimal habitat,
44 moose won't be able to use it. So you know, it's hard to
45 come up with a real concrete estimate on actually how many
46 animals it will support.

47
48 Okay, Andy. I guess in summary, based on what we've
49 observed in our studies and our monitoring efforts out there
50 how we view 17(A) moose, for one, the moose -- the moose are

00325

1 young and they're healthy. The fat layers, during our
2 capture effort, the moose were fat and they were young. We
3 have -- we actually have some of those young moose that
4 actually produced calves, some two year olds. The population
5 continues to grow and expand at a substantial rate due to
6 good reproduction and calf survival, few predators,
7 immigration and the pristine habitat.

8
9 A significant portion of the population appears to be
10 resident based on our radio-collared animals, although we
11 only have a years worth of movement data and so it's a little
12 premature to do that. But a good portion of those animals
13 are staying in 17(A).

14
15 We believe based on our habitat work, on the ground
16 and our computer work that 17(A) can support a larger
17 population. Important items as far as the proposal that is
18 in front of you and any future hunting, is that, the current --
19 the current hunt that is presently in effect is having a
20 negligible effect on the growth and expansion of population.
21 That the take is so low and the population is growing fast,
22 it's almost insignificant. And it's probably a similar thing
23 in western 17(C). And I think one of the big things also is
24 for a fall hunt, western 17(C) and in 17(A) under the current
25 restrictions and the permits in 17(A), that many of the moose
26 are inaccessible, you just can't get to them. And so in that
27 way they're being protected and so the population isn't being
28 effected at all by the current hunt. And lastly, in our
29 summary is that we believe that 17(A) can support an
30 increased harvest and still allow the herd to continue to
31 grow and expand.

32
33 MR. SAMUELSEN: That last comment there,
34 Mike.

35
36 MR. HINKES: Leave that one up there.

37
38 MR. SAMUELSEN: What kind of increase are we
39 talking about on a percentage of the herd, 509 animals?

40
41 MR. HINKES: Okay, Andy, go ahead and go to
42 the next one and put it up.

43
44 MR. SAMUELSEN: Oh, okay that will answer it,
45 okay, I'll shut up.

46
47 MR. HINKES: This is just a rough estimate of
48 the status quo. And this is -- we had 11 moose that were
49 taken in 1998 and just -- just guessing that under the
50 current fall hunt, that the harvest is going to remain just

00326

1 about the same although it's going to gradually increase as
2 the population increases, there's going to be more
3 opportunity, more chances of running into other moose. So
4 under the -- this is kind of what you could expect with our
5 current survival rates, reproductive rates, and what we
6 figure might be the harvest under the current system. And
7 that isn't taking into consideration anymore immigration,
8 that's just looking at the animals that are -- the numbers
9 that are there with the reproductive success and the
10 mortalities that we have, that you can still -- as you can
11 see, we're going to see continued growth.

12
13 And you know, frankly, I don't -- I don't see any
14 reason why we're not going to see that continued growth and
15 expansion of moose in this part of the world.

16
17 And I guess coming down to it, we support, you know,
18 based on the information that we presented up to this point,
19 we support the Proposal 40, with modification though to
20 eliminate the part where the moose season will be closed,
21 when and if a total harvest limit and it said to be
22 determined later, that particular part of the proposal is
23 inconsistent with the State one. I don't think that during
24 that season, like I've already said, that you can take enough
25 moose and significantly impact the growth and expansion of
26 that herd. The proposal brings us into alignment with the
27 State hunt, which I think is something that we strive to do.
28 And it also, you know, now we have a State hunt that's
29 providing a subsistence hunt to local users but we have a
30 subsistence board that -- we don't have a hunt on the Federal
31 side that also supports that. And so, you know, for those
32 reasons we support 40 with modifications.

33
34 That's pretty much my presentation on the background
35 information on the moose, the growth and expansion. The next
36 part of the presentation would actually be getting into the
37 management plan itself, but I don't know if you have any
38 additional questions or you want to

39
40 CHAIRMAN O'HARA: Any questions, Council
41 members? Roll on, I guess.

42
43 MR. HINKES: I'm getting a dry throat here.

44
45 MR. HEYANO: Mr. Chairman.

46
47 CHAIRMAN O'HARA: Robert.

48
49 MR. HEYANO: I've got a question, Mr.
50 Chairman. We're handed this draft management plan here.

00327

1 Quite honestly, it's the first time I've seen it. If you
2 recall past Board action here, is we instructed them to get
3 together with the stakeholders and develop a plan. I guess
4 what's your feeling on the intent at the end of this meeting?
5 Is this something we're going to endorse or provide comments
6 to without having stakeholders first review it and provide us
7 with some comments? I guess I'm a little concerned on how
8 we're proceeding here based on past action that we've passed
9 as a Council.

10
11 CHAIRMAN O'HARA: Well, I guess we'll discuss
12 that, I guess when we get to the proposal.

13
14 MR. ARCHIBEQUE: Mr. Chairman, I'd like to
15 make a comment. I think one thing we want to emphasize is
16 this is a preliminary draft and we did not come here with the
17 expectation that you would support anything that's in there
18 at this point. We want to provide you with the opportunity
19 to see where we're at at this point. You can discuss it, and
20 we do plan on having additional meetings to discuss this with
21 other users.

22
23 CHAIRMAN O'HARA: All right.

24
25 MR. ARCHIBEQUE: So we're not at the point of
26 wanting you to endorse it at this point.

27
28 CHAIRMAN O'HARA: This is not hard point
29 issue right now.

30
31 MR. ARCHIBEQUE: We'd like to provide you
32 with the opportunity to look at what we've currently got and
33 the feedback -- the input that we did get from the village of
34 Togiak.

35
36 CHAIRMAN O'HARA: Okay. You're going on to
37 the management.

38
39 MR. HINKES: Yeah. There's been discussion
40 of possibly forming some working group that, you know, if
41 deemed necessary and that may be something that we may decide
42 to do. I guess the advisory committee had decided to form
43 some sort of sub group to take a look at this sort of thing.
44 But like Aaron said, this is -- this is a draft and
45 information today and just some things that from the meetings
46 that we've had and working together, the biologists and the
47 managers, we've kind of come up with some -- come up with
48 some objectives.

49
50 MR. SAMUELSEN: Mr. Chairman.

00328

1 CHAIRMAN O'HARA: Yes.

2
3 MR. SAMUELSEN: When is everybody leaving
4 tonight?

5
6 CHAIRMAN O'HARA: When we're done, I guess.

7
8 MR. SAMUELSEN: Instead of going through this
9 whole management plan, since the stakeholders haven't had a
10 chance to sit down with it, I was just trying to save some
11 time so people could get out of town -- or how long do you
12 think it is, yet, Mike?

13
14 MR. HINKES: I can go as fast as you want. I
15 can make it real brief, you know, just hit some of the
16 highlights?

17
18 CHAIRMAN O'HARA: Let me ask you, can you
19 hear me David?

20
21 COURT REPORTER: If you could get a little
22 closer that'd be better.

23
24 CHAIRMAN O'HARA: Are some of you people
25 planning on catching the night flight tonight?

26
27 MR. HEYANO: I am.

28
29 CHAIRMAN O'HARA: You are, at 7:00 o'clock --
30 6:30, okay. Well, then maybe we better shorten it up a
31 little bit then. Because if you need to go now, you can go
32 out to the airport. Are you catching the 5:00 o'clock PenAir
33 flight?

34
35 MR. BOSKOFISKY: Supposed to.

36
37 CHAIRMAN O'HARA: You better hurry then.

38
39 MR. BOSKOFISKY: Yeah.

40
41 CHAIRMAN O'HARA: The rest of us can carry on
42 here. And my ride's going to be waiting for me so I have
43 time.

44
45 MR. BOSKOFISKY: I got one question.

46
47 CHAIRMAN O'HARA: Sure.

48
49 MR. BOSKOFISKY: At our last meeting before
50 there was any proposals that come out for another moose

00329

1 proposal on this issue.

2

3 CHAIRMAN O'HARA: Uh-huh.

4

5 MR. BOSKOFISKY: We stated that we wanted them
6 to come up with a management plan.

7

8 CHAIRMAN O'HARA: Here it is.

9

10 MR. BOSKOFISKY: And we just get it when we
11 get to Proposal 40, so you don't get a real good idea of what
12 -- everything that's in it.

13

14 CHAIRMAN O'HARA: He's giving us the
15 management plan right now.

16

17 MR. HINKES: Yeah, the management plan, per
18 se, is kind of unrelated to 40. I mean it is and it isn't.

19

20

21 MR. HEYANO: Well, it isn't, Mr. Chairman.
22 I'm going to belabor this point because it isn't. Because of
23 previous actions we said we needed a moose management plan
24 drafted by the Feds and the State and the stakeholders before
25 we looked at any other -- liberalizing any kind of moose
26 hunting. And you know, I'm having a real hard time with the
27 way we're proceeding here with this process.

28

29 CHAIRMAN O'HARA: Well, I take exception to
30 that. I think they're giving us a report to give us
31 information and it's not the end of the world if we don't act
32 on 40 right now. I'd like to continue to hear the
33 information that you have so go ahead and make your report
34 and then we'll go from there.

35

36 MR. SAMUELSEN: Mr. Chairman.

37

38 CHAIRMAN O'HARA: Yes, Robin.

39

40 MR. SAMUELSEN: Yeah, I would like to deal
41 with Proposal 40 because we're going to lose Robert and we're
42 going to lose Alvin, this is an information packet, I take
43 it, Mike, at this point in time until the stakeholders
44 meeting, I guess it comes back to us for final approval at
45 our fall meeting?

46

47 CHAIRMAN O'HARA: Okay. Would you like to
48 maybe stop this report right now then and act on the proposal
49 and if there's time they can go ahead and finish up or do you
50 want to just finish right now, this report?

00330

1 MR. SAMUELSEN: Well, I think he's done with
2 his report, the only thing he has to do is his -- go through
3 the -- maybe let him just hit the high points of his
4 management plan if it don't take long.

5
6 CHAIRMAN O'HARA: Okay. Kind of summarize,
7 if you would.....

8
9 MR. SAMUELSEN: Yeah.

10
11 CHAIRMAN O'HARA:and then we'll act on
12 the proposal before we lose Alvin and Robert.

13
14 MR. HINKES: You bet. Basically this is a
15 refinement or an expansion of an earlier management direction
16 that we had put up between Fish and Game and the Refuge, we
17 did that among ourselves without the public input. We've
18 come up -- we came up -- we refined those objectives, we've
19 had a meeting in Togiak, like Aaron mentioned and we got
20 their input. We did not get one in Dillingham but we did
21 have some input from some local people and we've come up with
22 some draft objectives that reflect you know, what our
23 findings are. I think there are four goals and there's
24 objectives under each one of those goals -- yeah objectives
25 under each one of those goals that get us to the goal. It's
26 how we get there. And there's certain ones that are more
27 significant than others.

28
29 Basically under goal one, which is to ensure the
30 health, continued growth and viability of the moose
31 population, we want a minimum of 300 moose -- 300 moose in
32 the area, which we've already exceeded that, we want a
33 minimum of 30 bulls per 100 cows. And a conservative harvest
34 which will allow the herd to continue to grow and expand. We
35 want to increase the population to carrying capacity or
36 somewhere in that -- or somewhere up there and we want to get
37 to that carrying capacity by monitoring the population and
38 the habitat to ensure that we don't exceed that. We want to
39 continue to monitor the population through radio-collaring,
40 working with the local users and implementing any other
41 research that might be necessary.

42
43 Go ahead Andy.

44
45 Goal two is to maintain and protect moose habitat and
46 other components of the ecosystem in 17(A) upon which the
47 moose population depend. Basically continue our habitat
48 work, to refine our mapping which we've begun with the
49 products on the wall there. A real critical part of this
50 goal two is to monitor the brows condition and trend in these

00331

1 winter concentration areas to make sure that we don't exceed
2 the population. If we start getting indications of over use
3 in some areas it will be a red flag that we need to increase
4 our harvest and do something different. So that's the
5 important part of this goal two. Also we'll take a look at
6 the nutritional quality of brows as money and that allows,
7 it's a lower priority. And then kind of a blanket statement,
8 is kind of work with private land owners to, you know,
9 protect the moose habitat.

10
11 Okay, goal three.

12
13 This is the one that probably provides the most
14 controversy of all of them. And this is the one where we set
15 population levels at which certain types of harvest might be
16 allowed. The first objective of the goal is to allow the
17 fall hunt under a State registration permit of a minimum of
18 population of 300 moose. The 30 bulls per 100 cows minimum.
19 And keep the hunt as it is now with the permits issued in
20 Togiak and no aircraft access, and that's at the 300 level.
21 At the 600 level, to allow a more liberal hunt and that's
22 either through a limited permit winter hunt, probably a
23 Federal subsistence hunt or -- and/or liberalize the fall
24 hunt permit distribution and restrictions. Distribution
25 meaning, some of those permits given out in Dillingham or in
26 some of the other villages and also possibly liberalizing the
27 aircraft access use.

28
29 So the other key number is 600 animals. Just as far
30 as our meeting in Togiak went, this was a number that they --
31 they felt that it was a good number to work with as far as
32 that, you know, liberalizing the hunt. They, of course, they
33 want a limited -- some sort of limited winter hunt and 600
34 was a number that they were happy with and we were happy
35 with.

36
37 And then again, the next level would be at 1,000
38 animals when either the State or the Federal committees could
39 liberalize the hunts even more, just an open hunt of some
40 sort, open winter hunt or whatever.

41
42 But those were our main -- our main levels there.
43 And this is probably the area that will take the most work as
44 far as making everybody happy. But these are -- were the
45 draft ones that we've come up with at this point for goal
46 three.

47
48 UNIDENTIFIED VOICE: Do you want to do the
49 last two in goal three?

50

00332

1 MR. HINKES: Oh, okay, I forgot about those.
2 Another objective in goal three was to align Federal and
3 State hunts which this Proposal 40 would do and also work
4 together to come up with management proposals and
5 recommendations in the future on how we would go about permit
6 distribution, that sort of thing when there's a limited hunt.
7

8 And go ahead. Goal four is basically just a lot of
9 blanket objectives as far as working cooperatively to
10 continue monitoring education, working with the people.
11 Basically to encourage cooperation and communication. It's
12 kind of a blanket goal that's in most management plans.
13

14 So that's the gist of it, that's the five minute one.
15

16 CHAIRMAN O'HARA: Okay, good. Is that all
17 you have on the overheads?
18

19 MR. HINKES: Yeah.
20

21 CHAIRMAN O'HARA: Thank you.
22

23 MR. HINKES: That's it.
24

25 CHAIRMAN O'HARA: Okay. Anything else you
26 have there?
27

28 MR. HINKES: No, that's it.
29

30 CHAIRMAN O'HARA: Okay. So then after you
31 would be the Alaska Department of Fish and Game then, unless
32 there's any questions we might have. Thank you very much for
33 a very detailed report. And Mike it's not too often that we
34 get a positive type thing where we can say we're glad for the
35 increase in animals.
36

37 MR. HINKES: If I could say one more thing?
38

39 CHAIRMAN O'HARA: Sure.
40

41 MR. HINKES: Just one of the things we forgot
42 when we also recommended the proposal.
43

44 CHAIRMAN O'HARA: Okay.
45

46 MR. HINKES: I just want to emphasize that
47 whether the Board adopts the proposal or not, it will have no
48 impact on the population. There is a State hunt that is on
49 permanently on the books that will go on.
50

00333

1 CHAIRMAN O'HARA: Okay.

2
3 MR. HINKES: It won't change anything.

4
5 CHAIRMAN O'HARA: Yeah, we're aware of that.

6
7 MR. HINKES: Okay.

8
9 CHAIRMAN O'HARA: Thank you very much, we
10 appreciate it. State of Alaska.

11
12 MS. ANDREWS: Thank you again, Mr. Chairman.
13 Elizabeth Andrews, Alaska Department of Fish and Game. As
14 you know, in general, we certainly support aligning Federal
15 and State seasons. Our area staff here have also been
16 working on this moose management plan and I was just going to
17 see if Jim Woolington has any additional comments based on
18 the biological report you just heard relative to this
19 proposal.

20
21 MR. WOOLINGTON: No.

22
23 CHAIRMAN O'HARA: No. Well, Jim's it's nice
24 to have you here today. You were doing surveys yesterday and
25 observing today, uh, yes, we're glad to have you in the area.
26 I met you at the Game Board a while back and I appreciate you
27 being here today.

28
29 MS. ANDREWS: So thank you, Mr. Chairman.
30 You know, we could go either way on this. We are part of the
31 moose management planning process here. We did hear some
32 testimony yesterday for a recommendation to defer action on
33 this until this plan has gone through a public review process
34 in the communities and so forth and if that's what the
35 Council chooses to do we could certainly support that.

36
37 As Mike mentioned, there is a State hunt already on
38 the books so taking no action on this proposal at this time
39 isn't going to effect the ability of people to get out and
40 hunt under the State season.

41
42 CHAIRMAN O'HARA: Any questions, Council
43 members? Thank you, Elizabeth. Other agencies, are you
44 other agencies -- David.

45
46 MR. FISHER: I have one more comment, Mr.
47 Chairman.

48
49 CHAIRMAN O'HARA: Okay.

50

00334

1 MR. FISHER: In talking with Aaron there,
2 they wanted to modify the proposal and they just wanted to
3 delete the portion that says the moose season will be closed
4 when and if a total harvest limit to be determined later in
5 the entirety of 17(A) has been reached. That was their
6 modification.

7
8 CHAIRMAN O'HARA: So what page is that on?

9
10 MR. FISHER: Page 112.

11
12 CHAIRMAN O'HARA: Where at on the page?

13
14 MR. FISHER: Right at the top there where
15 it's under proposed regulation in the sort of italics with
16 the grey behind it.

17
18 CHAIRMAN O'HARA: All right, got it, thanks.
19 Other agency comments. They've all gone home, I think. Fish
20 and Game Advisory Committee comments, if there's any -- yes.

21
22 MR. NICHOLSON: Thank you. For the record,
23 my name is Hans Nicholson, Chairman of the Nushagak Advisory
24 Committee. The last action we took on the subject was we
25 were against the proposal based on because the minimum
26 threshold that we felt, 600 has not yet been met. It looks
27 like we're a year or two away. I've been delegated to
28 appoint a subcommittee to sit down with the Federal boys to
29 hammer out this draft management plan. I have not yet seen
30 the draft plan but I think as the other people said, there is
31 a State hunt on the books but we're almost there.

32
33 I guess that's the extent of my comment.

34
35 CHAIRMAN O'HARA: Hans, what does this
36 committee consist of that you're formulating? Do you have it
37 named already, have you appointed.....

38
39 MR. NICHOLSON: No, I have not.

40
41 CHAIRMAN O'HARA: Okay. Would it be a
42 possibility of one of our Advisory Council members being on
43 it if they're interested?

44
45 MR. NICHOLSON: I think that would be a good
46 idea.

47
48 CHAIRMAN O'HARA: Yeah, so either Robert or
49 Robin or Pete since this is their district.

50

00335

1 MR. NICHOLSON: Yeah. My recommendation
2 would be to, you know, get this thing done and over with
3 before herring, you know, once fishing starts things get busy
4 and then after fishing we have the moose and caribou seasons.
5

6 CHAIRMAN O'HARA: I agree with you. I don't
7 think we ought to touch it until 600 animals shows up and
8 that's what we had planned. But we're getting the management
9 plan going and there's some good things happening. We do
10 have the permit hunt system already on the books. Anything
11 else?
12

13 MR. NICHOLSON: Nope.
14

15 CHAIRMAN O'HARA: Questions. Thank you.
16

17 MR. NICHOLSON: Thank you.
18

19 CHAIRMAN O'HARA: We have no written
20 comments. Public comments. Wishes of the Council? Yes,
21 Robin.
22

23 MR. SAMUELSEN: For discussion purposes and
24 putting it in front of us, I'll move for adoption.
25

26 MR. ENRIGHT: Second.
27

28 CHAIRMAN O'HARA: Okay. Second by who -- who
29 seconded it -- oh, Tim, okay.
30

31 MR. SAMUELSEN: Mr. Chairman.
32

33 CHAIRMAN O'HARA: Yeah, speak to your motion
34 because it looks like you're going to pass it.
35

36 MR. SAMUELSEN: Yeah, well, I don't know if
37 I'm going to support it or not I just got it in front of us.
38

39
40 CHAIRMAN O'HARA: Okay, that's good.
41

42 MR. SAMUELSEN: This has been a real
43 cankerous issue. We sat down and decided 600 to 1,000 was an
44 operable number. The next thing we know there's a moose hunt
45 opening on State lands over there, Federal lands remain
46 close.
47

48 As I pointed out in the past, Mr. Chairman, the upper
49 end of Snake River Valley and the Sunshine Valley was closed
50 off to residents of Dillingham, Manokotak and that was

00336

1 basically for them caribou to migrate at 17(C) over into
2 17(A) there and build that portion up. If you remember the
3 graphs were just flat, there was no caribou over there. And
4 I guess what I'm hearing now is that -- from the people of
5 Togiak and Staff's recommendation instead of waiting until we
6 hit that 600 number, we're at 509 or something like that now,
7 they're willing to start allowing a hunt on Federal lands and
8 they want to hunt on Federal lands. You know, for a person
9 from Dillingham, that had his traditional hunting area shut
10 down didn't help mind it to help the Togiak people get them
11 moose going over. I guess in the State process, if we're
12 going to have a hunt and slow the objective down, then we
13 will be putting in proposals to open up 17 -- the western
14 portion of 17(C), and what I've heard from Staff is at this
15 point in time, they have developed a resident herd in 17(A),
16 very little movement, I think the graphs up there showed four
17 moose moved off and two of them moved back on or something
18 like that.

19
20 CHAIRMAN O'HARA: Two got killed when the
21 crossed the boundary line.

22
23 MR. SAMUELSEN: Well, that's another story.

24
25 CHAIRMAN O'HARA: Right.

26
27 MR. SAMUELSEN: We got to teach them people a
28 little manners over there in 18, that's beyond your area,
29 that's really just to the west.

30
31 So you know, there's ramifications in adopting this
32 in my eyes because you know, you talk to people that hunted
33 up in the areas and it was a sore subject and pretty
34 controversial in the Nushagak Advisory Committee when those
35 grounds were closed to these people over here. But I guess
36 in light of compromising, if everybody's willing to
37 compromise, I just want to know what the ramifications are, a
38 bunch of proposals will be put in to open that 17(C).

39
40 CHAIRMAN O'HARA: Discussion on the motion.

41
42 MR. HEYANO: Mr. Chairman.

43
44 CHAIRMAN O'HARA: Robert.

45
46 MR. HEYANO: Yes, Mr. Chairman, I'm not -- I
47 won't be supporting the motion. I think if you will recall
48 there's that -- we were led to believe that if we allow a
49 limited hunt of 10 animals, by permit, that that's as far as
50 it was going to go. So we structured that hunt with allowing

00337

1 those permits to be given out in Togiak only. And it was
2 always my understanding of it is that we were always going to
3 develop a moose management plan for Unit 17(A) consisting of
4 the stakeholders and the State and Federal people for some
5 long-term objectives.

6
7 I think we sat here for two days and this is the only
8 bright spot that I can see on moose and caribou populations
9 within our jurisdiction. And I think we owe it to ourselves
10 to approach just a little differently now that we have the
11 opportunity, then some of the other areas have been
12 approached in a piecemeal fashion.

13
14 I further believe that if the stakeholders get
15 together with the State and Federal and can come up with the
16 moose management plan in the future, you're going to have a
17 lot easier time of having those State and Federal regulations
18 be consistent. I think it will be awful hard for the Board
19 of Game or the Federal Subsistence Council to ignore that
20 grassroots effort. And it all goes to the benefit of the
21 population. I think the other thing, you know, this is --
22 this isn't an issue that as far as the people I represent
23 just in three or four years, we've been babysitting this
24 thing for over 10 years, maybe 15 years, and this is the
25 results we're hoping to have. So in light of that, you know,
26 Mr. Chairman, I think that there's a lot of issues that need
27 to be addressed here before we liberalize the season. And
28 obviously I don't see that happening in the State system, so
29 I think we owe it to ourselves to do it in the Federal system
30 where it's a lot easier to do and get the people together.

31
32 So you know, in that light, you know, I'm not in
33 favor of liberalizing the moose season on Federal land until
34 we have a plan in place, and basically what are we talking
35 about, one year.

36
37 CHAIRMAN O'HARA: Well, Robert, we didn't
38 vote together on five proposals but we're going to vote
39 together on this one, okay, because I won't support it
40 either.

41
42 Jim, did you want to have a comment here?

43
44 MR. WOOLINGTON: Yes, Mr. Chair, just a
45 comment.

46
47 CHAIRMAN O'HARA: Give us your name for the
48 record.

49
50 MR. WOOLINGTON: Jim Woolington, Alaska

00338

1 Department of Fish and Game, Dillingham. I guess what I hear
2 member Samuelsen said that this would be -- this proposal
3 would be a hunt on Federal lands and there's presently a hunt
4 only on State lands, the present State hunt is on all lands
5 in Unit 17(A). It's a registration hunt, a State
6 registration hunt where the permits are issued in Togiak and
7 it's for all lands in Unit 17(A). It goes from August 20th
8 through September 15th. All Alaska residents qualify. It's
9 closed to non-residents. Aircraft cannot be used and the bag
10 limit is one bull.

11
12 Proposal 40, as I understand it, the Federal proposal
13 is a similar season, August 15th through -- or August 20th
14 through September 15th by State registration permit. My
15 understanding is this Federal hunt would be only on Federal --
16 the Federal hunts are only on Federal lands, of course. So
17 really there is no liberalization by Proposal 40. The hunt
18 is already open in all of 17(A).

19
20 The other part is that on the western side of 17(C),
21 it is open, Unit 17(C), that portion including the Iowithla
22 Drainage, Sunshine Valley and all lands west of Wood River
23 and south of Aleknagik Lake. It's open for one bull by
24 permit registration permit, August 20th through September
25 15th for one bull with spike-fork or 50-inch antlers or three
26 or more brow tines at least on one side under a general
27 harvest card, September 1st through September 15th. No area
28 in Unit 17(C) is open for moose hunting for non-residents.
29 So that area in Sunshine Valley and the western part of Unit
30 17(C) presently is open during the fall hunting season.

31
32 MR. HEYANO: Mr. Chairman.

33
34 MR. WOOLINGTON: It is not open during the
35 winter season.

36
37 CHAIRMAN O'HARA: Robert.

38
39 MR. WOOLINGTON: Which is west of the Wood
40 River, excluding the Iowithla.

41
42 MR. HEYANO: Yeah, just a comment, that's
43 correct. But it will also -- 17(C) that portion south and
44 west of Wood River was open in the winter and if you go back
45 and look at the harvest records, you know, it was virtually
46 zero in the fall months and all the harvest came during the
47 winter months. And Sunshine Valley, I don't know how long
48 that's been closed. I think that's been closed ever since
49 Iowithla was closed, and, you know, those were heavy
50 concentrations of moose area that were prime hunting areas in

00339

1 the winter.

2

3 CHAIRMAN O'HARA: And that's where we wanted
4 the 600 to start with to harvest. Okay, any other comments.
5 Yes.

6

7 MR. SAMUELSEN: The moose season will closed
8 when -- if the total harvest limit to be determined later,
9 the entirety of 17(A) has been reached, proposed regulation.
10 How many animals are we talking about in 17(A)? How many
11 animals are we talking about killing, just the amount of
12 permits the State.....

13

14 MR. HINKES: Fifteen.

15

16 MR. SAMUELSEN: How many?

17

18 MR. HINKES: Fifteen last year and 10 this
19 year.

20

21 MR. WOOLINGTON: Nine.

22

23 MR. HINKES: I guess there was nine, right.

24

25 MR. SAMUELSEN: But there's no cap on the
26 amount of permits.....

27

28 MR. WOOLINGTON: Correct.

29

30 MR. SAMUELSEN:for harvest? So what
31 happens if conditions are right, hypothetically, I mean we're
32 talking about the second largest village in the region and
33 the number of people get their permits and the success rate
34 is way up there, how do we control the numbers?

35

36 MR. ABRAHAM: Mr. Chairman.

37

38 CHAIRMAN O'HARA: Yes.

39

40 MR. ABRAHAM: Can I answer that question?

41

42 CHAIRMAN O'HARA: Yes.

43

44 MR. ABRAHAM: Remember we talked about Togiak
45 River over there and the tributaries on it?

46

47 MR. SAMUELSEN: Uh-huh. (Affirmative)

48

49 MR. ABRAHAM: I mean you can't go anywhere
50 outside beyond -- by the river bank more than a mile. So

00340

1 basically what you're talking about is you're hunting inside
2 the river and once there's the traffic you hardly see any
3 animals moving around, unless they're rut, you know, no
4 sudden movement, and going back forth. In the fall time
5 there's a lot of traffic in the river and the first time when
6 we opened it for 15 -- no, 10, we got 15. A year later when
7 we opened it the second time there was only nine. Because we
8 had more traffic in the river than we did the first time.

9
10 So the river over here is -- I mean you can't hardly
11 go anywhere. The river is shallow, the tributaries are
12 shallow.

13
14 CHAIRMAN O'HARA: Yeah, go ahead, Mike.

15
16 MR. HINKES: Mike Hinkes with Togiak Refuge.
17 You know, just to add on to Pete, you know, what he's saying
18 is correct. Our tracking flights during that time period,
19 the majority of those moose, those bulls are away from the
20 rivers, they're inaccessible, just like they are in western
21 17(C) and that's why you don't have the harvest there either.

22
23 MR. HEYANO: Mr. Chairman.

24
25 CHAIRMAN O'HARA: Robert.

26
27 MR. HEYANO: Yeah, you know, I think this
28 discussion just reiterates my point, Mr. Chairman, is that,
29 if you recall we allowed a hunt on Federal land by permit
30 only for 10 moose and then the illegal harvest was going to be
31 come off of those 10 moose and those permits were going to be
32 issued in Togiak. Well, the State Board got a hold of it and
33 they said, well, uh, that's fine, we'll issue the permits,
34 you can't use aircraft and the heck with the limit. And to
35 me, that's the approach we go when we piecemeal this. And as
36 I said before, I think if we all sit down and come up with a
37 plan, in the future, it's going to be a lot easier to
38 coordinate these regulations.

39
40 CHAIRMAN O'HARA: Any other questions, we're
41 just about to vote here, guys.

42
43 MR. ABRAHAM: Yes.

44
45 CHAIRMAN O'HARA: All right. Robin, do you
46 have a comment?

47
48 MR. SAMUELSEN: Yeah.

49
50 CHAIRMAN O'HARA: Sure.

00341

1 MR. SAMUELSEN: So basically since the State
2 took the lead because there's no limit on the amount of
3 permits, what good is this regulation? Why do we need this
4 regulation? What's going to change in Togiak moose hunting
5 by the adoption of this regulation?

6
7 MR. HINKES: Not a thing. The only thing --
8 what it will change.....

9
10 MR. SAMUELSEN: So we.....

11
12 MR. HINKES: What it will change is it will
13 bring them in alignment, where the -- you know, basically the
14 State and the Feds are, you know, regulations are work -- you
15 know, keep things the same. But it's not going to effect the
16 population at all, it's not going to change a thing.

17
18 MR. SAMUELSEN: It's not going to effect the
19 population. It's not going to effect how many people are
20 issued a permit. It's not going to.....

21
22 MR. HINKES: And I just want to comment, you
23 probably have the highest bull to cow ratio that you'll see
24 in that population from here on out. You won't see these
25 high of numbers because it will gradually, as the hunts
26 increase, these numbers are going to come down. You know,
27 you're looking at other populations where we're looking for a
28 minimum of 30. You know, we've got maybe 70, 80, 90 bulls
29 per 100 cows. I mean if you want to look in terms of
30 surplus, you know, if you're thinking that way of surplus,
31 you've got surplus bulls out there.

32
33 CHAIRMAN O'HARA: Robert.

34
35 MR. HEYANO: Yeah, but Mr. Chair, hearing
36 those statements, I would recall your memory to the early
37 '70s when we were discussing the Alaska Peninsula moose also,
38 less than 20 years and see where we're at today.

39
40 CHAIRMAN O'HARA: So we're talking about nine
41 animals on the Federal lands for permit hunts for the Feds?
42 No?

43
44 MR. HINKES: There was nine animals taken in
45 17(A).

46
47 CHAIRMAN O'HARA: Oh, so there's.....

48
49 MR. HINKES: On the State hunt. I don't know
50 if they were on Federal land or if they were on State land.

00342

1 CHAIRMAN O'HARA: All right.

2

3 MR. HINKES: You know, just to emphasize, I
4 don't think that you can -- no matter how many people go out
5 there during the fall hunt, that you can signif -- you know,
6 under the current registration that you can significantly
7 change the course of that population right now.

8

9 CHAIRMAN O'HARA: Okay. Do we understand the
10 motion here now, Council members? Robin, go ahead.

11

12 MR. SAMUELSEN: I want to know, it doesn't
13 matter if we adopt this regulation or not, the only thing
14 we're doing is aligning our regulation up with the State
15 regulation just for alignment purposes. The people in Togiak
16 could get -- could still get as many permits as they want,
17 they could still harvest as many permits as they want, and
18 that's all we're doing is.....

19

20 MR. ABRAHAM: But it's not going to effect
21 the population of the animals. And once -- they're starting
22 to climb now and they're not going to stop.

23

24 MR. SAMUELSEN: I know that Pete, I know
25 that.

26

27 MR. ABRAHAM: Well.....

28

29 MR. SAMUELSEN: But you know, a vote, things
30 lined up, then we get the management -- but if the thing
31 fails we still get the stakeholders together and develop the
32 management plan. It does not effect the moose hunters in
33 Togiak, a vote up or down.

34

35 CHAIRMAN O'HARA: This is going to be a
36 little bit of a divided vote, so would you like more
37 discussion. If not we'll.....

38

39 MR. SAMUELSEN: I'm clear in my mind.

40

41 CHAIRMAN O'HARA: Okay, we'll call for the
42 question and we'll have a roll call vote. Question.

43

44 MR. HEYANO: Question.

45

46 CHAIRMAN O'HARA: Roll call vote.

47

48 MR. BERG: Okay, on a vote for the motion,
49 Dan O'Hara.

50

00343

1 CHAIRMAN O'HARA: No.

2

3 MR. BERG: Robin Samuelson.

4

5 MR. SAMUELSEN: No.

6

7 MR. BERG: Alvin is absent. Robert Heyano.

8

9 MR. HEYANO: No.

10

11 MR. BERG: Andrew Balluta.

12

13 MR. BALLUTA: No.

14

15 MR. BERG: Pete Abraham.

16

17 MR. ABRAHAM: Yes.

18

19 MR. BERG: Tim Enright.

20

21 MR. ENRIGHT: No.

22

23 MR. BERG: Motion fails, five against, one

24 for.

25

26 CHAIRMAN O'HARA: We do not have no more

27 proposals.....

28

29 MR. SAMUELSEN: Mr. Chairman, had this
30 proposal limited the opportunities in Togiak at this time I
31 would have voted the other way. But that's all we are doing
32 is lining up proposals and we stressed that a management --
33 the stakeholders need to get together. And I would urge the
34 agency to get together with the stakeholders and the Nushagak
35 Advisory Committee this spring so we could get this decisive
36 issue behind us once and for all and get the recommendations
37 from Togiak, Dillingham and the other stakeholders and be
38 done with this. Because I'm tired of.....

39

40 MR. ABRAHAM: Mr. Samuelson, well you
41 mentioned all these people over there, well, including some
42 people like the traditional councils from Togiak on this over
43 here.

44

45 MR. SAMUELSEN: Yes, yes.

46

47 MR. ABRAHAM: We work these things over here
48 behind our back all the time. I want some people present
49 when we work on the draft again.

50

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1 MR. SAMUELSEN: No, I want them all in the
2 room together, Pete, everybody in the room.

3
4 MR. ABRAHAM: Yeah.

5
6 MR. SAMUELSEN: And then they come up with
7 the recommendations on it.

8
9 CHAIRMAN O'HARA: All right, the next item is
10 when we have our next meeting.

11
12 MR. BALLUTA: Call of the Chair.

13
14 MR. HEYANO: Sounds good.

15
16 CHAIRMAN O'HARA: Any other business to come
17 before this Council. Any other business to come before this
18 Council? Ask for a motion to adjourn.

19
20 MR. HEYANO: Move to adjourn.

21
22 MR. ENRIGHT: Second.

23
24 CHAIRMAN O'HARA: We're out of here. Excuse
25 me, are you going to second the motion or are you going to
26 make a speech.

27
28 MR. ENRIGHT: No, I seconded the motion.

29
30 CHAIRMAN O'HARA: All right, we're out of
31 here. We don't have to vote on adjournment. We're
32 adjourned. Mr. David, the next meeting will be in Naknek.

33
34 COURT REPORTER: Thank you, Mr. Chair.

35
36 (END OF PROCEEDINGS)

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C E R T I F I C A T E

UNITED STATES OF AMERICA)
) ss.
STATE OF ALASKA)

I, Joseph P. Kolasinski, Notary Public in and for the State of Alaska and Owner of Computer Matrix, do hereby certify:

THAT the foregoing pages numbered 157 through 344 contain a full, true and correct Transcript of VOLUME II, BRISTOL BAY FEDERAL SUBSISTENCE REGIONAL COUNCIL PUBLIC MEETING, taken electronically by David Haynes on the 24th day of March, 1999, beginning at the hour of 8:05 o'clock a.m. at the City Hall Assembly Chambers, Dillingham, Alaska;

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

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

DATED at Anchorage, Alaska, this 4th day of April, 1999.

Joseph P. Kolasinski
Notary Public in and for Alaska
My Commission Expires: 4/17/00